



The Resource

Special Appellate Election Issue 2018

North Carolina Appellate Elections 2018

Candidates for the North Carolina appellate courts were invited to submit a statement regarding their candidacy to The Resource. These candidates have provided information about themselves and why they believe they should be elected. The information submitted is presented below and on the following pages by court, then seat, with the incumbent (if there is an incumbent) in each race listed first.

Candidates for the North Carolina Supreme Court

Jackson Seat

Barbara A. Jackson

It has been both an honor and a privilege to serve as an Associate Justice on the Supreme Court of NC since 2011. I am the only candidate for this office who has judicial experience. Prior to



joining the Court, I served on the Court of Appeals for six years. Because of this experience, I have authored hundreds of opinions which I believe demonstrate my commitment to fair and impartial justice, adhering to the rule of law.

After joining the Supreme Court in 2011, I served as Junior Justice for approximately two years—essentially the Court’s secretary, becoming extremely familiar with its administrative operations. In 2015, Chief Justice Mark Martin established the NC Commission on the Administration of Law and Justice. The Commission was comprised of five committees. I was honored to chair the Technology Committee, which developed a strategic plan for court technology for the judicial branch.

In June 2018, we implemented an important first step: a new website implementing mobile first technology designed to serve the 3 million visits we receive each year, over 1.5 million of them from mobile devices. This new website is an important first step toward both increased and improved use of technology within the court system and will provide a much more user friendly experience for all of our stakeholders, but we must do more. It is imperative that we leverage technology for the benefit of both our citizens and the legal community in order to make it easier to interact with and transact business with the court system.

I believe we need to continue to modernize court technology, including implementing electronic filing in all of our trial courts. Because of the size of our court system—100 counties, over 500 elected officials, over 600 appointed officials, 6500 judicial branch employees, and ten million citizens—this is a monumental undertaking. I am deeply committed to the expansion of court technology.

As part of this commitment, I serve on several NC Bar Association Committees, including the Appellate Rules Committee, the Justice and Judiciary Committee, and the Future of Law Committee. In addition, I am a member and former Chair of the Administrative Law Section, as well as a member of the Appellate Practice Section. I am also honored to serve as an appointed member of the NC Courts Commission.

I believe this combination of experience and commitment to the improvement of our court system makes me well-suited to continue in my role as Associate Justice of the Supreme Court. I humbly ask for your vote this fall.

Education: Master of Laws in Judicial Studies, Duke University School of Law, 2014 J.D., UNC-CH, 1990 B.A., UNC-CH, 1984

Experience: Associate Justice, Supreme Court of NC, 2011-present; Judge, NC Court of Appeals, 2005-10; General Counsel, NC Department of Labor, 2001-04; Associate, Holt York & McDarris, 1997-2000; Deputy General Counsel, Governor’s Advocacy Counsel for Persons with Disabilities, 1992-96; Associate General Counsel/Assistant Legal Counsel, Governor Jim Martin, 1991-92; Research Assistant, The Honorable Burley Mitchell, 1990-91.

Campaign website: www.justicejackson.com

Jackson Seat, Cont.

Chris Anglin

Our legislature has governed like the emperor with no clothes since gaining super majorities. The only check to its overreach has been an independent judiciary, so it has been a frequent and repeated target of power grabs.

First, N.C. lawmakers eliminated public financing for judicial races, widening the door for big money influence on the courts.

Then they made us the first state in 100 years to make judicial races partisan, including the state Supreme Court. They rigged the ballot order to favor their candidate and eliminated the primary.

They passed six unneeded, misleading constitutional amendments that will harm voting rights, and strip power from the executive and judicial branches of government. There is nothing transparent, nor conservative about this. It's just bad governing, putting party and power over the people.

While this has happened, the incumbent Supreme Court justice running for re-election has failed to stand up for the judiciary, remaining silent as lawmakers took steps to help her.

This is what motivated me to run for the Supreme Court, to fight for our independent judiciary. When I announced, I stated I was running as a Republican to be a voice for the many disaffected, conservative, constitutional Republicans who believe the party has left them, and to make the point that partisan judicial elections are a mistake. They force judges to kowtow more to parties, and it is how you get judges like Roy Moore.

