

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

**Circuit Court
(Incumbent)**

Full Name: The Honorable Daniel Dewitt Hall
Business Address: Moss Justice Center
1675-1J York Highway
York, South Carolina 29745
Business Telephone: (803) 628-3048



1. Why do you want to serve another term as a Circuit Court Judge?
I have the strong desire and ability to provide litigants in Common Pleas with a fair and impartial forum to settle their civil disputes and to be a conduit for justice in General Sessions Court.
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?
Possibly on a limited basis upon retirement.
4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?
Yes.
What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
Ex parte communications are improper, except where permitted by law. They are tolerated in certain temporary restraining order circumstances and issues involving appointment of experts in criminal cases.
A judge should not initiate, permit or consider ex parte communications except that: under certain circumstances for scheduling, administrative purposes or emergencies that do not deal with substantive matters or issues on the merits...with certain provisions of notice to both parties and no procedural or tactical advantage gained.
5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?
A judge should recuse himself in cases involving former associates or law partners. Every judge has a certain degree of conflict with lawyer-legislators who have elected or will re-elect that judge. Recusal in those situations would be appropriate if there is a close relationship with the lawyer-legislator. A judge should not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment. Recusal is not necessary if the judge can maintain fairness and impartiality to all parties.
6. 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?

- Yes, I would grant the motion for recusal.
7. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?
I would recuse myself from that matter.
8. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
I would not accept gifts and social hospitality. Would be limited to functions open to all bar members.
9. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?
I would report that misconduct to the appropriate disciplinary commission.
10. Are you affiliated with any political parties, boards or commissions that, if you were re-elected, would need to be re-evaluated?
No.
11. Do you have any business activities that you would envision remaining involved with if reelected to the bench?
No.
12. How do you handle the drafting of orders?
I have the ability to draft orders. However, the normal practice is for the prevailing party in a matter to draft an order, have it reviewed by opposing counsel and presented to the judge for a final review and signature.
13. What methods do you use to ensure that you and your staff meet deadlines?
I am computer literate and would rely on computer systems to organize my work.
What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?
I believe that "judicial activism" is improper. Public policy is promoted and legislated by our legislative branch of government.
14. 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 will participate in any activity available to circuit court judges that will allow me to offer input into improvements of the legal systems.
15. 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?
No.
16. 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:
Sentencing of repeat offenders depends on the nature of prior offences and nature of new offenses. However, repeat offenders may demonstrate an inability or unwillingness to conform to the rules of our society or may be dangerous to the community.

- (c) White collar criminals:
White collar criminals are a danger to the community. However, probationary sentences with significant jail time suspended is often appropriate.
 - (d) Defendants with a socially and/or economically disadvantaged background:
Depends on the nature of the crime. Violent offenders need to be treated equally without regard to social or economic status. Support from community and family is important in sentencing non-violent offenders.
 - (e) Elderly defendants or those with some infirmity:
Depends on the nature of the crime. House arrest or probationary sentences will often be sufficient protection for the community.
17. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No.
 18. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
No.
 19. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.
 20. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes.
 21. What do you feel is the appropriate demeanor for a judge?
A judge should be fair and impartial. He should treat attorneys, litigants, court personnel and the public with patient respect.
 22. 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?
Twenty-four hours, seven days a week.
 23. 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?
No.
 24. 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.
 25. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign?
No.
 26. Have you sought or received the pledge of any legislator prior to this date?
No.
 27. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No.

28. 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.
29. Have you contacted any members of the Judicial Merit Selection Commission?
No.
30. 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/Daniel Dewitt Hall

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

Renee G. Barker

Notary Public for South Carolina

My commission expires: 7-21-18