

**From:** Harry Payne <cupioni@gmail.com>  
**Subject:** **Responses from Harry E. Payne Jr. Candidate for NC Court of Appeals (Wynn Seat)**  
**Date:** September 24, 2010 11:00:10 AM EDT  
**To:** Info@ncfef.org

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responses to questions.

1. Harry E. Payne Jr.
2. Non partisan
3. NC Court of Appeals (Wynn Seat)
4. 4208 Webster Court Raleigh NC 27609
5. Wake
6. 16 years
7. 919 954-9219 (H)
8. 919 7331567 (O)
9. cell from web site
10. Male
11. N/a
12. Methodist
13. Wilmington NC
14. 9/11/52
15. Attorney
16. Manager of Compliance. NC OERI
17. Have been NC House 6 terms, NC Commissioner of Labor 8 years, CEO, NC ESC 7years
18. JD Wake Forest University, 1977
19. Treasurer Mary Carol Lewis

Page 2

20. Hope to participate in Public Finance program
21. I would hope that all of these groups would find good reasons to support my candidacy.

Statement regarding restraint on answering questions of this nature and

a response to the Judicial philosophy question on the last page.

*My politics, decisions, and the perspective that comes from making tough decisions beneath a bright public light are a matter of record. So is my personal love of issue based campaigns.*

*This elective process is not one of them and no election to the NC Court of Appeals should be allowed to become that. Even though current law allows much more latitude in that direction, it does not affect my belief that one should remove themselves from issues where they have "pre-announced" in a campaign environment their leanings. Such statements not only create an expectation (a moral contract) with the voters but undermine public confidence in the Judiciary. The cumulative effect over time is that we slowly evolve into being elected on our vague hints at where we might go on a particular hot button topic. Hints often include which US Supreme justices we identify with, endorsements of persons or advocacy groups with clear public expressions on these issues or nods from judges who, through their decisions are clear in their perspective on the issues of the day.*

*These endorsements are comforting in that you know "how they might go", but are themselves a good reason to look at the process of judicial selection as we don't wish this to become voting a result on the bench. The farthest place that I can go on that continuum is to refer to my record and to suggest that, beyond the understanding of the process and the Court's place in our judiciary which is shared by all of the candidates, this is a decision for voters regarding each candidates thoughtful, reflective judgment on matters placed before them.*

*Appellate Judges don't try cases, write briefs, argue issues or make any decisions off of the "top of their head" as trial judges are required to do. They apply a lifetime of season with legal reasoning to reach their independent result in a case. My judgment has been shaped by this attorney's life and work experience in the laws affecting the North Carolina workplace.*

*4 an 5 can be answered given the above. I grew up in a family owned downtown and suburban family clothing store. I loved it and worked like crazy because we had to. Scoring was simple as it was obtained by pushing subtotal and pulling the hand crank on the cash register. I still want to straighten the inventory and wait on people when I go to stores and I have never truly gotten over the guilt of not working somewhere retail on the weekends.*

*1. less than a dollar with most business owners running on red trying to survive.*

North Carolina FreeEnterprise Foundation  
2010 Questionnaire  
Candidates for North Carolina Appellate Courts

**SECTION I. Candidate Personal Profile Information**

Name: \_\_\_\_\_ Party (optional): Democrat Republican Other: \_\_\_\_\_

Office Sought (circle): N.C. Supreme Court N.C. Court of Appeals, seat: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County of Residence: \_\_\_\_\_ Length of Residence in County: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Gender: \_\_\_\_\_ Race/Ethnicity: \_\_\_\_\_ Religion: \_\_\_\_\_

Place of Birth (city/state): \_\_\_\_\_ / \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Marital Status (circle): Married Single Divorced Separated Number of Children: \_\_\_\_\_

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

Military Service: \_\_\_\_\_ High School: \_\_\_\_\_

Colleges/Universities Attended: \_\_\_\_\_

Law Degree Received From: \_\_\_\_\_

Previous Elected/Appointed Offices: \_\_\_\_\_

\_\_\_\_\_

**SECTION II. Candidate Campaign Information**

Name of Campaign Committee: \_\_\_\_\_

Campaign Email: \_\_\_\_\_ Campaign Website: \_\_\_\_\_

Campaign Phone: \_\_\_\_\_ Campaign Fax: \_\_\_\_\_

Campaign Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Campaign Treasurer: \_\_\_\_\_ Campaign Treasurer Phone: \_\_\_\_\_

Political Consultants: \_\_\_\_\_

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Do you plan to participate in North Carolina public financing program?

Yes    No    Undecided

Considering your personal and professional associations, how likely are you to receive support from each of the following groups?

	Very Likely	Likely	Unknown	Unlikely	Very Unlikely
A. North Carolina Advocates for Justice (formerly the Academy of Trial Lawyers)	1	2	3	4	5
B. Medical Groups (ex. Doctors, Hospital Administrators)	1	2	3	4	5
C. Banking & Finance Industry	1	2	3	4	5
D. Utility/Telecommunications Companies	1	2	3	4	5
E. Real Estate & Construction Industry	1	2	3	4	5
F. Labor Unions	1	2	3	4	5
G. Retail/Wholesale Businesses	1	2	3	4	5
H. State Employees Association of N.C. (SEANC)	1	2	3	4	5
I. Insurance Industry	1	2	3	4	5
J. N.C. Association of Educators (NCAE)	1	2	3	4	5
K. Business Professionals (ex. Architects, Accountants, Engineers)	1	2	3	4	5
L. Transportation Industry	1	2	3	4	5
M. Agri-business Interests	1	2	3	4	5
N. Legislative Leadership Committees	1	2	3	4	5

Are there other groups not listed that you would expect to receive a campaign contribution or endorsement from? (Ex. Lillian's List, Anti-Tax Groups)

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2010 Questionnaire  
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**SECTION III. CANDIDATE QUESTIONS & STATEMENTS**

*Instructions: Please respond to the following questions and statements by circling the response that best represents your position or opinion. You are invited to provide additional comments or explanations for your answers on a separate page. Please be sure to identify which question you are commenting on by noting the appropriate question number with your additional comments.*

1. Of the justices currently serving on the United States Supreme Court, whose judicial philosophy most closely reflects your own? (Circle one response)

Alito    Breyer    Ginsburg    Kennedy    Roberts    Scalia    Sotomayor    Stevens    Thomas

2. Do you believe the words and meaning of the Constitution should be interpreted in the context of our present culture or as closely to the intent of the original authors as possible?

Present Culture    Original Authors    Undecided

3. Do you believe judges in North Carolina should be appointed by the Governor instead of elected by the people?

Yes                      No                      Undecided

4. Have you owned or managed a business? (If so, please describe below.)

Yes                      No

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5. For every \$100.00 of sales, about how much profit do you believe the average North Carolina business nets? (Circle one response)

Under \$1    \$1-5    \$5-10    \$10-25    \$25-50    Over \$50

6. Do you believe the current level of taxes paid by North Carolina businesses is too high, too low, or about right? (Circle one response)

Too high    Too low    About right

