

William W. Wilkins

MEMBER

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Practices

Appellate

Shareholder Litigation

Government Investigations and
White Collar Defense

Business & Commercial Disputes

Litigation

Alternative Dispute Resolution

Corporate Compliance

Receivership

Corporate Crisis Management

Education

→ University of South Carolina
School of Law, J.D., 1967

→ Davidson College, B.A., 1964

Admissions

→ U.S. Supreme Court

→ S.C. Supreme Court

→ U. S. Court of Appeals for the
Fourth Circuit

William W. “Billy” Wilkins, former Chief Judge of the United States Court of Appeals for the Fourth Circuit and former Chair of the United States Sentencing Commission, leads Nexsen Pruet’s Appellate Advocacy, Shareholder Litigation/Corporate Compliance practice, co-chairs the White-Collar Criminal Defense practice and serves clients through his work in the firm’s Business Litigation Group.

Law Practice

In the Appellate Advocacy Group, Billy leads a team of appellate attorneys who concentrate their practice on defending or seeking reversal of lower court decisions. The Appellate Advocacy Group handles cases that originated within Nexsen Pruet as well as those from other firms and attorneys, and represents clients in proceedings before state and federal courts as well as government agencies.

As head of the Shareholder Litigation/Corporate Compliance Group, he works with companies, officers, and directors that have been brought into a lawsuit based upon claims made by shareholders. Billy also assists clients to develop and implement programs to ensure total compliance with legal and regulatory requirements. The group’s capabilities range from reviewing existing policies to designing processes and procedures to reduce the possibility that misconduct will occur. Additionally, he and his team conduct internal investigations for companies.

- U. S. District Court for the District of S.C.
- U. S. Court of Appeals for the Armed Services
- South Carolina

In the White-Collar Criminal Defense Group, Billy not only supervises, but also actively participates in the defense of individuals and organizations undergoing an investigation or accused of criminal misconduct.

Career Timeline

Billy's career spans more than five decades, and includes extensive service to his state and profession. In May of 2011, a cover article in *The Greenville Journal* was entitled "The Life and Trials of William Walter Wilkins."

A native of Greenville, he served as a law clerk for a federal appeals court judge and as a legislative assistant for a United States Senator before entering the private practice of law. He began public service in 1974, when he was elected Solicitor (district attorney) for the Thirteenth Judicial Circuit in South Carolina. Four years later, he was re-elected with broad bipartisan support.

During the six years he served as the circuit's chief prosecuting attorney, Billy organized one of the nation's first joint state-federal task forces and successfully prosecuted a number of high-profile cases. In addition, he organized the first Victim-Witness Assistance Program in South Carolina, which was subsequently recognized as one of the best in the nation by the National Organization for Victims Assistance and the National Institute of Justice. He also created the first Child Abuse Prosecution Unit and the first Pretrial Diversion Program in South Carolina.

After a successful tenure as Solicitor, Billy gained national recognition when President Reagan appointed him United States District Judge for the District of South Carolina on July 22, 1981 – the president's first selection to the federal bench in the nation.

Four years later, President Reagan appointed him the first Chair of the United States Sentencing Commission. Billy's mandate was to bring about dramatic and positive changes in the nation's federal criminal justice system. As leader of the Sentencing Commission, he was responsible for establishing sentencing guidelines, policies, and practices for the federal courts. He was deeply involved in all aspects of the Commission's work, including writing guidelines addressing white-collar offenses. This experience makes him well suited to lead Nexsen Pruet's White-Collar Crime and Corporate Compliance practices.

Billy chaired the Commission until 1994 while also serving as a federal judge. In June 1986 he was appointed U.S. Circuit Judge for the Fourth Circuit Court of Appeals. In 1999, he was named Chair of the Committee on

Criminal Law for the federal judiciary by Chief Justice William Rehnquist.

On February 15, 2003, he was elevated to the position of Chief Judge of the Fourth Circuit Court of Appeals, serving in that capacity until July 1, 2007, when he elected to take senior status. While Chief Judge, he also served as a member of the Judicial Conference of the United States.

