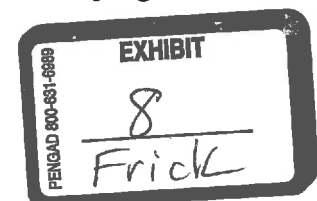


JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(New Candidate)

Full Name: William Patrick Frick
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1. Why do you want to serve as a Circuit Court judge?
It takes longer for criminal cases to get into court in the Sixth Circuit than any other circuit in the State. On the civil side, the situation is better, but not markedly so, with the Sixth Circuit having the fourth worst percentage of cases pending the longest. There is only one judge for the Sixth Circuit. This judge faces the worst criminal backlog in the State with just under five thousand pending warrants and sixty one percent of those criminal cases are over eighteen months old. On the civil side there are over one thousand pending actions. According to Court Administration data from the end of June 2015, this one judge has a total of five thousand eight hundred eighty nine combined criminal and civil matters pending, the most per capita for any judge in any circuit in the State. Simply put, we need another judge in the Sixth Circuit.
2. Do you plan to serve your full term if elected?
Yes.
3. Do you have any plans to return to private practice one day?
No, I would like to finish my legal career on the bench.
4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?
Yes.
5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
The prohibition of *ex parte* communication is clear. If a judge is discussing a case with a party, then the other party or parties must be a part of that conversation.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
When former associates or law partners appear before a judge, all parties must be aware of the relationship. Then those parties can make an informed decision as to if the conflict is one that requires a request for recusal or not. If a request for recusal is made, then the judge should error on the side of caution and recuse himself. I do not see any per se reason that a judge should recuse himself in the case of a lawyer-legislature as long as the judge treats all parties equally regardless of status.
7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?
Justice requires that all parties are treated equally in court and the judge cannot



guarantee fairness if there is a suggestion of impropriety. Therefore, given this situation, it is far better to error on the side of caution and recuse oneself from the action.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

It must be disclosed to the parties and if recusal is requested because of the conflict, recusal must occur. Even if not requested, it would best to avoid all appearance of impropriety and recuse oneself.

9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would without exception follow the judicial ethics and State laws governing such situations.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

I would first address the person accused of the misconduct and, if true, would suggest the person rectify the situation and report himself to the proper authorities. I would have no issue in reporting conduct myself if it were necessary to do so.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated?

If elected, I would remove myself from all involvement that would violate the dual office provision of the law and would not involve myself in any political activity.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench?

I own and operate some residential rental properties in Winnsboro and would remain involved in that as time permits me to do so.

13. If elected, how would you handle the drafting of orders?

I do not believe there is a one size fits all solution in this situation. Draft orders can be submitted by the parties, the judge can request the prevailing side to draft an order, or the judge can draft orders in a matter.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

Deadlines are a necessity and must be followed. I find that simply maintaining a daily calendar is the most effective way to ensure deadlines are met.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

If a judge wants to set policy, he needs to work in a legislative capacity. It is a judge's job to interpret and apply the law as written.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

I would strive to make our judicial system run as efficiently as possible without impinging on the rights of the parties involved in pending matters.

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

The practice of law is very stressful and I do not feel that serving as a judge would

- present any stress or strain that could not be handled.
18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.
- (a) Repeat offenders: If an offender has been given an opportunity to treat whatever issues are present and cannot conform his conduct to societal standards, a judge has no recourse but to sentence that person as the law allows. A judge must have compassion, but when a person is not willing to help himself, society should not have to tolerate that person.
 - (b) Juveniles (that have been waived to the Circuit Court): This is a very difficult situation and recent court decisions have recognized that fact. I would follow the appropriate sentencing laws regarding the specific situation.
 - (c) White collar criminals: While I cannot say specifically what I would do, these crimes generally involve large financial losses that should be repaid and allowable punishment should be provided for failure to do so.
 - (d) Defendants with a socially and/or economically disadvantaged background: While a defendant may have an explanation for his acts due to economic or social circumstances, that cannot be an excuse for an offense.
 - (e) Elderly defendants or those with some infirmity: As with the previous question, age or infirmity cannot be an excuse for an offense.
19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
I own a few stocks and the aforementioned real estate, if a situation presented itself where these activities warranted recusal, I would certainly do so
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
I would disclose the information to the parties involved before me and if a party felt it was necessary for me to be recused, I would do so.
21. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.
22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes.
23. What do you feel is the appropriate demeanor for a judge?
A judge must be fair, firm, and be respectful of the parties and issues before him. He is the manager of the courtroom and must also ensure that all parties believe they have received a fair hearing and fair treatment of their issues.
24. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day?
I strive to comply with these views at all times.
25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?

- No, it is not.
26. How much money have you spent on your campaign? If it is over \$100, has that amount been reported to the House and Senate Ethics Committees?
None.
27. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office?
Not applicable
28. Have you sought or received the pledge of any legislator prior to this date?
No.
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No.
30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No.
31. Have you contacted any members of the Judicial Merit Selection Commission?
No.
32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
Yes.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

S/ William Frick

Sworn to before me this 3rd day of August, 2015.

M. Kay Boulware

Notary Public for South Carolina

My Commission Expires: 06/22/2021