



2018 North Carolina Voter Guide Questionnaire for State Judicial Candidates

Candidate Information (Please Print or Type)

Candidate Name Barbara Jackson

Office Sought Associate Justice Seat Jackson

Campaign Address PO Box 10243 City Raleigh State NC Zip 27605

Campaign Phone/Fax (919) 617-1514 / n/a Campaign Website www.justicejackson.com

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Candidate Signature *Barbara Jackson* (required) Date 7/27/2018 (required)

Candidate Questionnaire

Please indicate your responses below to the following questions. You may provide additional comments and explanations for your responses on a separate sheet of paper.
(Failure to answer a question will result in a listing of "No Response" in the 2018 Voter Guide.)

1. Which one of the current/recent Justices on the U.S. Supreme Court best reflects your judicial philosophy?

Alito Breyer Ginsburg Gorsuch Kagan Kennedy Roberts Sotomayor Thomas
Please see attached.

2. Rate your judicial philosophy toward the Constitution on a scale of 1-10 with a "living document" approach being a 1 and a "strict constructionist" approach being a 10.

1 2 3 4 5 6 7 8 9 10
Living Document Approach *Strict Constructionist Approach*
Please see attached.

3. Please list the organizations with which you have been involved over the past five years through membership, religious affiliation, pro-bono legal work, or volunteer service.

Please see attached.

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4. In the space below, or on a separate sheet of paper, please describe your overall judicial philosophy.

Please see attached.

5. In the space below, or on a separate sheet of paper, please describe the role faith plays in your daily life.

Please see attached.

Candidate Signature *Buller* (required) Date 7/27/2018 (required)

**Please return completed questionnaire to the
NC Family Policy Council by Friday, July 27, 2018**
By mail to: NCFPC, P.O. Box 20607, Raleigh, NC 27619
By Fax to: (919) 807-0900
By Email to: vote@ncfamily.org

**Barbara A. Jackson
PO Box 10243
Raleigh, NC 27605**

July 27, 2018

Mr. John L. Rustin
President
NC Family Policy Council
PO Box 20607
Raleigh, NC 20607

RE: Questionnaire for State Judicial Candidates

Dear Mr. Rustin:

Thank you for the opportunity to answer the North Carolina Family Policy Council's questionnaire for the upcoming 2018 general election. As a candidate for re-election to the Supreme Court of North Carolina, I appreciate the opportunity to communicate with your members about my candidacy. Although judicial elections generally receive less attention from the media, they are very important as appellate judges all are elected for a term of eight years.

For the sake of clarity, I am answering all of the questions presented below:

1. Which one of the current/recent Justices on the U.S. Supreme Court best reflects your judicial philosophy?

I have now had the privilege of serving North Carolina's citizens as an appellate court judge for almost fourteen years: six years on the Court of Appeals and almost eight on the Supreme Court. In that role, I have had the opportunity to author hundreds of opinions that demonstrate my judicial philosophy, which is that it is up to the judiciary to follow the law, not make the law. I will stand on my own record, rather than another Justice's.

2. Rate your judicial philosophy toward the Constitution on a scale of 1-10 with a "living document" approach being a 1 and a "strict constructionist" being a 10.

The United States Constitution was originally sent to the states for ratification in 1787. The most recent iteration of our North Carolina Constitution was ratified in 1971. I believe that it is critical that we adhere to the intention that the drafters had in mind when they crafted both of these important documents.

3. Please list the organizations with which you have been involved over the past five years through membership, religious affiliation, pro bono legal work, or volunteer service.

I think it is important for voters to know that members of the judiciary are prohibited from engaging in pro bono legal work. I believe that we should encourage members of the Bar to

participate in pro bono representation, and I commend Chief Justice Mark Martin for his initiatives recognizing both lawyers and law schools who donate pro bono legal services. Following is a list of my involvement over the past five years:

Member, Highland United Methodist Church
Sustaining Member, Junior League of Raleigh
Member, North Carolina Commission on the Administration of Law and Justice
 Co-Chair, Technology Committee
Sponsor, North Carolina Administrative Office of the Courts Website Redesign Advisory Committee
Member, American Bar Association
 Judicial Division
 Appellate Judge's Conference (North Carolina State Chair, Tech Committee Chair)
Fellow, American Bar Foundation
Member, North Carolina Bar Association
 Vice President (2012-13)
 Administrative Section (former Chair and Vice Chair)
 Administration of Justice Committee
 Appellate Rules Committee
 Future of Law Committee
 Litigation Section Council
Member, Wake County Bar Association
 Board of Directors
Member, North Carolina Courts Commission
Member, Craven-Everett Inn of Court
Fellow, North Carolina Institute of Political Leadership
 Leadership Council
 Faculty Member
Advisory Council Member, North Carolina Modernist Houses

4. In the space below, or on a separate sheet of paper, please describe your overall judicial philosophy.

It is my judicial philosophy that guides my decision making on the bench. Since 2004, my website has included my judicial philosophy: North Carolina's Constitution contains a mandatory separation of powers clause. I believe that it is the duty of the judicial branch to judge fairly and impartially, and within the limitations provided by the constitution and laws of the state. Judges should judge, not legislate.

When I decided to run for office as a judge, I took an oath to uphold our state constitution and the United States Constitution. Being a judge is different than being a member of the General Assembly or serving in the Executive Branch. Alexander Hamilton famously wrote in Federalist 78 that the judicial branch was the "least dangerous" because we have neither the power of "the sword or the purse" . . . "neither FORCE nor WILL, but merely judgment; and [we] must ultimately depend upon the aid of the executive arm even for the efficacy of [our] judgments." I

think there's more to this than what Hamilton wrote, though, and I think this is why it's critical to elect judges who both understand and appreciate the role of judicial restraint.

When we deal with a dispute, or a case, in the Supreme Court, we are looking at what we call a cold record on appeal, and attorneys present their best arguments to us, telling us why the law favors their client. In contrast, when the legislature is looking to pass a bill to address a problem, or clear up confusion, they can deliberate, debate, bring in experts, establish study commissions, or employ a whole host of other tools to examine the problem and its public policy consequences.

Our roles are equally important, but completely different.

I can't overstate this: Judges must exercise judicial restraint. It is our job to follow the law, not make the law. My record of authoring hundreds of cases demonstrates that I understand the difference.

5. In the space below, or on a separate sheet of paper, please describe the role faith plays in your daily life.

Faith plays a central role in my life. Faith helped guide me to the decision to run for the Court of Appeals in 2004, and again to seek office as an Associate Justice of the Supreme Court in 2010. What we do is much more important than any one of us who serves on the Court, and I think that we must approach our work with humility and ask for wisdom in reaching decisions. In addition to my own daily prayers for humility and wisdom, I am blessed to be surrounded by many prayer warriors who lift me up as well.

Thank you again for the opportunity to share this information with North Carolina voters.

Sincerely,

Barbara Jackson