Experience

Billy played a pivotal role in negotiating the deal that brought the Boeing facility to North Charleston, S.C. Senate President Pro Tempore Glenn McConnell authored a letter to the editor in the February 3, 2010 edition of *The Greenville News* thanking Wilkins for his leadership in helping Boeing and the legislature come together. And, after the first 787 Dreamliner rolled off the production line, the *Columbia Regional Business Report* featured a cover story entitled "Winning Boeing" which detailed his lead role in helping the aerospace manufacturing giant choose South Carolina.

Billy led the United States Sentencing Commission which was responsible for establishing sentencing guidelines, policies, and practices for the nation's federal criminal justice system.

On April 16, 2010, U.S. Senators were considering President Obama's nomination of several candidates for federal judgeships in North and South Carolina. During the confirmation hearing, Senate Judiciary Committee Ranking Member, Senator Jeff Sessions of Alabama, praised Billy's work:

"I would say that Judge Wilkins' leadership in establishing the sentencing guidelines was probably the greatest change in the entire criminal justice system since the founding of the republic."

Each year, South Carolina's Thirteenth Circuit Solicitor's Office presents the Billy Wilkins Award for Excellence in Law Enforcement. Since the early 1980s, the awards have honored "individual law enforcement officers who have displayed outstanding qualities in the execution of their duties in the field and in the courtroom."

The Boeing Company

Honors and Awards

Billy is the recipient of many honors and awards including being recognized by the Society of Corporate Compliance and Ethics for his leadership role in this field. For four consecutive years, he was named by Greenville Business Magazine as one of the most influential people in Greenville and one of the upstate's leading lawyers - in 2015, he was selected as a top attorney for Governmental Affairs by the publication. In addition, he is listed in both *Best Lawyers in America* and *Super Lawyers* magazines. In 2014 - 2017, he was listed in the "Top 25" lawyers in South Carolina for *Super Lawyers*. From a field of 850 lawyers, he was chosen by his peers in 2016, 2018, and 2020 as one of the "Legal Elite of the Upstate" as a top practitioner in the fields of Government Affairs and Criminal Law. The American Bar Association recently honored him with its Lifetime Achievement Award.

Billy was recognized by Chambers USA for Litigation: General Commercial in 2020.

At its 2013 Convention in Myrtle Beach, the South Carolina Bar presented Billy with the Trial and Appellate Advocacy Award.

In the Military

In addition to his distinguished legal career, Billy served 27 years in the U.S. Army (active and reserves) and in the South Carolina National Guard. After serving 2 years on active duty, he served for 14 years as a member of the Judge Advocate General's Corps of the Army Reserves and 11 years as the State Judge Advocate for the S.C. National Guard. Billy has received numerous decorations and awards, including the prestigious Legion of Merit for Meritorious Service, and holds the retired rank of Brigadier General.

In Law School

He served as Editor-in-Chief of the South Carolina Law Review and Captain of the Moot Court Team. He was also a member of the Order of Wig and Robe and was named the Outstanding Graduate of the Year.

Additional accolades:

- 2016, 2018 and 2019 - "Legal Elite of the Upstate" - Top Attorney Vote for Government Affairs Law and Criminal Law
- 2022 *Greenville Business Magazine's* "Legal Elite of the Upstate" Business Litigation, Criminal, Energy & Utilities, Government Relations (Top Vote Recipient), International
- 2013 South Carolina Bar Trial and Appellate Advocacy Award
- 2012 Compleat Lawyer Platinum Award
- American Board of Trial Advocacy, SC Chapter, Exemplary Service Award
- Included in the South Carolina *Super Lawyers* list in 2012 - 2018 Civil Litigation; "Top 25" lawyers in South Carolina *Super Lawyers*, 2014, 2015, 2016, 2017
- Recognized by *Chambers USA*, Litigation: General Commercial, South Carolina 2010 -2018
- Listed in *Best Lawyers in America* for Bet-the-Company Litigation and Criminal Defense - White Collar and Appellate Law, Since 2010
- Listed in *Best Lawyers in America* for "Lawyer of the Year" in Greenville, S.C. in 2013, 2014, 2016, 2020 and 2022
- Keynote speaker at the 2011 Southern High Court Conference in Charleston on the topic of how court decisions impact economic development
- American Arbitration Association - Certified Arbitrator, 2009-present
- The Cox Commission, 2009-present
- Former Chief Judge of U.S. Court of Appeals for the Fourth Circuit

