

**Kentucky
Candidate
Information
Survey**



JUDICIAL SURVEY 2020

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>Court of Appeals Dist. 1 Div. 1 jennyhines.net Jenny Hines</p>
<p>Education</p>	<p>Reidland High School, Valedictorian, Commonwealth Diploma; Murray State University, magna cum laude, Bachelor of Arts; University of Kentucky College of Law, Juris Doctor</p>	<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>CHOSE NOT TO PARTICIPATE: Chris McNeil</p> </div>
<p>Current Occupation</p>	<p>I am a staff attorney for the Kentucky Court of Appeals. I draft opinions for Judge Donna Dixon.</p>	
<p>Family</p>	<p>I am the daughter of school teacher and veteran. I have a six year old son. My brother is our pastor.</p>	
<p>Legal Background / Experience</p>	<p>I was a partner at general practice law firm, Boehl, Stopher & Graves, LLP. I served as case manager and staff attorney for Judge—now Justice—Christopher “Shea” Nickell, Kentucky Court of Appeals. I currently work as a staff attorney for Judge Donna Dixon, Kentucky Court of Appeals.</p>	
<p>What do you consider the greatest accomplishment of your legal career? Why? (50 words or less)</p>	<p>I consider working for the Kentucky Court of Appeals to be the greatest accomplishment of my legal career. I have worked on numerous opinions that have become published. It is gratifying to help administer justice and ensure correct results are reached, particularly when working on cases of first impression.</p>	
<p>To what extent have you practiced in the area of criminal law? Family law? Complex civil litigation? (50 words or less)</p>	<p>In private practice, the majority of the work I did involved civil litigation, including family law cases. Since working with the court, I have worked on many criminal, civil, and family law cases. Both in private practice and working for the court I've often dealt with complex civil litigation.</p>	
<p>What forms of voluntary professional and community service have you been involved with in the past? (50 words or less)</p>	<p>Kentucky Bar Association Young Lawyers Division First District Representative, Legal Food Frenzy Campaign committee member, Community Outreach co-chair, Kentucky Law Update presenter (2016) and moderator (2017-2019), volunteered at Oscar Cross Boys and Girls Club with Kentucky Justice Association, volunteered at playground building project with Rotary Club of Paducah</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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Jenny Hines

Court of Appeals

Dist. 1 Div. 1

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

God is the greatest single influence in my life and my parents are the most influential people in my life. My son has also changed the way I look at the world and made it such a better place. My family is a great source of strength for me.

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.

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?

Chamber of commerce, NAACP, NRA, Calvary Baptist

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)

My approach to drafting opinions for the court is best described as employing a philosophy of judicial restraint. I believe judges must interpret the law strictly rather than making new laws. I believe in strict construction, using a conservative approach. I do not believe in legislating from the bench.

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)

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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 judges should follow the Constitutional framers's intent, adapting to current times only as necessary for situations not contemplated by the framers. This applies particularly to areas of technology. Overarching principles, such as the right to privacy, otherwise contemplated by the framers should be applied when possible.

CHOSE NOT TO PARTICIPATE:

Chris McNeil

What is your general judicial philosophy?

(75 words or less)

I have a very conservative judicial philosophy. I believe in judicial restraint as well as strict construction. I take the laws as I find them, only departing from them in drafting opinions if a particular law is unconstitutional. I believe the court of appeals is a court of correction rather than a court of policy, meaning its judges should enforce and uphold the laws as written even if they do not agree with them.

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)

My judicial philosophy is most like Justice Clarence Thomas and least like Justice Sonia Sotomayor. I admire and desire to emulate Justice Thomas's conservative approach to opinions. I also respect his principles. Justice Sotomayor's approach is much more liberal than mine; however, I do relate to her down-to-earth perspectives.

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

(50 words or less)

The most important issue facing the court of appeals is ensuring cases are handled in as timely a manner as possible. It often takes years before a case reaches the court of appeals and parties are interested in timely resolutions. The transition to electronic case management systems may help.

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

(50 words or less)

The greatest obstacle to justice is time. It often takes years before a case reaches the court of appeals. By that time parties are interested in resolution. The court of appeals is beginning to transfer to an electronic case management system which may help ensure timely resolution of appeals.

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 believe in and employ justice, which is the uniform application of the law without regard to any impermissible criteria. Implementing justice ensures opinions devoid of passion and prejudice which might lead to impermissible outcomes. It is a judge's duty and obligation to be fair and impartial.

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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 in bringing important legal or judicial issues before the public should be through writing published opinions. However, not every opinion is worthy of publication. The decision to publish an opinion should be to provide clarification and assistance to the public and practicing bar regarding important legal issues.</p>	<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>CHOSE NOT TO PARTICIPATE: Chris McNeil</p> </div>
<p>What makes you the best qualified candidate for this position? (50 words or less)</p>	<p>I am the most qualified candidate because I have recent experience working for the court as a case manager and staff attorney for two incredible judges. I have learned a lot from them and from drafting opinions for them. I have also established great working relationships within the court.</p>	
<p>Is there anything else you would like the voter to know? (50 words or less)</p>	<p>I am a veteran. I am hard working. I enjoy working for the court and seeing the difference it makes in so many lives. It is a great honor and privilege. I will be fair and impartial and carry out my duties to the best of my abilities.</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.