Some have questioned if I'm a "genuine" Republican. That is a fair question for many elected GOP leaders today. Is Donald Trump? An independent before 2012, I voted for George Bush, Pat McCrory and interned in Phil Berger, Jr.'s D.A. office. I want to represent the traditional GOP, one that respected our Constitution and the rule of law.

Bob Orr and Howard Manning were outstanding independent yet conservative jurists who also happened to be Republicans. I would serve as they did, for the people, not a party. In a stunning act of cowardice, legislators took steps to misrepresent my campaign on the ballot, and the incumbent continued to remain silent. They made the rules. I followed them. They will stop at nothing to hand pick their judge, and undermine our democratic process.



Even children understand that changing the rules in the middle of an election is wrong. It's downright un-American. Our campaign has successfully exposed the folly of partisan judicial elections, and the emperor's naked grab for power.

North Carolinians have a chance to get off this dizzying ride. They can stand up for an independent judiciary and the checks and balances of our democracy by defeating all six unneeded, misleading Amendments, and by electing lawmakers and judges who will fight for the rule of law, not undermine it.

Education: J.D. Elon University 2011
BA, Political Science, Wake Forest University 2008

Experience: Anglin has practiced law at all levels of civil, criminal and family trial courts in both state and federal courts for seven years.

Anita Earls

For over thirty years, I have been a nationally recognized attorney, seeking equal justice for those whose voices otherwise would not be heard. I started my career at the Ferguson, Stein law firm in Charlotte. In private practice, I traveled across the state of North Carolina representing individuals, families, and communities in a wide range of cases. In 1998, I was appointed by the President to serve as a Deputy Assistant Attorney General in the U.S. Department of Justice, Civil Rights Division, a position I held for two and a half years. The second half of my career has been as a litigator with non-partisan, non-profit public interest law organizations.



My background is in both civil and criminal litigation, including conducting jury trials in state court, as well as having argued cases in our state and federal appellate courts. These opportunities have given me the skills and experience necessary to understand the record of a case below, and to apply the law equally in every case that comes before the Court.

(continued on next page)

Anita Earls, continued

First and foremost, an appellate judge must uphold the principles of justice, equality, and fairness. As a judge, my personal views are not relevant to how I would rule in any particular case and I would apply the law as it exists to the facts in each case. I believe a good judge is faithful to the rule of law and applies legal precedents with integrity and intellectual honesty. When precedent is well supported and clear, an appellate judge must follow that precedent even if they wish the law were different. I believe my record demonstrates an unflinching dedication to fairness and impartiality. For example, as a member of the North Carolina State Board of Elections appointed by a Democrat, I voted with a unanimous board to assess a fine on former Democratic Governor Mike Easley's campaign for campaign finance violations. In other cases we held members of both political parties accountable to the law.

My passion for justice began at a young age, growing up in a mixed-race family. When my parents met, it was illegal in many states for them to be married. Ultimately the U. S. Supreme Court struck down those laws. I saw the role the law plays in our country's promise of equality.

From the experience of being mixed-race I have also learned that we come closest to getting things right when we listen to each other with an open mind, across all the political or ideological lines that threaten to divide us. I have learned that we have more in common than we realize. I seek to serve the people of North Carolina by listening to every party that comes before the Court, and to each of my colleagues, and by working hard to consider each case impartially, with commitment to principle and in accordance with the law. I pledge to be a Justice who will rule without fear or favor. My website is www.earls4justice.com. I humbly ask for your support in November.

Education: J.D., Yale University Law School, 1988

B.A., summa cum laude, Williams College, 1981

Experience: Executive Director, Southern Coalition for Social Justice, 2007-2017; Director of Advocacy, UNC Center for Civil Rights, 2003-2007; Director, Voting Rights Project, Lawyers' Committee for Civil Rights, 2000-2003; Deputy Assistant Attorney General, Civil Rights Division, U.S. Department of Justice 1998-2000; Partner, Ferguson, Stein Law Firm, Charlotte, 1988-1998; Visiting Research Fellow, Social Science Research Institute, Center for Race, Ethnicity and Gender in the Social Sciences, Duke University, 2009-2012; Adjunct professor at University of Maryland, UNC, and Duke; Member, North Carolina State Board of Elections, 2009-2011; Secretary, North Carolina Equal Access to Justice Commission, 2006-2015.

