



**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.

<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><b>KY Supreme Court District 3</b></p> <p><b>Dan Ballou</b></p> <p><b>danballou.com</b></p>		<p><b>Debra Lambert</b></p> <p><b>judgelambert.com</b></p>
<p><b>Education</b></p>	<p>University of Mississippi ("Ole Miss") J.D. 1998 University of Kentucky B.A. 1995 Williamsburg High School 1984</p>		<p>Eastern Kentucky University, B.S., with Distinction, 1983. University of Kentucky, J.D., top 25% of class, 1989.</p>	
<p><b>Current Occupation</b></p>	<p>District Judge, 34th District, Jan 2003-Nov 2007 Circuit Judge, 34th Circuit, Nov-2007-present (34th Judicial District/Circuit McCreary and Whitley Counties)</p>		<p>Judge, Kentucky Court of Appeals</p>	
<p><b>Family</b></p>	<p>Wife: Angie Ballou, probation and parole officer Step-daughters Bailee and Kailee Jarboe, 22 and Chaynee Jarboe, 16</p>		<p>Married to Joe Sharpe, two grown sons, Joseph Lambert and John Lambert, two step-daughters, Jessica Stringer and Chelsea Sharpe, and grandson, Sam Stringer.</p>	
<p><b>Legal Background / Experience</b></p>	<p>Law clerk for Judge Eugene Siler, U.S. Court of Appeals. 1999-2000 Private law practice 2000-Jan 2003 District Judge Jan 2003-Nov 2007 Circuit Judge Nov 2007-present</p>		<p>Judge, Kentucky Court of Appeals 2015 to present. 1999-2006 Circuit Judge 1989-1999 &amp; 2007-2014, Lambert Law Office, Mount Vernon, KY, Assistant Commonwealth's Attorney; counsel for Rockcastle Hospital; Attorney for the City of Mount Vernon.</p>	
<p><b>What do you consider the greatest accomplishment of your legal career? Why?</b> (50 words or less)</p>	<p>I was elected and re-elected District Judge and then Circuit Judge by the people of McCreary and Whitley Counties. That is very humbling to me. Having the approval of my boss (the people I serve) is my greatest accomplishment in my legal career.</p>		<p>Two Accomplishments: In 1999, as the first Family Court Judge in our area. I volunteered and created successful family and juvenile drug courts and in-school truancy prevention programs. More recently, I became certified and taught suicide prevention to nearly 5000 lawyers and judges throughout Kentucky through the Bar Association.</p>	
<p><b>To what extent have you practiced in the area of criminal law? Family law? Complex civil litigation?</b> (50 words or less)</p>	<p>As a district and circuit judge for almost 16 years in a circuit without a family court, I have extensive experience in criminal, family, civil, juvenile law and everything else that comes to the trial courts in Kentucky.</p>		<p>I was an Assistant Commonwealth's attorney prosecuting felony cases and represented established clients in defense of criminal charges. I practiced family law for over 16 years and was a family court judge from 1999-2006. I was counsel for State Farm Insurance, defending their insured's in several counties in Eastern Kentucky.</p>	
<p><b>What forms of voluntary professional and community service have you been involved with in the past?</b> (50 words or less)</p>	<p>In my capacity as a judge I have had the opportunity to speak to various organizations and churches about the court system etc. Most of my extra curricular activities in the past has been related to my military service.</p>		<p>Volunteer Juvenile and Family Drug Court Judge; Volunteer In-School Truancy Prevention Judge; Jr. Achievement Volunteer, North Laurel High School; QPR Suicide Prevention Volunteer Trainer; Pulaski County Suicide Prevention Alliance; PRIDE Litter Clean Up; Prevent Child Abuse Kentucky Board Member; Sunrise Children's Services Board Member; Various Church activities.</p>	

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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<p><b>What are the major influences in your life? Why?</b> (50 words or less)</p>	<p>1. The trinity. (God my creator, Jesus my savior, the Holy Spirit my strength.) 2. My family: parents, grandparents, church family 3. United States Marine Corps. No way I can come close to answering "why" in the 50 word limit you have given me in this survey.</p>	<p>My joyful, hard-working, hilarious mother is my greatest influence. I am also a spiritual person and gain much from my personal spiritual beliefs and relationship with God.</p>
<p><b>Are there any specific types of cases in which you know now you would find it necessary to recuse yourself?</b> (50 words or less)</p>	<p>Any case involving a family member or person not related by blood, but like family. Any case where there would be an appearance of impropriety.</p>	<p>No.</p>
<p><b>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?</b></p>	<p>Main Street Baptist Church Williamsburg and Refuge Baptist Church Corbin.</p>	<p>AFL-CIO, Chamber of Commerce, Pregnancy Help Center, Kentucky Right to Life, National Rifle Association, Member, First Baptist Church, Have contributed to many different churches and charities over the years.</p>
<p><b>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.</b> (50 words or less)</p>	<p>Judges are nothing more than referees. It's not our role to make law or promote public policy. We sometimes have to rule on the constitutionality of laws, but we are upholding our constitution when doing so, not making law. Social engineering within our courts is destroying the judiciary.</p>	<p>The strength of our government is based on our three separate branches of government. I see my role as limited to judicial review to the controversies that come before the court. I do not see the role of the judiciary as a tool for social or political change.</p>
<p><b>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.</b> (50 words or less)</p>	<p>Those who want to read more into the constitution than is actually there are usually over educated snobs who think they have to protect all of us idiots from ourselves. They have an intellectual superiority complex and are inflicted with what I call "BED" (Bureaucrat Elitist Disorder.)</p>	<p>I would be amongst those Judges who believe that the Constitution says what it says. To the greatest extent possible, my judicial interpretation tends to be generally a textualist approach, which is, looking to the ordinary meaning of the words in constitutions or statutes (texts).</p>



