

**Kentucky
Candidate
Information
Survey**

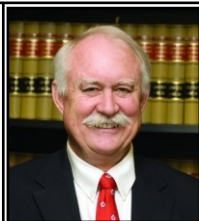


JUDICIAL SURVEY 2018

Each judicial candidate pledges to keep an open mind and carry out their adjudicative duties faithfully and impartially if elected.

Each candidate also recognizes their overarching obligation to apply and uphold the law, without regard to his or her personal views.

No statement should be interpreted as a pledge, promise, or commitment in connection with any case, controversy, or issue likely to come before the court.



Kim Wilkie

**KY District Court
District 22, Division 3**

Lindsay Hughes Thurston



No Website

Education	Tates Creek High School; University of Alabama; University of Kentucky (Juris Doctorate).	CANDIDATE CHOSE NOT TO PARTICIPATE
Current Occupation	Fayette District Court Judge, 3rd Division (2011-present).	
Family	Wife: Donna Wilkie; Son: Chris Wilkie (Tara); Daughter: Emily Wilkie Pribisco (Tim); Grandchildren: Marley, Annie, and Scout Wilkie; Elijah Pribisco.	
Legal Background / Experience	Fayette County Public Defender (1981-1984); Boehl, Stopher & Graves (1984-2008), Partner; Reinhardt & Associates (2008-2010), Of Counsel; Fayette County District Court Judge (2011-present).	
What do you consider the greatest accomplishment of your legal career? Why? (50 words or less)	Establishing and presiding over the Fayette County Heroin Court (2013-2014), and the Fayette County Mental Health Court (2014-present).	
To what extent have you practiced in the area of criminal law? Family law? Complex civil litigation? (50 words or less)	<u>Criminal Law:</u> Tried cases from DUI's to murder; <u>Family Law:</u> Work with families in juvenile, heroin and mental health court settings. <u>Civil Law:</u> Litigated and tried cases including personal injury, traumatic brain injury, wrongful death, libel/slander, contracts, and complex construction throughout Kentucky (State and Federal Courts).	
What forms of voluntary professional and community service have you been involved with in the past? (50 words or less)	Voluntarily established Fayette County Heroin and Mental Health courts; Mentor UK law students and Fayette County High School students each semester; C.I.T. (Crisis Intervention Team), Board Member; Coached Youth Sports: Basketball (boys and girls); football; softball; Southern Hill United Methodist Church (Staff Parish Relations Committee; usher).	

By sharing how each candidate describes themselves, their qualifications, and judicial philosophy, the KCIS Judicial Survey is bringing light to the area voters are often least informed about. Thus, improving **1) voter knowledge; 2) voter participation; and 3) the quality of the democratic process.**

KCIS is a non-partisan project of the Family Trust Foundation of Kentucky.

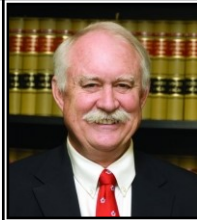
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What are the major influences in your life? Why?
(50 words or less)

Grandparents, parents: They instilled in me a strong moral compass; Wife: She still puts up with me; My children and grandchildren: They inspire me to maintain a strong moral compass and to pass it on to them; My dogs ("Junior" and "Larry"): They show me unconditional love and loyalty daily.

CANDIDATE CHOSE NOT TO PARTICIPATE

Are there any specific types of cases in which you know now you would find it necessary to recuse yourself?
(50 words or less)

No specific type of case, other than those set forth in KRS 26A.015.

In the last 10 years, which of the following organizations have you been a member, contributed money, volunteered time, been employed by, been endorsed by for a campaign, received money from for a campaign, or had any other affiliation?

Only applicable category is: **Place of Worship:**
"Southern Hills United Methodist Church".

Some judges practice a philosophy of restraint, believing that judges must interpret the law strictly rather than seek to make new laws. Others develop a philosophy of activism, using the bench to enact social and political change. Please explain your approach.
(50 words or less)

I do not believe a district court judge should engage in judicial "activism", nor should they interpret the law strictly. My judicial approach is to follow the law, as written, and apply the facts of each individual case to the applicable law, yet always using common sense.

Some judges believe that courts should read the Constitution expansively and should not limit themselves to what is explicitly stated. Others believe the courts should not reinterpret the Constitution. Please explain your approach.
(50 words or less)

I look to the history of the time when the Constitution was written and the principles set forth therein by the framers as a blueprint for government and use this as a guide to endeavor to pursue the ideals of human dignity, liberty and justice.

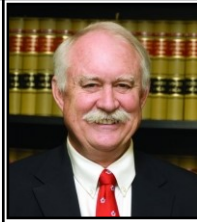
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Some judges believe that courts should interpret the Constitution as the framers intended. Others believe that the Constitution must grow and adapt to new circumstances. Please explain your approach.
(50 words or less)

I believe the Constitution should be read and applied to the conditions of today's society, which necessitates courts to adapt to changing circumstances. However, the law must still comply with the wording of the Constitution as it was written by the framers.