2018 Judicial Candidates' Forum

Grandover Resort, Greensboro

September 28, 2018

11:15 a.m.—12:15 p.m.

NCADA's 10th biennial Judicial Candidates' Forum will be held in conjunction with the 2018 Fall Seminar. The Forum will feature judicial candidates in statewide elections for seats on the North Carolina Supreme Court and the North Carolina Court of Appeals.

The Judicial Candidates' Forum provides members of the bar, the business community and the public an opportunity to learn about the candidates who wish to serve the state at the appellate court level. Each candidate will have the opportunity to briefly discuss his or her qualifications for the position and answer brief questions regarding areas of concern for businesses, civil defense attorneys and their clients.

The NCADA brings together civil trial attorneys to promote the exchange of information, ideas, and litigation techniques, and to strengthen the practice, improve the skills, and enhance the knowledge of lawyers defending individuals and businesses in North Carolina.

Candidates for the North Carolina Court of Appeals Arrowood Seat

John S. Arrowood

I am running to retain my seat on the North Carolina Court of Appeals. My campaign platform is simple: I pledge to administer justice equally without favoritism to any party or to the State consistent with the Constitution and laws of North Carolina and the United States Constitution. I invite you to review the over 180 opinions, dissents and concurrences I have authored. When you do, I believe you will find that I have a record that demonstrates a record of fairness and impartiality.



Article I, Section 6 of the North Carolina Constitution provides for a three separate and distinct branches of Government, legislative, executive and judicial; therefore it is critical that we maintain an independent judiciary. In order to maintain an independent judiciary it is critical that we elect people with experience and a record of public service

I bring a unique set of qualifications to this office. Early in my career, I was a research assistant for Judge Gerald Arnold, and also a staff attorney and the senior staff attorney at the Court of Appeals. I spent over 26 years in private practice representing individuals and businesses in complex civil, commercial, employment and administrative regulatory matters. My work included defense of clients in the automotive industry in both North Carolina and multijurisdictional federal class action litigation. I was also an arbitrator with the American Arbitration Association. When I left private practice, I was rated AV Preeminent in Martindale-Hubbell by my fellow attorneys and judges.

As a Superior Court Judge, I handled a wide array of criminal and civil matters.

I maintain a certification as a mediator and participate in the Court's Appellate Mediation Program which allows for no cost mediation for appellate parties. I also serve on the Appellate Practice Council for the North Carolina Bar Association.

I also bring a record of public service to our State as a member of the North Carolina Banking Commission, the North Carolina Rules Review Commission, and the North Carolina Arts Council and as a Director of North Carolina Railroad.

In Charlotte, I have served as a member of the Board of Trustees of the Mint Museum of Art, the Board of Directors of the Charlotte Urban Ministry Center, and the Vestry of St. Peter's Episcopal Church.

I respectfully ask for your vote on November 6 to retain my seat.

You can learn more about my campaign at www.keepjudgearrowood.org

Education: J.D., University of North Carolina, 1982
B.A. Magna Cum Laude,
Catawba College 1979

Experience: Judge, North Carolina Court of Appeals 2007-2008; 2017-Present; Superior Court Judge, 2007; Attorney/Shareholder, James, McElroy & Diehl, P.A. 1989-2007; 2009-2017: Research Assistant, Staff Attorney, Senior Staff Attorney, North Carolina Court of Appeals, 1983-1989; Attorney, Wilson, Palmer & Cannon 1982-1983

Andrew Heath

I am a father of two (4-year-old son, 7-year-old daughter) and a member of Christ Baptist Church in Raleigh. An athletic scholarship brought me to UNC Asheville, where I met my wife, who is from Wilmington. I practiced law in Wilmington for Hedrick Gardner law firm, primarily defending North Carolina businesses in workers' compensation matters. During that time, I served on the New Hanover County Bar Association Board of Directors and earned awards from Lawyers Weekly and North Carolina Business publications.



In 2013, Governor McCrory asked me to head up the North Carolina Industrial Commission, so we moved to Raleigh. The Governor took note of the positive workers' compensation reforms we implemented at the Industrial Commission, and he asked me to serve in his Senior Leadership Team as the Budget Director for the State of North Carolina. In that role, I helped craft the state's \$22.3 billion budget and advised the Governor on the impact of tax and regulatory policy on North Carolina's \$500 billion GDP economy. It was an amazing opportunity, and I was lucky to work with some truly great public servants.

