

2006 North Carolina Voter Guide

Questionnaire for State Judicial Candidates



Candidate Information

(Please Print or Type)

Candidate Name Judge Eric Levinson Party Affiliation Republican
(optional)
 Office Sought Associate Justice, Supreme Court District/Seat Timmon-Boadson
 Campaign Address 1412-B East Blvd, Box 160 City Charlotte State NC Zip 28203
 Campaign Phone/Fax 704 369 2560 / 704 333 5156 Campaign Website www.justicelevinson.org
 Candidate Signature *Eric Levinson* Date 8-23-06
(required)

Candidate Questionnaire *Please see attached.*

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

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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?

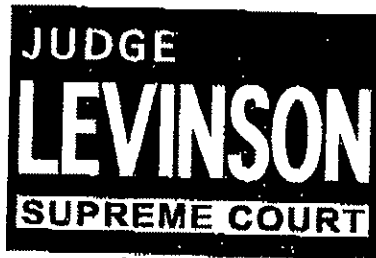
Yes No Undecided

Candidate Signature
(required)

Eric F. Jensen

Date

8-23-06



www.justicelevinson.org

August 23, 2006

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

Ref: N.C. Judicial Voter Guide

Dear Mr. Brooks,

Thank you for your kind letter and interest in educating North Carolina citizens about our candidacies for the Supreme Court. I have been blessed to serve the people of North Carolina as a sexual assault and homicide prosecutor; District Court Judge; Family Court judge; and presently as a member of the North Carolina Court of Appeals. In each of my campaign efforts to serve the people of North Carolina, I have consistently demonstrated my concern for the integrity of our judiciary.

As a part of my commitment to the integrity of our judiciary, I cannot answer the specific questions you have presented. These exact questions -- or ones very similar to them -- will very likely be presented to me in my role as an appellate court judge. Any advance comment on them can have a negative impact on the public's confidence in these decisions and the judiciary. Because North Carolinians rightfully expect to learn as much about judicial candidates as possible, I wish to share some thoughts with you about my judicial philosophy and the strengths I hope to bring to the Supreme Court of North Carolina.

I am a North Carolina native who values faith, family, hard work, and respect for the rule of law. I have prosecuted or presided over every major type of legal conflict heard in our State courts -- from serious criminal and class action cases to challenges concerning constitutional rights. I am proud of my reputation as a thoughtful, diligent jurist who understands that holding criminal offenders accountable and enhancing the public safety are important responsibilities of the judiciary. And like other North Carolinians, I value meaningful opportunities to express my faith and am troubled by limitations on my freedoms of expression. I am the judicial candidate who has been endorsed by sixty-five (65) N.C. County Sheriffs, individuals who know my concern for law enforcement. And I am the candidate who has presided in a N.C. Family Court -- an experience needed on our Supreme Court.

It is the limited role of our courts to punish the guilty; protect our individual rights; enforce the rule of law; and adjudicate disputes. I am a conservative jurist whose years on the bench demonstrate my respect for the General Assembly's role in establishing public policy. Legislators, not judges, are elected to make public policy determinations that impact our public safety and welfare. And, like other private property owners, I am concerned with the implications of the decision in *Kelo v. City of New London*, 126 S.Ct. 2655 (2005), the recent eminent domain opinion of the U.S. Supreme Court. It is, again, an important function of our courts to respect and protect our private property rights.

Like you, I believe that the genesis of our great nation and our body of statutory law can be found in the teachings of our Judeo-Christian heritage.

Thank you again for allowing me this opportunity to communicate with you and others about my candidacy for the Supreme Court of North Carolina. For additional information concerning my candidacy, please visit www.justicelevinson.org.

Warmest regards,



Judge Eric L. Levinson