

2006 North Carolina Voter Guide

Questionnaire for State Judicial Candidates



Candidate Information

(Please Print or Type)

This is a non-partisan race.

Candidate Name Mark D. Martin Party Affiliation I am a registered Republican.
(optional)

Office Sought Associate Justice, N.C. Supreme Court District/Seat _____

Campaign Address P.O. Box 25912 City Raleigh State NC Zip 27611

Campaign Phone/Fax (919) 821-8309 / (919) 573-9490 Campaign Website www.justicemarkmartin.org

Candidate Signature *Mark D. Martin* Date 8-25-06
(required)

Candidate Questionnaire

please see attached letter.

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.)

1. 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

2. 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

3. Do you believe that a judge has the right to display the Ten Commandments in his or her courtroom?

Yes No Undecided

4. 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

5. 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)

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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

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)

Date

8-25-06



JUSTICE MARK MARTIN
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August 25, 2006

Via United States Mail and Facsimile (919-807-0900)

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

Re: Response to Questionnaire for State Judicial Candidates

Dear President Brooks,

Thank you for sending me the questionnaire regarding political issues of importance to the North Carolina Family Policy Council.

Now in my fourteenth year of service as judge to the people of North Carolina, I have observed a rule of not publicizing my personal policy preferences as I have taken a sworn oath to support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina.

During this election cycle, I am consistently observing this practice with all organizations. I am confident that the North Carolina Family Policy Council understands my concern with preserving a fair and impartial judiciary. During my years of judicial service, I have done everything within my power to maintain the fair, independent, and principled demeanor that I know the N.C. Family Policy Council expects of appellate judges in this State.

Thank you for your work on behalf of North Carolina families.

Sincerely,

A handwritten signature in cursive script that reads "Mark Martin".

Mark Martin