



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

Family Court
(New Candidate)

Full Name: William Andrew Wallace Buxton

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1. Why do you want to serve as a Family Court Judge?
Shortly after graduating from college, I moved to Washington, D.C. to seek employment on Capitol Hill. I had a strong interest in working in the United States Senate and I applied for employment with both of South Carolina's senators at the time. A position became open in the Office of U.S. Senator Strom Thurmond several months after my move. I worked in the Constituent Services section of his office, which meant that I would answer letters from South Carolina citizens and send inquiries to the appropriate U.S. Departments from the Senator. I was able to facilitate the needs and concerns of South Carolina citizens as it pertained to their particular issues and concerns. This position was one of service to the State and it enabled me to become much more familiar with the smaller towns and municipalities of the state, while helping residents that were in need – whether it be agricultural subsidies, veteran benefits, or attaining passports. I found this position to be greatly rewarding when I was able to help an individual or family in need. I was also able to witness how proposed legislation became law. The experience of working on Capitol Hill piqued my curiosity in the law and my interest in a path of service. Much later, I decided to take the LSAT and pursue a law degree and I always knew that I would use this education in the form of some type of service. I was fortunate enough in my third year of law school to be the first intern for the Center for Heirs' Property Preservation in Charleston. This was also an experience that taught me the value of service and the importance of being able to help those in need. When I relocated to Sumter, I handled both real estate and family law. Practicing in the Family Court is truly a service to those that are experiencing emotional and

financial upheaval. I became a contract attorney with the South Carolina Commission on Indigent Defense in 2014 when the program began. Similar to working at the Center for Heirs' Property Preservation, I realized the importance and personal value in representing an underserved portion of the population. Between my private actions in the Family Court, my representation of indigent clients, and my serving as guardian ad litem I realized that a Judge of the Family Court encompasses all aspects of the Family Court and plays a significant role in serving our state. I have been fortunate enough to work with very fine Family Court Judges in the Third Circuit that have inspired in me to seek this position.

2. Do you plan to serve your full term if elected?
If seated on the Family Court Bench, I certainly plan to serve a full term.

3. Do you have any plans to return to private practice one day?
I do not have any plans to return to private practice at this time.

4. Have you met the statutory 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?
Outside of any routine administrative duties, I believe that *ex parte* communication should be exercised very rarely and should take place in times of an emergency that involves the threat to safety that may constitute a life and death situation. I believe *ex parte* communication should only be exercised if extreme conditions exist. I believe this type of communication should be used sparingly and all other parties should be notified as soon as possible and allowed the opportunity to respond appropriately and promptly.

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?

I would give great deference to a party that requested my recusal for a reasonable appearance of bias. I would consider the burden it might place on another Judge and the burden it may place on promptly resolving the matter.

Out of an abundance of caution, I would grant such a motion if the appearance of bias was reasonable and would undermine the confidence that a party should have in the impartiality of a judge and the legal system.

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 if there were any appearance of impropriety regarding financial involvement of my spouse or a close relative that would bring into question my ability to be impartial. Regarding social involvement, I would recuse myself if I thought I would be unable to properly carry out my duties with impartiality or even if the appearance of my being unable to do so was a concern.

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

I would not accept any gifts or favors from any person, firm, or organization that would be expected to come before me if either of these things would present any appearance of clouding the impartiality of the position of a judge. The only exceptions would be routine or social activity that may involve county or state bar related functions.

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

If I became aware of misconduct of a judge or attorney that had committed a violation of the Code of Conduct or Rules of Professional Conduct that would raise a valid and substantial question as to that judge's fitness to carry out his or her duties and responsibilities, I would be bound and obligated to report that conduct. I would be bound to do the same regarding a lawyer that conducted his or herself in such a way that would greatly question that lawyer's trustworthiness and fitness.

10. Are you a member of any organization or association that, by policy or practice, prohibits or limits its membership on the basis of race, sex, religion, or national origin? If so, please identify the entity and explain if this organization practices invidious discrimination on any basis.

