Gmail

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Feedback via the Judicial Candidate Survey 2022 [#112]

1 message

EmailMeForm <burst@emailmeform.com> Thu, Mar 3, 2022 at 12:09 PM
To: kbyrne@cincinnatirighttolife.org

Check that you have read and understand the following:*: Surveys may be submitted by mail, email, or online., Upon submission, this survey will be posted to our website and published in the CRTL News Bulletin as public information., We will redact your contact information before posting to our website., The completed survey is required for endorsement consideration., Direct questions to KByrne@CincinnatiRighttoLife.org

Name*: Charles Kubicki Jr.

Phone*: [redacted]

Email: [redacted]

Web Site: Kubickiforjudge.com

Facebook URL:

Position and District Sought:*: Hamilton County Common Pleas Judge

Are you an incumbent for this office?*: NO

Have you previously held an elected position?*: YES

: Hamilton County Common Pleas Judge for 18 years from 2003-2021

: FOP; Plumbers and Pipefitters

: Public safety and following the law

1. Which former U.S. president's political philosophy best matches your own?: Ronald Reagan

Comments - Question 1: As a young adult I was greatly moved by Reagan's reinvigoration of the conservative movement and his commitment to community, strong defense, and family values. I was particularly struck by his bold advocacy for social issues which cut against the grain of secular society.

2. Which U.S. Supreme Court Justice's legal philosophy best matches your own?: the late Justice Scalia

Comments - Question 2: As a law student at Northern Kentucky University I was privileged to spend time with Justice Scalia as one of the Editor-In-Chief of the law review. I was greatly inspired by his philosophy of jurisprudence and he continues to be a guiding light.

3. Rate your judicial philosophy regarding the U.S. Constitution on a scale of 1-10 with "living/evolving document" being 1 and "strict constructionist" being a 10:: 9

Comments - Question 3: Following my inspiration of Justice Scalia, I believe the United States constitution must be given its plain meaning in all but the rarest of circumstances.

The role of the U.S. Supreme Court is not to legislate or impose your views on others by judicial fiat. The Constitution should be viewed as an anchor and not a motor.

4. In Roe v. Wade, 410 U.S. 113 (1973), the U.S. Supreme Court recognized a “right to privacy” under the Constitution that includes abortion. The Constitution does not include this right.: Undecided

Comments - Question 4: This answers my personal opinion. As a judge, I am bound to follow the various judicial canons and codes of professional responsibility.

The right to privacy is broad in spectrum. To some extent, we have a right to privacy. For example, the Constitution provides an express right to privacy from unlawful searches and seizures. However, any right to privacy does not extend to abortion.

My reading of Roe v. Wade and the rationale behind it leads me to conclude that the decision is both legally and intellectually flawed.

5. Judges should refrain from “legislating from the bench.” The translation of public policy into law and the creation, extension, modification or limitation of citizens’ rights (and governmental authority) are properly within the province of the legislative, not judicial, branch of government.: Agree

Comments - Question 5: It is not the role of the judicial branch to legislate.

6. An unborn child is biologically human at every stage of his or her biological development, beginning at fertilization.: Agree

Comments - Question 6: When my wife and I were pregnant with both of our children, we were asked if we wanted to do a DNA test to determine if the child had disabilities. We decided against it because we knew we would love our children no matter what and that life is precious at every stage. Termination was not an option.

7. The law should be applied to pro-life demonstrators in the same manner as it is applied to environmental, anti-war and labor demonstrators.: Agree

Comments - Question 7: The fist amendment right to peacefully assemble and exercise freedom of speech is paramount to the freedoms that we enjoy in this country.

Short of calls for violence or the overthrow of the government, judicial decisions are to be content neutral.

8. There is no provision in the current Ohio Constitution intended to require the use of public funds for abortion.: Agree

Comments - Question 8:

9. The judiciary does not possess the authority to expand the definition of marriage to include anything but one man and one woman.: Undecided

Comments - Question 9: I agree with the general propositions of the question. The judicial canons preclude me from commenting directly on matters which may come before me as a judge.

10. The law protects individuals’ and organizations’ rights of conscience from being forced to participate in abortion or other practices contrary to their moral or religious convictions.: Agree

Comments - Question 10: I agree with the general propositions of the question. The judicial canons preclude me from commenting directly on matters which may come before me as a judge.

11. Laws, regulations, or ordinances that restrict individuals’ and organizations’ rights of conscience are unconstitutional.: Undecided

Comments - Question 11: I agree with the general propositions of the question. The judicial canons preclude me from commenting directly on matters which may come before me as a judge.

12. List all organizations to which you have contributed time or money in the past four years.: Summit County Day school located in Cincinnati, Ohio.