Heath, cont.

For my state service, I was named to the Triangle Business Journal 40 under 40 and was awarded the Order of the Long Leaf Pine.

I now serve as a Superior Court Judge and have held court in 33 of our state's 100 counties. I love our state and our country and feel a calling for public service. I would greatly appreciate your support.

Education: JD, Indiana University Robert H. McKinney School of Law
BS, UNC-Asheville

Calabria Seat

Jefferson G. Griffin

I was born and raised on a farm in Red Oak, North Carolina in Nash County. I graduated from Northern Nash High School where I was captain of the football team. I graduated from the University of North Carolina at Chapel Hill in 2003. After graduating from UNC, I earned my United States Coast Guard Captain's license and worked as a charter fisherman on the North Carolina coast.

In 2008, I graduated from North Carolina Central University School of Law. I began practicing law in Kinston, North Carolina, focusing in civil litigation and criminal defense at the firm of Wallace, Morris, Barwick, Landis and Stroud. I was able to travel across eastern North Carolina doing civil defense work.

In 2010, I joined the Wake County District Attorney's Office where I prosecuted cases from infractions to first-degree murder. In 2015, I was appointed by Governor McCrory to be a District Court Judge in Wake County. I was elected to a four-year term in the 2016 general election in Wake County. We handle a tremendous number of cases each year. I preside over both civil and criminal courtrooms including domestic violence, DWI, traffic, district court felony pleas, first appearances, probation violations, and special setting trial courtrooms. I am regularly assigned to criminal domestic violence, civil domestic violence, and child support cases.

I also serve as a Captain in the North Carolina Army National Guard as a JAG Officer. I am assigned to the 30th Armored Brigade Combat Team, known as "Old Hickory". I provide legal assistance to enlisted soldiers and commissioned officers.



I help them handle their criminal, domestic, creditor and personal issues in addition to my responsibilities of advising the commander on issues of international law and the rules of engagement.

In addition to my military and civilian careers, I have voluntarily assumed leadership positions in organizations that are meaningful to me. I currently serve on the Board of Directors of the Wake County Bar Association and the Kiwanis Club of Raleigh. I enjoy volunteering in the Wake County Public School system with the Lawyer Read Program. Last year I was appointed to serve on the Task Force on Sentencing Reforms for Opioid Drug Convictions. I have also volunteered as a co-partner and adult life skills mentor with Step Up Ministry and as a volunteer football coach at Enloe High School.

My wife Katye and I are members of Holy Trinity Anglican Church in Raleigh. Katye is an attorney with Smith Moore Leatherwood LLP. I am an avid hunter, fisherman and lover of the outdoors.

I believe that a judge should uphold the rule of law and be faithful to the Constitution. Between my civil and criminal defense work, prosecuting for the state, service as a judge, and military career, I have helped countless people resolve deeply personal issues. My diverse background gives me a unique perspective to serve on the North Carolina Court of Appeals.

I humbly ask for your support and your vote.

Education: Judge Advocate Legal Center and School, Charlottesville, VA, 2017
U.S. Army Officer Direct Commission Course, 2017
J.D., North Carolina Central University School of Law, 2008
B.A., University of North Carolina at Chapel Hill, 2003
Northern Nash Senior High School, Red Oak, NC

Experience: District Court Judge, Wake County, NC, 2015 – present; North Carolina Army National Guard Judge Advocate General (JAG) Corps, Clinton, NC, Captain, 2018 – present, First Lieutenant, 2017 – 2018; Legal Specialist, North Carolina Industrial Commission, Raleigh, NC, 2015; Assistant District Attorney, Wake County District Attorney's Office, Raleigh, NC, 2010 – 2015; Associate, Wallace, Morris, Barwick, Landis and Stroud, Kinston, NC, 2008 – 2010

Tobias Hampson

I have the right experience to serve on the North Carolina Court of Appeals. As a State Bar Certified Appellate Specialist, NC Bar Association Appellate Rules Committee Member, and the Appellate Practice Group leader at Wyrick Robbins, I have handled practically every type of case the Court of Appeals hears, including civil, criminal, and juvenile matters. There are approximately 185 published and unpublished opinions since 2004 listing me as counsel for either a party or amicus in the Court of Appeals and NC Supreme Court and the on-line docket sheets for those courts list me as counsel in 309 cases (including petitions).



