

# Opinion

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## EDITORIALS

# Court of Appeals

*We recommend Thornburg and Williams in primary*

North Carolina voters begin a new way of electing judges to the appellate courts in the July 20 primary. Contests for seats on the Court of Appeals and Supreme Court will be nonpartisan for the first time, just as they have been in recent years in races for District and Superior courts. The 15-member Court of Appeals hears a variety of criminal and civil appeals from the trial courts and various regulatory agencies.

Four candidates are vying for election to the seat now held by Alan Thornburg, who was Gov. Mike Easley appointed this year to fill the seat vacated when Chief Judge Sidney Eagles retired. Voters may cast a ballot for one of the four candidates; the two with the most votes will face off in the Nov. 2 general election.

All four candidates are well qualified for the post, though each offers distinct strengths and experiences. They are Barbara Jackson of Raleigh and Marvin Schiller of Raleigh, both Republicans, and Alan Thornburg of Asheville and Marcus Williams of Lumberton, both Democrats. Though the ballot for the first time will show no party designation, the parties are making sure voters know how the candidates are registered.

Voters cannot go wrong voting for anyone in this field. Here's how we see the candidates:

Barbara Jackson is general counsel for the N.C. Department of Labor in Raleigh. She is a fellow of the N.C. Institute of Political Leadership, which trains candidates for public office. A graduate of UNC Chapel Hill and its law school, she interned in the U.S. Senate library, worked in the Martin administration's office of legal counsel and became the governor's associate general counsel. She also clerked for Justice Burley Mitchell on the N.C. Supreme Court. She has campaigned on her long record of service in a variety of positions and on her philosophy of judicial restraint.

Marvin Schiller is an attorney who practices law in Raleigh and is regarded as a legal scholar. He holds a doctorate in philosophy from UNC Chapel Hill and a law degree from Duke. He ran unsuccessfully for Court of Appeals in 1982 and

for Supreme Court in 2000. Mr. Schiller has taken key roles in lawsuits that protect the retirement rights of teachers and state and local employees. His campaign notes that he has been recognized in legal opinions as an expert in employment law, on questions of mistaken identity and on protections for victims of domestic violence, and has consulted in more than 90 appellate cases.

Alan Thornburg is a 1989 graduate of Davidson College with a law degree at Wake Forest. He was a legislative aide to U.S. Sen. Terry Sanford, law clerk for U.S. Circuit Court of Appeals Judge Sam Ervin III and practiced law for seven years in Asheville before his appointment to the appellate bench. He also has been a member of the N.C. Board of Transportation.

He seems well-suited in temperament and demeanor to handle the job and has performed ably since taking the oath in March. In general, we recommend keeping judges on the bench if they're doing the job well. Judge Thornburg is. The Observer recommends Alan Thornburg for nomination for a full term.

For the second spot on the Nov. 2 ballot we recommend Marcus Williams, who has a remarkable resume and a diversity of legal experience. He has practiced law in southeastern North Carolina since his graduation from UNC Chapel Hill and the University of Minnesota law school. He was student body president at both schools. At UNC, where he was a varsity wrestler, he received the John J. Parker Medal for leadership and the Frank Porter Graham Award for outstanding graduates.

He is assistant public defender in Robeson County. He headed a public service agency that built housing and business incubator condominiums and helped redevelop an old school building to provide health and education services in a low-income area. He ran unsuccessfully for governor in 1992 and the appellate bench in 2000. Mr. Williams has cheerfully and thoughtfully served his region and his state in a variety of positions over the years, providing legal and other services in a low-wealth part of the state.

