



State of North Carolina
General Court of Justice
Eleventh Prosecutorial District

THOMAS H. LOCK
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August 25, 2006

Mr. William J. Brooks, Jr.
President, North Carolina Family Policy Council
P.O. Box 20607
Raleigh, North Carolina 27619

Re: Candidate questionnaire

Dear Mr. Brooks:

Thank you for your letter inviting me to be listed in your 2006 Voter Guide. I applaud your interest in judicial elections and will answer your inquiries in the manner I believe appropriate for a candidate for the office of superior court judge.

My judicial philosophy is simple: I subscribe to the notions of judicial restraint, adherence to precedent, and deference to the legislature unless a statute clearly violates the federal or state constitution. Trial judges in particular are obligated to follow the applicable rulings of appellate courts, even if they personally disagree with those rulings.

I understand the holding of the United States Supreme Court in *Republican Party of Minnesota v. White*, 536 U.S. 765 (2002), that judicial candidates may state their views on disputed legal or political issues. However, one of the lessons I learned from my father, a Southern Baptist minister, is that just because we *can* do something doesn't mean we *should* do it. Any response I might make to one of your specific questions would allow a litigant to challenge my impartiality if one of these questions came before me in connection with a lawsuit.

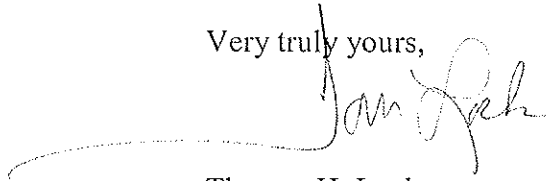
Moreover, I signed a pledge at the request of the North Carolina Bar Association not to comment on issues that might reasonably become the subject of litigation. A copy of the pledge is enclosed. To answer your questionnaire would violate both the letter and spirit of my promise.

I believe my approach to your questionnaire is consistent with the responses of both Chief Justice John Roberts and Associate Justice Samuel Alito during their Senate confirmation hearings. Should you desire additional information about my experience

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and qualifications, I invite you to visit my campaign website at www.tomlock.com.
Again, please accept my deepest thanks for your interest in my race.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Tom Lock", with a long horizontal flourish extending to the left.

Thomas H. Lock

Enclosure

**NORTH CAROLINA BAR ASSOCIATION
RESOLUTION REGARDING JUDICIAL ELECTION CAMPAIGNING**


Consistent with the preservation of First Amendment principles and the importance of having an informed electorate, and recognizing the unique role of a fair and impartial judiciary in our Constitutional system, the North Carolina Bar Association urges all candidates for judicial office to refrain voluntarily from campaign conduct that would impugn the integrity of the judiciary. The public's right to know whether candidates, including judicial candidates, are qualified for public office is of fundamental importance to the electoral process. Candidates for judicial office should freely disclose all pertinent information that might help voters to make an informed choice at the polls. Preserving the integrity and impartiality of the judiciary should also be an important consideration for voters and for those who seek public office. Every candidate for public office should pledge to campaign fairly and, if elected, to carry out the duties of public office, consistent with the Constitution and the laws of the United States and North Carolina, in a manner which best serves the interests of the people of North Carolina.

Judicial candidates should not comment on pending cases or on issues which might reasonably become the subject of litigation and should not pledge to resolve specific cases in a particular way or to resolve legal issues according to any standard other than the merits of the case pending before them. Judicial candidates may address issues relating to the organization and administration of the court system.

Judicial candidates should not distort the substance and controlling legal principles of prior court decisions. Derogatory comments or inferences concerning race, religion, gender and national origin should not be injected as factors in a judicial election campaign. References to competing candidates should be made in a professional manner, should be factual and without innuendo or derision. The highest degree of professionalism and civility toward all opponents should be practiced in all aspects of the campaign.

This Resolution was adopted by the Board of Governors of the North Carolina Bar Association on January 17, 2002.

I support, and will personally abide by, this resolution.



Signature of Candidate for Judicial Office

June 17, 2006
Date

Tom Lock (Candidate for Superior Court Judge, District 117)
Please print or type name

Please return signed pledge to:
Doug Heron
Director of Governmental Affairs
North Carolina Bar Association
P.O. Box 3688
Cary, NC 27519-3688
FAX: (919) 677-0761