CANDIDATE CHOSE NOT TO PARTICIPATE

What is your general judicial philosophy?
(75 words or less)

My judicial philosophy is pretty much like my life's philosophy; follow the law, be respectful, fair, impartial, courteous, patient, dignified, prompt, open minded, independent, and recognize that the principles upon which this country was founded apply to all.

Which of the current/recent Justices of the U.S. Supreme Court MOST reflects your judicial philosophy and why? Which LEAST reflects it and why?
(50 words or less)

Most: John Paul Stevens: Stevens wrote that, "It is confidence in the men and women who administer the judicial system that is the true backbone of the rule of law." I agree.
Least: Antonin Scalia: His opinions appear to be more politically motivated than other Justices.

What do you see as the most important issue facing Kentucky's judiciary?
(50 words or less)

Judicial elections and social media: "I never felt so much like a hooker down by the bus station in any race I've ever been in as I did in a judicial race." Paul E. Pfeifer, Ohio Supreme Court Justice.

What do you perceive as the greatest obstacles to justice, if any?
(50 words or less)

Judicial Politicization: California Supreme Court Justice, Otto Kaus, said that judicial campaigning was like finding a crocodile in your bathtub when you shave in the morning. You know it's there, and you try not to think about it, but it's hard to think about much else while you're shaving.

What steps will you take as a judge to ensure that the rule of law is uniformly applied without passion or prejudice?
(50 words or less)

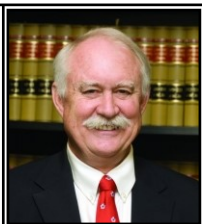

If a case has issues that could be decided one way or another, I draft an Opinion with Supporting Memorandum, regardless of the "importance" of the case. By doing so, I satisfy myself (and, hopefully, the parties) that the court applied the rule of law without passion or prejudice.

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<p>No statement should be interpreted as a pledge, promise, or commitment in connection with any case, controversy, or issue likely to come before the court.</p>		<p>KY District Court District 22, Division 3</p> <p>Kim Wilkie Lindsay Hughes Thurston</p>	
<p>While serving on the bench, do you believe you have a role in bringing important legal or judicial issues before the public or the legislature? Why or why not? What should your role be? (50 words or less)</p>	<p><i>No Website</i></p> <p>I do not believe a judge should bring "important legal or judicial issues before the public or the legislature." Judges deal with the law, not with what the law should be. I have, however, testified before the legislature regarding mental health legislation and believe such input is beneficial and warranted.</p>		<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>CANDIDATE CHOSE NOT TO PARTICIPATE</p> </div>
<p>What makes you the best qualified candidate for this position? (50 words or less)</p>	<p>Thirty years practicing civil and criminal law; eight years serving as Fayette District Court Judge; the highest possible scores, in anonymous polling of Kentucky lawyers and judges, in all categories of: "Legal Knowledge"; "Analytical Capability/Judgment"; "Communication"; "Legal Experience"; and "High Ethical Standing".</p>		
<p>Is there anything else you would like the voter to know? (50 words or less)</p>	<p>In 2009, I was asked by numerous attorneys, defense and prosecution, to run for Fayette District Court Judge, 3rd division, in order to bring proper judicial temperament and civility to the bench. I did, and I have. I love Fayette County, its people, and this job. Thank you, Fayette Countians!</p>		

Overview of Kentucky's Court System

Supreme Court

Basic Info: The Supreme Court is the state court of last resort and the final interpreter of Kentucky law. Seven justices sit on the Supreme Court and all seven justices rule on appeals before the court.

Cases Handled: Appeals involving the death penalty, life imprisonment or imprisonment for 20 years or more go directly from Circuit Court to the Supreme Court. All other appeals must first be heard by the Court of Appeals, except those so exceptional that the Supreme Court will grant a request to bypass the Court of Appeals.

Term: District judges serve four-year terms.



Court of Appeals

Basic Info: Fourteen judges, two elected from each of the seven appellate districts, serve on the Court of Appeals and are divided into panels of three to review and decide cases, with the majority deciding the outcome.

Cases Handled: With a few exceptions, most cases appealed from Circuit Court go to the Court of Appeals. The case is not retried at the appeals level. Instead, the original trial record is reviewed, with attorneys presenting the legal issues to the court for a decision.

Term: Court of Appeals judges serve eight-year terms.



Circuit Courts

Note: Family Court is a division of Circuit Court that hears only cases involving families and children.

Cases Handled: Can hear all types of cases unless the General Assembly has given exclusive jurisdiction of particular kinds of cases to another court to handle, such as District Court. Circuit Court hears civil matters involving more than \$5,000, capital offenses and felonies, divorces, adoptions, termination of parental rights, land dispute title problems and contested probates of will. It also has the power to issue injunctions and writs of prohibition and mandamus to compel or prohibit acts, and to hear appeals from District Court and administrative agencies.

Term: Circuit judges serve eight-year terms.



District Courts

Cases Handled: Hears juvenile matters, city and county ordinances, traffic offenses, probates of will, felony preliminary hearings, civil cases involving \$5,000 or less, guardianship, conservatorship, voluntary or involuntary commitment, child abuse and neglect, and domestic violence.

Term: District judges serve four-year terms.