

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

Supreme Court/Court of Appeals
(Incumbent)

Full Name: Harris Bruce Williams

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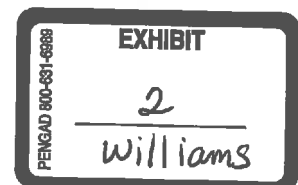
1. Do you plan to serve your full term if re-elected? Yes.
2. Do you have any plans to return to private practice one day? No
3. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice? Yes
4. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

My usual practice is not to engage in *ex parte* communications. The rules do, however, allow certain relief to be sought by *ex parte* petition, and some administrative matters regarding a case may necessitate some *ex parte* contact.

5. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

In making a determination as to whether I should recuse myself from any given case, I am guided by the Canons of the Code of Judicial Conduct. As a general rule, if I feel my impartiality might reasonably be questioned in a case, then I recuse myself.

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?

If I thought it was serious enough to disclose initially, then I would give great deference to the parties. I want all parties to believe they are receiving a fair and impartial hearing.

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

I do not accept gifts from lawyers or parties who appear before me. I do accept some social hospitality as allowed by the Canons of Ethics, including attendance bar meeting and social events sponsored by local and state bar associations.

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

I would have to report it.

9. Are you affiliated with any political parties, boards or commissions that need to be re-evaluated? No

10. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? No

11. How do you prepare for cases that come before you?

First, I review the record and the briefs filed with the court. After the applicable case law is reviewed, I discuss the matter with my law clerks in preparation for discussion with my fellow judges on the panel. A pre-hearing report is prepared for the panel conference. The case may be discussed with the judges on the panel. If the case is scheduled for oral argument, I listen carefully to the arguments of the lawyers. Then, I utilize all the information presented and knowledge gained in the process to make my decision.

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

Public policy is determined by the General Assembly. The role of the judge is to review the law and apply the law to the facts of the case. Judicial activism raises serious separation of powers concerns because it necessarily involves the judiciary infringing upon the power of the people, or another coequal branch of government, to make an important policy decision.

13. 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 continue to speak at CLE seminars sponsored by the South Carolina Bar. I have served on a Legislative Study Committee and would continue to serve if appointed to other committees. In addition, I would continue giving presentations to community groups about the legal system. For the past nineteen years, I have been involved in drug courts and encouraged their development. I hope to continue my involvement in educating the public about drug courts, as well as assisting in the training of those involved in establishing new drug courts.

14. 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?

I have a very supportive family who has experienced my serving as a Family Court Judge for nine years and as a Court of Appeals Judge for twelve years. My wife and children have been able to appropriately handle any issues or difficult circumstances that resulted from my serving as a judge.

15. Are you currently serving on any boards or committees? If so, in what capacity are you serving?

Member, Board of Directors, National Association of Drug Court Professionals
President, South Carolina Association of Drug Court Professionals

16. Please describe your methods of analysis in matters of South Carolina's Constitution and its interpretation by explaining your approach in the following areas. Which area should be given the greatest weight?

- a. The use and value of historical evidence in practical application of the Constitution:
- b. The use and value of an agency's interpretation of the Constitution:
- c. The use and value of documents produced contemporaneously to the Constitution, such as the minutes of the convention:

The primary rule of statutory construction is to ascertain and effectuate the intent of the legislature. Constitutional construction is preferred over some unconstitutional interpretation. Terms that are clear and unambiguous should be given their plain and ordinary meaning without efforts to limit or expand their meaning.

To assist in the construction, it would be helpful to review documents and records produced contemporaneously in an effort to determine legislative intent. Historical evidence would be useful and should be considered.

In matters relating to the South Carolina Constitution, clear statutory language, evidence of legislative intent, longstanding administrative interpretations, and required constitutional construction are all factors to be weighed.

17. Is the power of the South Carolina General Assembly plenary in nature unless otherwise limited by some specific Constitutional provision?

Yes, the power of the General Assembly is subject only to restrictions contained in the Constitutions of South Carolina and the United States.

18. Presuming that the three branches of government have plenary power for their responsibilities, do any other levels of government (i.e. local governments) have plenary authority, or do all grants of authority to other levels of government flow from the state level in our Constitution and statutes?

The Constitution directs the General Assembly to make laws to establish the structure, organization, power, duties, functions, and responsibilities of local government. The General Assembly may delegate responsibility to localities for local affairs and may give broad discretion. Local laws must not, however, conflict with state law.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? No

20. Do you belong to any organizations that discriminate based on race, religion, or gender? No

21. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes

22. Have you written any scholarly articles? No

23. What do you feel is the appropriate demeanor for a judge?

A judge must demonstrate patience and the ability to listen. This applies to both trial and appellate judges.

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?

The rules for judges apply 24 hours a day, seven days a week. The public is aware of a judge's demeanor on and off the bench.

25. Is there a role for sternness or anger with attorneys?

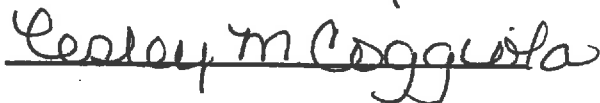
I have found that treating attorneys and litigants with respect is the most appropriate way to conduct business in the courtroom.

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



(Signature)

Sworn to before me this 28 day of July, 2016.



(Signature)

Lesley M. Coggiola

(Print name)

Notary Public for S.C.

My Commission Expires: 1/16/2017