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<p>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)</p>	<p>To say the constitution is "living and breathing" (changing with the wind) undermines the document I took an oath to defend with my life as a Marine. To view our constitution this way renders it useless. It completely neuters the document which is the very foundation of our representative democracy.</p>	<p>I see the Constitution as a foundational document without need of constant reinterpretation by Courts.</p>
<p>What is your general judicial philosophy? (75 words or less)</p>	<p>In the Marine Corps my priority was to do my duty. Even staying alive was secondary. That is what I have found to be the biggest difference between serving in the military versus serving in the judiciary. Many judges worry about keeping their job instead of doing it. My philosophy, judicial and otherwise, is duty first. Judges should be referees, not activists. Judges should stay in their AOR (area of responsibility) and do their duty!</p>	<p>Judges should not interject themselves or their personal beliefs into cases that come before them. We have the framework of the law and should apply it without our own biases. From time to time, Judges have to apply laws they don't agree with, but are bound to follow precedent from higher courts. <i>Four things belong to a judge: to hear courteously, to answer wisely, to consider soberly, and to decide impartially.</i> —Socrates</p>
<p>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)</p>	<p>Justice Clarence Thomas follows the constitution and writes in a down to earth and unpretentious manner. All Americans should be able to read and understand what a Justice is saying, not just the lawyers. With Justice Thomas that is the case. So, on substance and style he is my favorite.</p>	<p>Justice Scalia. His book titled "Reading Law: The Interpretation of Legal Texts" has been helpful in my work as an appellate court judge. I suppose Justice Ginsberg's philosophy would be least similar to mine because I disagree with her opinions more frequently.</p>
<p>What do you see as the most important issue facing Kentucky's judiciary? (50 words or less)</p>	<p>Judicial activism/arrogance is a big problem all over America at the state and federal level and we are not exempt from the problem here in Kentucky. Another problem I see is an over emphasis on "specialty courts" and not enough on personal responsibility and holding people accountable for criminal behavior.</p>	<p>Courts are inundated with cases related to substance abuse. Judges can participate in drug policy decisions. I have a national reputation as a drug court pioneer, with particular focus on families and children. My experience can add positively to the efforts to help children and families suffering in such circumstances.</p>
<p>What do you perceive as the greatest obstacles to justice, if any? (50 words or less)</p>	<p>The greatest obstacles to justice is the same as the obstacles to world peace and every other problem in our communities, our Commonwealth, our country and our world. Sin and selfishness. Government is not the answer. God is the answer.</p>	<p>Time and money are obstacles. Many don't have the funds to proceed through court, especially if it takes years. The Kentucky Supreme Court adopts rules of practice and procedure and oversees the Court system. We should adopt rules and procedures that are mindful of time and cost efficiencies.</p>
<p>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)</p>	<p>I have been doing this for 15 1/2 years as a Judge and it really isn't that hard. If I cannot be fair and impartial I recuse. Also, I focus on doing my duty and don't worry about who may or may not get mad at me.</p>	<p>I pledge my personal promise to act without passion or prejudice. The Supreme Court is tasked with judicial and attorney discipline. We must have attorneys and judges who abide by the rule of law and are ethical. As a Justice, I would hold attorneys and judges accountable under the law.</p>

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<p><b>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?</b> (50 words or less)</p>	<p>No. Judges must be more careful of our associations and activities outside of court including making public comments on legal or judicial issues. We must keep ourselves on an island to some degree. We should not appear to be lobbying for or against matters taken up by law makers.</p>		<p>Yes, to some degree. For instance, Judges know much about substance abuse and the criminal justice system. Judges can and do educate the public about the law and often Judges are asked by the legislature to testify about court related issues and/or needs. If asked, I would do so.</p>
<p><b>What makes you the best qualified candidate for this position?</b> (50 words or less)</p>	<p>My resume in the legal profession speaks for itself and makes my highly qualified. However, what has best prepared me is the United States Marine Corps. Honestly, everything else seems easy compared to the Marine Corps. Honor, courage, commitment. Death before dishonor. Those are not just some clichés to us.</p>		<p>I have had an extensive and successful legal and judicial career, have earned a reputation for hard work and integrity, and am the only candidate with appellate court experience. If elected, I would first provide a thorough, unbiased, and timely review of each case.</p>
<p><b>Is there anything else you would like the voter to know?</b> (50 words or less)</p>	<p>Peace and comfort in this challenging world comes from Christ. No candidate/elected official and no government can provide. Only Jesus can and that is more important than this or any election. All this is temporary. I love you in His name no matter who you vote for.</p>		<p>Growing up modestly in Eastern Kentucky taught me about hard work and fairness and gave me a passion for justice and for people. I am grateful for the overwhelming majority I received in the primary election and ask that the voters of my district continue to support me through November.</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.