I began my legal career at the Court as a law clerk seeing the inner workings of the Court and learning appellate procedure. In 2004, I joined Patterson Dilthey in Raleigh where I gained pre-trial litigation, trial, and appellate experience in a variety of civil matters primarily representing defendants in general liability, workers' compensation, medical and other professional malpractice, construction, and products liability cases across North Carolina. In 2007, I joined Wyrick to focus primarily on the appellate work in our state appellate courts, but where I have also continued to gain trial court and agency experience and where I also assist in representing the Towns of Wake Forest and Zebulon in quasi-judicial zoning and planning matters, as well as other aspects of municipal law.

This in-depth, hands-on trial and appellate experience has prepared me to be a North Carolina Court of Appeals Judge. I've first chaired Industrial Commission cases, appeared before the Medical Board, taken numerous depositions (including medical experts), first-chaired UIM arbitrations, argued summary judgment motions, interviewed witnesses, helped pick a jury, appeared in OAH, conducted discovery, drafted pleadings, prepared records, and briefed and orally argued multiple cases in our state appellate courts. I've even defended a physician before a Federal DEA Administrative Law Judge. I know what it means for the parties, and their lawyers, in terms of the resources – time, money, emotional capital – to bring these always important and often complex issues before the appellate courts and I have a broad knowledge of the law involved.

The Court needs judges with the ability to think critically, reason soundly, write clearly, decide efficiently and, above all, to apply each of those characteristics with civility, impartiality, and independence. If elected, I will strive to bring these characteristics to the Court. I respectfully ask for your support and your vote. I hope you will visit www.tobyhampsonforjudge.com to learn more.

Education: J.D., Norman Adrian Wiggins School of Law, Campbell University, 2002
B.A., (International Studies/History), American University, 1998

Experience: Attorney, Wyrick, Robbins, Yates & Ponton, LLP (2007-current; Partner since 2014); Attorney, Patterson, Dilthey, Clay, Bryson & Anderson (2004-2007); Law Clerk, N.C. Court of Appeals: Hon. Robert C. Hunter (2003-2004), Hon. Wanda Bryant (Spring 2003), Hon. K. Edward Greene (Fall 2002).

Sandra Alice Ray

I am a District Court Judge for the 5th Judicial District. I have 27 years legal experience including 14 years Judicial experience. I have more Judicial experience than all other current Court of Appeals candidates combined. My judicial experience includes, but is not limited to, Felony Court, Juvenile Court, Domestic Violence Court, Divorces, Criminal and Civil court. I am a former assistant district attorney and business owner. I am a fair and impartial judge that follows the rule of law. I believe in and am faithful to our federal and state constitution. I believe, consistent with our constitution, in the Sovereignty of the People~ not the politicians or the bureaucrats. We can never forget that all the power of the government is vested in and derived from The People and is founded upon our collective will. I am the only candidate not endorsed by a political party. All judges should be impartial and represent the entire electorate. I am that Judge. I seek your support, your endorsement, your vote and above all your prayers. Join our team by going to our website at www.sandraaliceray.com



Education: St Mary's College, High School 1982 and AA degree 1984
North Carolina State University, BA 1987
Campbell Law School, Juris Doctor 1991

Experience: District Court Judge, 5th Judicial District, New Hanover and Pender County, 2004-present, 2002 to 2004 I owned my own firm and practiced in areas of criminal and civil law, 1996-2004 I was an associate with an established Wilmington firm that focused on civil and criminal litigation, 1991-1996 Assistant District Attorney for the 5th Judicial District.

Elmore Seat

Allegra Collins

I am seeking a seat on the Court of Appeals because I love the work of the Court and I believe my experience and expertise will allow me to serve as an effective judge on the Court. Appellate law, appellate process, appellate procedure, judicial process, legal research and writing – it is my work, it is my hobby, and it is my passion.



