

2006 North Carolina Voter Guide

Questionnaire for State Judicial Candidates



Candidate Information

(Please Print or Type)

Candidate Name Judge Linda Stephens Party Affiliation _____
(optional)

Office Sought N.C. Court of Appeals District/Seat _____

Campaign Address _____ City _____ State ____ Zip _____

Campaign Phone/Fax _____ Campaign Website _____

Candidate Signature Linda Stephens Date March 27, 2006
(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 will result in a listing of "No Response" in the 2006 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
- 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
- Do you believe that a judge has the right to display the Ten Commandments in his or her courtroom?
 Yes No Undecided
- 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
- 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

(OVER)

2006 North Carolina Voter Guide
Questionnaire for State Judicial Candidates — Page 2



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

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

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

Candidate Signature
(required)

Trisha Stephens Date *March 27, 2006*

See letter regarding these questions.

JUDGE LINDA STEPHENS
North Carolina Court of Appeals

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March 27, 2006

Mr. William J. Brooks, President
NC Family Policy Council
P.O. Box 20607
Raleigh, N.C. 27619

Re: Questionnaire for State Judicial Candidates

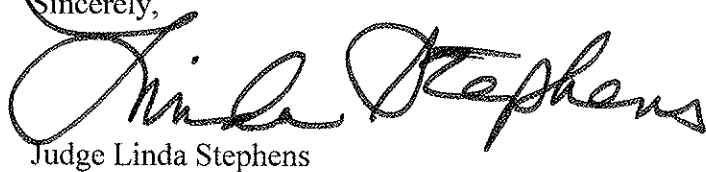
Dear Mr. Brooks:

I am currently a Judge of the North Carolina Court of Appeals and seek to retain my seat in the 2006 nonpartisan elections. I have carefully reviewed the eight questions that your Council has submitted to judicial candidates.

In considering what questions I can appropriately answer as a candidate for my office, I have decided to apply the standards which Chief Justice John Roberts and Justice Alito used in their U.S. Senate confirmation hearings for appointment to the U.S. Supreme Court. It is my opinion that those jurists would have declined to answer any of these eight questions as a candidate for judicial office.

I fully agree with their standards on this issue and therefore believe that it would be inappropriate for me to respond to your questions as presented.

Sincerely,

A handwritten signature in black ink that reads "Linda Stephens". The signature is written in a cursive, flowing style with a large initial "L".

Judge Linda Stephens