

From: EmailMeForm burst@emailmeform.com
Subject: Feedback via the Judicial Candidate Survey 2018 [#48]
Date: March 1, 2018 at 8:06 PM
To: kbyrne@cincinnatiRighttoLife.org



Check that you have read and understand the following:*: Surveys may be submitted by mail, fax, 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*: Mr. Jerry McBride

Phone*: [REDACTED]

Email: [REDACTED]

Web Site:

Facebook URL:

Position and District Sought*: Judge, Clermont County Common Pleas Court, General Division, term beginning Jan. 1, 2019

Are you an incumbent for this office?*: YES

Have you previously held an elected position?*: YES

: Union Township Clerk (June 1978-December 2001); Union Township Trustee (January 1982-October 1983); Clermont County Commissioner (October 1983-February 1991); Judge, Clermont County Court (February 1991-December 1991); Judge, Clermont County Municipal Court (January 1992-December 1994); Judge, Clermont County Court of Common Pleas (General Division) (January 1995-Present)

: Endorsed by Clermont County Republican Party

: To follow the law in all that I do as a judge and to apply the law fairly and impartially in all cases that come before me.

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

Comments - Question 1: I believe in personal responsibility and accountability, limited government, individual liberties, the free market system, and a strong national defense. While these are conservative principles, I am bound to apply and uphold the law without regard to my personal or political views.

2. Which U.S. Supreme Court Justice's legal philosophy best matches your own?: Chief Justice Roberts

Comments - Question 2: Although Chief Justice Roberts has been criticized by both liberals and conservatives, his adherence to a philosophy of judicial restraint and respect for the separation of powers has been fairly consistent.

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:: 10

Comments - Question 3:

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

right to privacy under the Constitution that includes abortion. The Constitution does not include this right.:

Comments - Question 4: As a judge, I am bound to follow and apply the law as determined by the U.S. Supreme Court, whether I personally agree with it or not. If the law changes, I will apply the law as it exists after the change is made.

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.:

Comments - Question 5: I agree with the concept that judges should refrain from "legislating from the bench." In addition to those rights which are contained in the United States Constitution and in state constitutions, there are other rights which have arisen as a result of legislative enactments or as the result of court decisions. To the extent that rights have been created, extended, modified, or limited by decisions of higher courts, I am bound to apply the law as determined in those decisions until there is a change made in that law.

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

Comments - Question 6: As a judge, I am bound to follow and apply the law as determined by the U.S. Supreme Court, whether I personally agree with it or not. If the law changes, I will apply the law as it exists after the change is made. Additionally, as a judge, I am prevented by the Code of Judicial Conduct from making statements or expressing agreement with statements made by others which may be construed as constituting a promise or commitment as to how I will rule on certain matters in the future. Issues pertaining to abortion may come before me in the future. Agreement with the statements pertaining to those issues may be considered to be a promise or a commitment as to how I will rule on those issues. The agreement with the statements may also lead one or more sides to cases that come before me to seek my disqualification in such cases on the basis of concerns as to my impartiality and whether I can be open-minded. I have a duty to conduct myself so that I am not subject to disqualification from hearing cases assigned to me. As a result, I cannot express either agreement or disagreement with the statements pertaining to those issues.

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

Comments - Question 7: The law should be followed and applied the same way regardless of the issue being protested. Individuals and organizations are deserving of equal treatment under the law.

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

Comments - Question 8: I am not aware of any provision of the Ohio Constitution which is intended to require the use of public funds for abortion. With regard to my answer to this question and to all other questions in this questionnaire, I will keep an open mind regarding all matters and issues that come before me and will carry out my adjudicative duties faithfully and impartially.

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

Comments - Question 9: As a judge, I am bound to follow and apply the law as determined by the U.S. Supreme Court, whether I personally agree with it or not. If the law changes, I will apply the law as it exists after the change

is made.

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.:

Comments - Question 10: With respect to the application of the First Amendment to persons and organizations, I am bound to follow and apply the law as determined by the U.S. Supreme Court, whether I personally agree with it or not. If the law changes, I will apply the law as it exists after the change is made. Additionally, as a judge, I am prevented by the Code of Judicial Conduct from making statements or expressing agreement with statements made by others which may be construed as constituting a promise or commitment as to how I will rule on certain matters in the future. Agreement with the statements pertaining to current issues may be considered to be a promise or a commitment as to how I will rule on those issues. The agreement with the statements may also lead one or more sides to cases that come before me to seek my disqualification in such cases on the basis of concerns as to my impartiality and whether I can be open-minded. I have a duty to conduct myself so that I am not subject to disqualification from hearing cases assigned to me. As a result, I cannot express either agreement or disagreement with the statements pertaining to those issues.

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

Comments - Question 11: With respect to the application of the First Amendment to persons and organizations, I am bound to follow and apply the law as determined by the U.S. Supreme Court, whether I personally agree with it or not. If the law changes, I will apply the law as it exists after the change is made. Additionally, as a judge, I am prevented by the Code of Judicial Conduct from making statements or expressing agreement with statements made by others which may be construed as constituting a promise or commitment as to how I will rule on certain matters in the future. Agreement with the statements pertaining to current issues may be considered to be a promise or a commitment as to how I will rule on those issues. The agreement with the statements may also lead one or more sides to cases that come before me to seek my disqualification in such cases on the basis of concerns as to my impartiality and whether I can be open-minded. I have a duty to conduct myself so that I am not subject to disqualification from hearing cases assigned to me. As a result, I cannot express either agreement or disagreement with the statements pertaining to those issues.

12. Laws that require businesses or religious organizations to work for or provide services to gay, lesbian, bisexual and transgender persons despite these entities' religious or moral objections are unconstitutional.:

Comments - Question 12: With respect to the application of the First Amendment to persons and organizations, I am bound to follow and apply the law as determined by the U.S. Supreme Court, whether I personally agree with it or not. If the law changes, I will apply the law as it exists after the change is made. Additionally, as a judge, I am prevented by the Code of Judicial Conduct from making statements or expressing agreement with statements made by others which may be construed as constituting a promise or commitment as to how I will rule on certain matters in the future. Agreement with the statements pertaining to current issues may be considered to be a promise or a commitment as to how I will rule on those issues. The agreement with the statements may also lead one or more sides to cases that come before me to seek my disqualification in such cases on the basis of concerns as to my impartiality and whether I can be open-minded. I have a duty to conduct myself so that I am not subject to disqualification from hearing cases assigned to me. As a result, I cannot express either agreement or disagreement with the statements pertaining to those issues.

13. List all organizations to which you have contributed time or money in the past four years.: I am limited in my ability to participate in

organizations that espouse political viewpoints. The Code of Judicial Conduct prohibits a judge from participating in activities that would appear to a reasonable person to undermine the judge's independence or impartiality. A judge is permitted to participate in activities sponsored by organizations or governmental entities concerned with the law, the legal system or the administration of justice. I am currently President of the Ohio Council of County Officials and have participated on a continuous basis as a member of various committees and subcommittees of the Ohio Judicial Conference. I am also permitted to participate in activities sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations. I have been involved in various local youth sports organizations for many years and have made contributions to such organizations as the Red Cross and the Freestore Foodbank. I have been a member for many years of the Milford United Methodist Church. A judge is permitted to attend political gatherings, attend fundraisers on behalf of candidates, and to make contributions to a political party. I have done all of these things and am currently a member of the Silver Elephant Club for my most recent contribution to the Republican Party.