As a professor at Campbell Law School, I teach Judicial Writing and Appellate Brief Writing using cases pending before our NC appellate courts. I also frequently present on appellate law topics at various CLE programs. I founded Allegra Collins Law, a law practice focused solely on appellate litigation in the NC and US appellate courts, and I practice regularly before those courts. I am the Vice Chairperson of the NC Bar Association's Appellate Practice Section, which provides networking and educational opportunities in appellate practice, and a member of the its Appellate Rules Committee, a group of lawyers and judges from across the state that drafts proposed amendments to the NC Rules of Appellate Procedure for consideration by the Supreme Court.

As an Assistant Appellate Reporter at the NC Supreme Court, I read every case that came out of the Supreme Court and Court of Appeals and wrote and/or edited every headnote for those cases for four years. I was so fortunate that my first job out of law school was as a law clerk to the Honorable Linda Stephens on the NC Court of Appeals. Under her expert guidance for almost four years, I helped draft over 160 opinions.

My comprehensive experience and expertise in this field means I would effectively and immediately contribute to the Court. My passion for this work means I will continuously strive to do it better.

My sports career has shaped how I have approached my professional career. I played tennis on scholarship at UCLA and then professionally. I represented the United States twice at the Pan American Games in Team Handball. Success on field and court required hard work, team work, drive, competitiveness, and dedication. I have applied these same principles to my law career, and I will apply these same principles to my work as a judge on the Court of Appeals.

As an independent judge on the NC Court of Appeals, I will not promise to vote a certain way, to take a certain case, or to act in accordance with a certain agenda. The only promises I will make are contained in the Oath of Office:

- to support the Constitution of the United States,
- to be faithful and bear true allegiance to the State of North Carolina and her established constitutional powers and authorities,
- and to support, maintain, and defend the constitution of North Carolina and the constitution of the United States.

I respectfully ask for your vote in November.

Campaign website: www.allegracollins.com

Education: J.D., Campbell University School of Law, 2006
B.A., The College of William and Mary, 1994
UCLA, 1989-91

Experience: Campbell University School of Law, Clinical Assistant Professor of Law, 2012 - present; Allegra Collins Law, Appellate Attorney, 2015 – present; North Carolina Bar Association Appellate Practice Section Vice Chairperson; North Carolina Bar Association Appellate Rules Committee member; North Carolina Supreme Court, Assistant Appellate Reporter, 2011 - 2014; North Carolina Court of Appeals, Law Clerk to the Honorable Linda Stephens, 2007-2010

Chuck Kitchen

I am currently running for a judicial seat on the Court of Appeals. The North Carolina Republican Party has endorsed me as its candidate for the seat currently held by Rick Elmore. I am originally from



Transylvania County, and have been an attorney in North Carolina for the past 38 years. For 30 of those years, I served as County Attorney in Alamance and Durham Counties. During my time as County Attorney, I or my staff handled all the defense work for the county as both counties terminated their liability insurance.

Kitchen, cont.

I have engaged in extensive litigation in district and superior courts, before the State Property Tax Commission and before other administrative tribunals, and in the Federal courts. The cases which I defended have covered a broad spectrum of legal disciplines. These cases included cases involving torts, civil rights, personnel, election law, and other local government cases. Since retiring as a county attorney, I successfully defended Alamance Sheriff Terry Johnson when he was sued by the US Department of Justice. This was the first case successfully litigated by a defendant under 42 U.S.C. § 14141. Sheriff Johnson was wrongfully accused of targeting Hispanics. I believe this broad range of experience has prepared me well for the appellate court bench. Neither of my opponents have the extensive litigation experience which I possess. I do not believe a person can sit in judgment on rulings by lower courts without having litigated cases in the lower courts and administrative tribunals.

In addition, I have extensive experience before the appellate courts in North Carolina. I have filed over 100 briefs and petitions in the appellate courts. Many of these cases have resulted in watershed opinions. These cases involved sovereign immunity, separation of powers, validity of contracts, and status of sheriffs. Recently, I successfully represented Sheriff Hans Miller before the State Supreme Court. Sheriff Miller was sued over enforcing the State's gambling laws against companies using electronic slot machines.

I am a constitutional conservative, and strongly believe that judges should not use the courts for creating new laws based on personal beliefs. If elected, I fully intend to decide each case based on the law in an impartial a manner as possible.

No one currently on the Court of Appeals has the local government experience which I possess.

By bringing this experience to the Court, I believe I can well serve the people of the State. For more information see kitchenforcourtofappeals.com.

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