

2008 North Carolina Voter Guide

Questionnaire for State Judicial Candidates



Candidate Information

(Please Print or Type)

Candidate Name Robert H. "Bob" Edmunds Party Affiliation Nonpartisan Election / Registered Republican
(optional)
Office Sought Reelection to NC Supreme Court District/Seat Statewide Election
Campaign Address P.O. Box 1728 City Raleigh State NC Zip 27602
Campaign Phone/Fax (919) 302-3862 (919) 1832-5644 Campaign Website www.ReelectJusticeEdmunds.com
Candidate Signature Robert H. Edmunds Date August 20, 2008
(required)

Candidate Questionnaire

Please indicate your position on the following questions by placing a mark in the appropriate space.
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 2008 Voter Guide.)

- Which of the current justices of the United States Supreme Court most closely reflects your judicial philosophy?
 Alito Breyer Ginsburg Kennedy Roberts Scalia Souter Stevens Thomas
SEE ATTACHED LETTER
- On a scale of 1—10, please rate your constitutional judicial philosophy, with a "living document" approach being a "1" and a "strict constitutionalist" or "originalist" approach being a "10."
 1 2 3 4 5 6 7 8 9 10
SEE ATTACHED LETTER
- Do you believe that a judge has the right to display the Ten Commandments in his or her courtroom?
 Yes No Undecided *SEE ATTACHED LETTER*
- In *Lawrence v. Texas*, 539 U.S. 558 (2003), the United States Supreme Court recognized a right to homosexual sexual relations under the United States Constitution. Do you agree with the *Lawrence* decision, which recognizes a constitutional right to homosexual sexual relationships?
 Yes No Undecided *SEE ATTACHED LETTER*
- In *Roe v. Wade*, 410 U.S. 113 (1973), the United States Supreme Court recognized a right to abortion under the United States Constitution. Do you agree with the *Roe* decision, which recognizes a constitutional right to abortion?
 Yes No Undecided *SEE ATTACHED LETTER*

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6. In *Lofton v. Secretary of the Department of Children and Family Services*, 358 F.3d 804 (11th Cir. 2004), the United States Court of Appeals for the Eleventh Circuit upheld the State of Florida's position that individuals who "engage in current, voluntary homosexual activity" do not have the right to adopt children under the United States Constitution. Do you agree with the *Lofton* decision, which recognizes that individuals engaged in current, voluntary homosexual activity do not have a constitutional right to adopt children?

Yes No Undecided

SEE ATTACHED LETTER

7. In *Santa Fe Independent School District v. Doe*, 530 U.S. 290 (2000), the United States Supreme Court ruled that a student-initiated, student-led invocation over the loudspeakers before a public high school football game was unconstitutional. Do you agree with the *Santa Fe Independent School District v. Doe* decision, which recognizes that student-initiated, student-led invocations prior to a public high school football game violate the United States Constitution?

Yes No Undecided

SEE ATTACHED LETTER

8. In *Kelo v. City of New London*, 126 S. Ct. 2655 (2005), the United States Supreme Court ruled that a governmental entity's use of eminent domain powers to take private property for economic development purposes did not violate the Fifth Amendment to the United States Constitution. Do you agree with the *Kelo* decision, which recognizes that governmental entities can constitutionally take private property for economic development purposes?

Yes No Undecided

SEE ATTACHED LETTER

Candidate Signature
(required)

Date 20 August 2008

Please return questionnaire by fax: (919) 807-0900; or by mail: P.O. Box 20607, Raleigh, NC 27619 with a postmark no later than August 22, 2008.

Re-elect Justice Edmunds Campaign
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August 19, 2008

Mr. John L. Rustin
Vice President & Director of Government Relations
North Carolina Family Policy Council
P.O. Box 20607
Raleigh, N.C. 27619

Dear Mr. Rustin:

Thank you for your interest in my campaign for re-election to the Supreme Court of North Carolina.

After careful consideration, I do not believe that it is appropriate for me to respond to the individual questions in the questionnaire. Questions one and two address my judicial philosophy. I have been writing appellate opinions for ten years, eight of them as a Justice on the Supreme Court of North Carolina. These opinions interpreting the state and federal constitution do not fall into a particular category. Instead, I believe my work in the Court demonstrate a devotion to the rule of law and an abiding respect for the constitutions of North Carolina and of the United States.

The remaining questions ask about specific cases or circumstances. Where the United States Supreme Court has spoken, its holding is the binding law of the land. Where the question poses issues that have not been decided by the United States Supreme Court but may come before the Supreme Court of North Carolina, it would be improper for me to answer.

Even so, my ten years of service as an elected judge on the Court of Appeals and as an elected Justice on the Supreme Court means that I have written scores of opinions on almost every aspect of law. These opinions are listed on my campaign web site and their full text can be read at the Supreme Court's web site. Citizens of North Carolina can readily see that I have shown a consistent dedication to constitutional principles.

In this race, I am the only candidate with judicial experience. As a result, I am the only candidate with a record that tells voters what kind of Justice I am. In addition, I practiced for many years in our state and federal courts before becoming a Justice. This practical experience has been invaluable to me as a Justice.

Again, I applaud the North Carolina Family Policy Council for bringing information about this critical race to the voters. I hope voters who seek additional information will view my web site: www.ReelectJusticeEdmunds.com. Thank you very much.

Sincerely,

Robert H. Edmunds, Jr.
Justice, Supreme Court of North Carolina