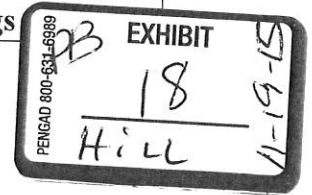


**JUDICIAL MERIT SELECTION COMMISSION**  
**Sworn Statement to be included in Transcript of Public Hearings**

**Circuit Court**  
**(Incumbent)**



Full Name: David Garrison Hill  
Business Address: 305 E. North St., Suite 213, Greenville. SC 29601  
Business Telephone: 864.467.8484

1. Why do you want to serve another term as a Circuit Court Judge?  
It has been a humbling honor to serve as a judge these past 11 years. I would like to continue to serve the public interest and contribute to the administration of our justice system.
2. Do you plan to serve your full term if re-elected?  
Yes.
3. Do you have any plans to return to private practice one day?  
No.
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?  
I follow Canon 3 (B)(7). Other than for routine scheduling matters and situations where such contact is statutorily permitted, I do not tolerate *ex parte* communications. Even where permitted, care should be taken to ensure no side gains advantage from an *ex parte* contact and that all parties are given appropriate notice of the communication and an opportunity to respond.
6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?  
I adhere to Canon 3(E) on recusal, and have recused myself in situations when my impartiality might reasonably be questioned due to my relationship with a lawyer, party or subject matter of the case.
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?  
I would defer to their request, unless there was a compelling countervailing reason not to, such as the rule of necessity.
8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?  
If my impartiality could be reasonably questioned by someone with full knowledge of the facts I would recuse myself.
9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

I will at times accept ordinary social hospitality to the extent permitted by the Canons. I look askance at and typically decline such offers from people with whom I had no social relationship with before becoming a judge. As to gifts, I follow Canon 4(D).

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge? I would follow Canon 3(D).
11. Are you affiliated with any political parties, boards or commissions that, if you were re-elected, would need to be re-evaluated?  
No.
12. Do you have any business activities that you would envision remaining involved with if reelected to the bench?  
No.
13. How do you handle the drafting of orders?  
If the issue involved is anything other than routine, I strive to write my own orders. I find this gives me better knowledge of and greater objectivity concerning the facts and legal principles involved.
14. What methods do you use to ensure that you and your staff meet deadlines?  
We use both paper and computerized calendars.
15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?  
Judges should not set public policy. I do not engage in "judicial activism," which I understand to mean situations where judges attempt to make rather than merely interpret and apply the law.
16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system?  
I would plan on accepting invitations for occasional speaking engagements, offer to support improvements in civics education in schools, and contribute articles on the legal system to enhance public awareness of the role of the judiciary and promote the rule of law.
17. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?  
Yes it can cause such strains, as any public service does. I attempt to address it by relying on the support of my family, friends, faith and personal dedication to duty and fairness.
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:
  - (b) Juveniles (that have been waived to the Circuit Court):
  - (c) White collar criminals:
  - (d) Defendants with a socially and/or economically disadvantaged background:
  - (e) Elderly defendants or those with some infirmity:  
Repeat offenders should be treated differently, and I do take criminal history into account when sentencing. As with the other listed categories,

the individual circumstances of the offender should be considered in a uniform manner to the extent possible. I attempt to avoid any unwarranted disparity in sentencing. However a judge should be aware that very few defendants are alike, and all have unique characteristics that may be relevant in crafting a just sentence.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?  
No.
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?  
No.
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?  
Above all, patience. A good and active listener. Dispassionate, open-minded and even-keeled. Courteous to everyone in the courtroom, regardless of their station in life. Firm when necessary but never hostile. A good judge accords everyone dignity and respect. He or she should have a sense of humor when appropriate, but never use it to embarrass or belittle. His demeanor should also be reliable; there are few things worse than a moody judge. A judge should remember that the addition of a robe does not make one omniscient; rather it requires one to be ever-mindful not to abuse his position. A judge should be sensitive to the pressure the litigants, witnesses and lawyers are laboring under in the courtroom. He should let the lawyers present their case without undue interference, while efficiently maintaining control of the courtroom and the dignity and decorum of the proceedings.
24. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?  
All the time.
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 a pro se litigant?  
Benjamin Franklin said it best: "What begins in anger ends in shame." Anger is never appropriate for a judge. There may be times when a judge can be "righteously indignant," but not outright angry. Anger is corrosive. It clouds judgment and destroys objectivity.  
A judge should however be firm, and even stern when circumstances require it, to the extent necessary to promote respect for and confidence in the judicial system and obedience to its rulings.
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. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign? No.
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/David Garrison Hill

Sworn to before me this 4<sup>th</sup> day of August, 2015.

Dawn V. Koffskey

Notary Public for South Carolina

My commission expires: 6-30-2019