- Former United States District Judge for District of S.C.
- Former Chair of the United States Sentencing Commission
- Former Chair of the Committee on Criminal Law for the Federal Judiciary
- American Bar Association Lifetime Achievement Award
- Order of the Palmetto, the highest civilian honor awarded by the S.C. Governor
- Former Solicitor (district attorney) for the Thirteenth Judicial Circuit in S.C.
- Visiting Distinguished Professor of Law at the Charleston School of Law
- Law instructor at Greenville Technical College for 24 years
- Organized one of the first joint state-federal task forces in the nation
- Organized the first Victim-Witness Assistance Program in S.C.
- Created the first Child Abuse Prosecution Unit in S.C.
- Created the first Pretrial Diversion Program in S.C.
- Honorary Doctor of Laws degrees: The University of South Carolina, Charleston School of Law, and Anderson University
- Honorary Doctor of Public Service degree from Coastal Carolina University

Community & Professional

- Permanent Member, Judicial Conference of the United States
- Member, National Association of Criminal Defense Lawyers
- Member, American Bar Association

Billy has testified on sentencing and related criminal justice issues before several House and Senate Committees. He has delivered lectures throughout the United States and abroad. He is the author of numerous law review and law journal articles.

He taught criminal law and procedure, constitutional law, and family law at Greenville Technical College for 24 years. He is a Visiting Distinguished Professor of Law at the Charleston School of Law where he has lectured on a variety of legal subjects.

In addition to the many opinions authored by him as a federal district and circuit judge, his numerous legal publications are:

- Discovery of Existence and Amount of Defendant's Insurance Policy, 17 S.C.L. Rev. 750 (1965)
- Lockouts: Return to the Common Law Ruling, 18 S.C.L. Rev. 299 (1966)
- The Family Purpose Doctrine, 18 S.C.L. Rev. 638 (1966) [also in THE PERSONAL INJURY COMMENTATOR (Callaghan & Co.)]

- Plea Negotiations, Acceptance of Responsibility, Role of the Offender, and Departures: Policy Decisions in the Promulgation of Federal Sentencing Guidelines, 23 Wake Forest L. Rev. 181 (1988)
- Sentencing Reform and Appellate Review, 46 Wash. & Lee L. Rev. 429 (1989)
- Relevant Conduct: The Cornerstone of the Federal Sentencing Guidelines, 41 S.C.L. Rev. 495 (1990)
- The United States Sentencing Commission: Its Many Missions, 55 Federal Probation 26 (1991)
- The Sentencing Reform Act of 1984: A Bold Approach to the Unwarranted Sentencing Disparity Problem, 2 Criminal Law Forum 355 (1991)
- The Federal Sentencing Guidelines: Striking an Appropriate Balance, 25 U.C. Davis L. Rev. 571 (1992)
- Comments of Judge William W. Wilkins, Jr. on Federal Sentencing Guidelines Symposium, 29 Am. Crim. L. Rev. 795 (1992)
- The Role of Sentencing Guideline Amendments in Reducing Unwarranted Sentencing Disparity, 50 Wash. & Lee L. Rev. 63 (1993)
- Competing Sentencing Policies in a "War on Drugs" Era, 28 Wake Forest L. Rev. 305 (1993)
- The Legal, Political, and Social Implications of the Death Penalty, 41 U. Richmond L. Rev. 793 (2007)

News

10.28.2021 | Media Mention

'Justice prevails,' says attorney who argued Charleston massacre victims had right to sue

08.17.2021 | News from Nexsen Pruet

39 Nexsen Pruet Attorneys Listed in 2021 Legal Elite of South Carolina

08.30.2019 | Media Mention

Fourth Circuit reverses lower court decision; Emanuel AME Church Shooting families can once again sue over background check failure - Nexsen Pruet's Billy Wilkins argued on behalf of the families