

**Kentucky
Candidate
Information
Survey**



JUDICIAL SURVEY 2019

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.



**KY Family Court
District 35, Division 3**

No website provided

Justin Cory Hamilton

Kent Varney

Education	Campbell University, North Carolina; University of Pikeville, Pikeville KY; Appalachian School of Law Various Military Occupational School in the Marine Corps and Army	CANDIDATE CHOSE NOT TO PARTICIPATE
Current Occupation	Attorney in Pikeville, Kentucky Ammunition Specialist -U.S. Army Reserves	
Family	Married May 20, 2000 to Michelle Coleman Hamilton Daughter- Courtney Faye Hamilton Mother - Phyllis Little Newsome, Father - James S. Hamilton	
Legal Background / Experience	Primarily practice in areas of Family Law, Worker's Compensation, Social Security, Personal Injury, Medical Malpractice, and Criminal Defense, as well as, Property, Contract, Probate, and Estate Planning Law.	
What do you consider the greatest accomplishment of your legal career? Why? (50 words or less)	Medical Malpractice lawsuit involving a young man who perished and my law firm was able to successfully negotiate a settlement and give the family some form of relief and closure.	
To what extent have you practiced in the area of criminal law? Family law? Complex civil litigation? (50 words or less)	Approximately 50% of my time is focused on family law, Civil Litigation is 30% and Criminal Defense is 20%.	
What forms of voluntary professional and community service have you been involved with in the past? (50 words or less)	Member of VFW, DAV, and Marine Corps League. Previous ran the Pike County Young Marines program. Member of the PRIDE organization Masonic Lodge Lions Club Member Perform Military Funerals Assist with the Veterans Transitional Home, donation of time, clothing, food, and job interviewing classes	

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)

God, Family, and Military have been the major influences in my life. My faith in Jesus Christ, my family, and the military has helped me to grow as an individual and into a successful person. Everything I have accomplished in life can be credited to this.

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)

I am a professional and have made tough decision in the military and as an attorney. I have the capability of setting aside my personal beliefs in order to hear the entire facts presented in a case and make the appropriate decisions in accordance with the law.

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?

Kentucky Right to Life
National Rifle Association (NRA)
Dorton 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)

The answer to this question highly depends on the case at hand. I will not overly reach for an activists conclusion nor will I strictly adhere to primitive laws. My decisions will be fair and based upon my understanding of the law.

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)

The Constitution should absolutely be read expansively. Our fore-fathers could not have predicted the future nor understood the change that American would go through. The U.S. Constitution is, and should be, viewed as a living and breathing document, flexible and ever-expanding.

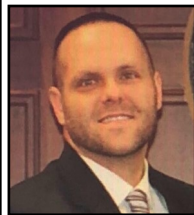


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KY Family Court District 35, Division 3

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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)

The U.S. Constitution is a living and breathing document. Our founding fathers could not have understood nor predicted the future of technology and the resulting matters. Our Constitution should be tailored and interpreted to fit our societal needs.

CANDIDATE CHOSE NOT TO PARTICIPATE

What is your general judicial philosophy?

(75 words or less)

Running for Family Court Judge, I have already been confronted with individuals who have sought my help. However, this position is not one where favors are given to individuals. A Family Court judge must answer to God and the children. My opponents do not have the acumen necessary to do this job. It takes a military man, a family man, to be able to make, and live with these decisions.

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)

Justice Sandra Day O'Connor, because she is the living and breathing impediment of the ever-changing and ever-growing situation in America. Her decisions and demeanor have propelled me into a career as a lawyer, but most importantly have taught me to not be afraid of what my beliefs are.

What do you see as the most important issue facing Kentucky's judiciary?

(50 words or less)

The ever-changing nature of traditional marital homes are the most note-worthy issues facing family court. Times have changed, both parents are often at work, children are in split households, and its time the law has caught up with these issues. Both parents should be given equal opportunities in the courtroom.

What do you perceive as the greatest obstacles to justice, if any?

(50 words or less)

Greatest obstacles to justice are as follows: First, is racism, which America has attempted to eliminate for years, yet still exist. The second is stereotypes, meaning that if certain individuals are arrested in a certain area of the nation then guilt is automatically established even without a trial.

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)


I'm a military man of 15 years, father and husband, have been deployed twice overseas. America is the greatest nation on earth. Our laws may not be perfect but in my experience they are the best the world has to offer, and I intend on upholding them to the fullest.

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<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>My role shall be to uphold the law and at times interpret the law when the statute shall give me discretion to do so.</p>	<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <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>I have personal experience with raising a family and children. I have made tough decisions regarding my family and children. I have made tough decisions in the military, both Marines and Army. I have the necessary skill set and mental acumen to perform professionally and fairly.</p>	
<p>Is there anything else you would like the voter to know? (50 words or less)</p>	<p>I have made tough decisions in my life. I'm a family man with strong mountain values. I have been in the military 15 years and an attorney almost 11 years. Children are the most important asset that we have and I am here to protect their future.</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: Supreme Court justices serve eight-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.