I am a member of the Fortnightly Club in Sumter which is a men's literary/social group.

I am a member of the Caroliniana Ball. The membership of the organization is all-male. Once a year, it holds a dinner/dance at various locations around the State for its members, their wives or significant others

I am a member of the Carolina Yacht Club. The membership of this organization is all-male with the exception of widow-members.

To my knowledge none of these organizations practices invidious discrimination on any basis.

11. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe.

No.

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

I have recently accepted a position as the Program Director/Co-Director of the Paralegal Program at Central Carolina Technical College. I would hope to continue in this position to assist and further those wishing to attain employment in the legal field.

13. Since Family Court judges do not have law clerks, how would you handle the drafting of orders?

I would either draft the Order myself or request an attorney in an action prepare a draft order for my review after the issues for the order have been identified.

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

I would ensure deadlines are met by keeping a log of cases that would track the date that orders must be submitted and if those orders are to be turned in by an attorney, then I would make sure that

the attorneys on the case were notified in advance of when orders were due. If a matter is taken under advisement, I would set a deadline for myself that would be no more than a week if there was no additional supplemental information requested or to be submitted.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the guardian ad litem statutes are followed during the pendency of a case?

As I practice this now in my role as a guardian ad litem, I would make sure there was a separate Order Appointing guardian ad litem that clearly spelled out the authority and duties of the guardian ad litem and this order would specifically ensure that the guidelines of the statute are followed. I would review the reports filed by the guardian ad litem and inquire on the record with all parties as to whether or not the guardian ad litem and the report of the guardian ad litem have complied with the statute.

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

I believe a judge should follow the laws enacted by the General Assembly without his or her personal beliefs clouding any decision that would be made. A judge should apply the laws that have been enacted and follow them according to the set of facts presented. A judge should apply precedential case law, where appropriate, with the laws that have been put in place by the legislature. I do not believe judges should promote public policy, as this would jeopardize the impartiality of their position.

17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

As mentioned above, I have recently taken a position as the Director/Co-Director of the paralegal program at Central Carolina Technical College, though I have not started in this capacity just yet. I would be active in the education and educational activities that would benefit those seeking the opportunity to be in the legal field in some capacity.

18. 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 plan to address this?

I believe it would be only natural that the pressure of serving as a judge might place some type of strain on relationships, as I see that sometimes now as an attorney. The demands of the position that would include travel outside of one's circuit, the substantial and difficult decisions that must be made and the effect of those decisions on people's lives has the potential to impact the personal relationships of a judge. The decisions a judge must be impartial and in accordance with the law and even when doing so, the decision will be questioned and criticized. I have experienced this as an attorney and I have learned to manage the impacts these pressures have on these relationships.

19. Would you give any special considerations to a pro se litigant in family court?

I would expect a pro se litigant to abide by the same rules of court as attorney in the courtroom, but I may proceed with a different pace for a pro se litigant as to be courteous and understanding, while being aware that I cannot advise this litigant in any way.

20. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality? None of which I am aware.

21. 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 not if I thought it would influence my ability to be impartial.

22. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Yes.

23. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

I believe a judge should be respectful, courteous, and patient not only in the courtroom, but in all settings outside of the courtroom, as well. The demeanor of a judge is very important as it is a conduit to the public's confidence and faith in the legal system and the operation of the courts. .

24. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?

A judge should never display anger with a criminal defendant, attorney, pro se litigant, or anyone in the court and should always maintain patience. I believe there is a difference between being stern and being angry. I believe the only time appropriate for a judge to express anger would be in a manner of firmness to maintain proper order in the court should any party get out of hand, cause disruptions, or make threats. A judge's duties include maintaining respect for the court, the legal process, and control of the courtroom.

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

Sworn to before me this ____ day of _____, 2024.

(Signature)

(Print name)
Notary Public for South Carolina
My commission expires: _____