



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

Retired Judge

Full Name: Brooks P. Goldsmith
Business Address: 7731 Chaplin Garden Ln. Edisto Island ,S.C.29438
Business Telephone: 843-631-0413

1. Have you met the Constitutional or statutory requirements for this position regarding age, residence, and years of practice?
Yes.
2. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes.
3. Do you have any plans to return to private practice one day?
No.
4. Are you engaged in any legal activities other than your service as a retired judge, such as acting as an arbitrator or mediator?
No.
5. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No.
6. Do you belong to any organizations that discriminate based on race, religion, or gender?
No.
7. Have you engaged in any partisan political activity since your retirement?
No.
8. What do you feel is the appropriate demeanor for a judge?
It is conduct in one's private as well as public life that instills in the public , confidence that a judge will act impartially and with integrity.
9. In your position as a retired judge, what methods do you employ to ensure that deadlines for the timely issuance of orders are met?
I create a "reminder" on my computer and a notation on the calendar on my desk. If I anticipate a delay in completing a matter, I often tell the attorneys to please let me know if they believe I have overlooked a matter.
10. 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?
It is never appropriate to display anger towards an accused, a member of the public or an attorney. If a judge begins to feel angry it is sometimes appropriate to take a short recess before proceeding further.
11. How would you handle a situation in which you became aware of misconduct of a lawyer or fellow judge?
Misconduct by either requires a report to the appropriate authorities.

12. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law clerks are to appear before you?
These relationships must always be disclosed on the record and all parties given an opportunity to express their positions or feelings. I have never had any party request a recusal in any of these situations.
13. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?
Such communications should never be permitted except as permitted by law.
14. 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?
Normally I would grant such a motion unless the moving party was previously aware of the facts and had failed to raise the issue in a timely manner and it appeared that the motion was being made to place the opposing party at a disadvantage.
15. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?
The problem with accepting gifts or social hospitality normally involves attorneys or potential litigants who may appear before a judge and such should be avoided. Generally speaking if someone does something for me I try to reciprocate so that it is not a "one way street".
16. In order that we might advise court administration on steps that need to be taken, are there any limitations on your sight, hearing, or mobility that should be addressed by the court administrator?
No.

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

s/Brooks P. Goldsmith
Sworn to before me this 29th day of July, 2015.
Charlotte D. Weeks
Notary Public for South Carolina
My Commission Expires: 4/25/2022