

Orange County Clerk of Superior Court

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Dear candidates: In addition to asking you to fill out this questionnaire, the INDY would also like to invite you to submit a video in which you can state your case directly to voters. We would like these videos to answer one broad question: Why should voters elect you instead of your opponent(s)? We ask that this video be shot with a cell phone or something similarly lo-fi—no need for high production values—and be kept to three minutes or less. We will post these videos on our website along with this questionnaire, as well as to our social media channels. In short, we want to give our readers as many opportunities as possible to fully evaluate your candidacies. Please send the video file along with the completed questionnaire to INDYelections2018@gmail.com. Thank you.

Thank you for the opportunity to answer your questions. I appreciate the role the INDY plays in educating our community about the importance of local elections and the candidates seeking to serve. It is important that you know that I didn't just decide to run for this office on a whim. I was sought out and recruited by attorneys, other local officials, and community residents to take on this challenge. I have enough experience in local politics to know that taking on a long-time incumbent who has never had an electoral challenge will be formidable. My professional life has been focused on criminal justice, both as a defense attorney and as a policy advocate. Because of this, the concerns expressed to me about the need to have a more engaged partner in the criminal justice reform effort were very important to me. In addition, the stories I heard from attorneys and their clients about how same-sex couples were treated in the "step-parent" adoption process outraged the LGBTQ activist in me. I use quotes, because the use of step-parent adoptions is a legal fiction used to insure the rights of a non-biological mother in a same-sex relationship so she can be confident her rights as a parent are protected. Our Clerk's office adds additional, non-statutorily required processes to the adoption proceeding. Our Clerk has been approached about how these requirements compound the offensiveness to same-sex couples who are being forced to go through a process no heterosexual couple who used anonymous in vitro fertilization would have to live through, but has refused to change. After hearing about these issues, and after weeks of due diligence that included conversations with a variety of stakeholders, I decided to throw my hat in the ring.

1. In your view, what are the three most pressing issues facing the Clerk of Superior Court? If elected, what will you do to address these issues?

The three most pressing issues facing the Clerk of Superior Court's office are (1) offering high quality service in a truly welcoming way, (2) modernizing and improving efficiency, and (3) being a more effective partner with court system stakeholders to address justice reform.

The Clerk of Superior Court must be committed to providing services, information and education to the public in a truly welcoming and non-discriminatory way. This commitment must extend beyond the staff who engages with the public on daily basis to the work carried out directly by the Clerk himself. Every resident of Orange County who seeks the services of the office should be confident they will be treated with respect notwithstanding their position in the community, who they are suing, what they are charged with, what they look like or how their families are constituted. I detail below my focus on customer service and accessibility and how I hope to improve service, but the people of Orange County deserve to have confidence in their elected Clerk of Court to be personally committed to these values. I believe this is true about me. Each of us have our failings that cause us to clumsily ignore the challenges faced by others whose life experiences are different than our own. Someone in the position of Clerk must not only be self-aware in this way, but also open to criticism and advice on how to address these failings.

A modern and efficient Clerk's office is critical, not only out of respect for taxpayers, but also to our ability to effectively direct resources toward the handling of complex matters dealt with every day by the staff. We must participate in the technological reforms called for last year by Chief Justice Martin. Some of these technological improvements include automated notification of court dates. Such a system would reduce "called and failed" charges that increase the burden on our poorest residents. We must also limit the daily tide of paper that circulates around the courthouse and implement a more efficient system for document management. In addition we must commit ourselves to being a laboratory for other improvements suggested by the recent report from the North Carolina Commission on the Administration of Law and Justice. To be prepared for this, our office should be aggressive in pursuing access to justice grants and new funding for positions to address inefficiencies. Further, the office is in desperate need of an improved web presence. Currently it offers little more than the name of the elected Clerk and the address and telephone number of the office. I would increase the amount of information available to the public by adding an FAQ, and look to provide the ability to schedule meetings online. Wake County's Clerk's office already does this. Moreover, we should aspire to a site like Buncombe County's which has a very informative and user friendly site that meets the expectation of modern internet users.

Finally, Orange County deserves a Clerk of Court who will be an enthusiastic partner with other stakeholder in the justice system to address justice reform issues. We are fortunate to have a District Attorney's office, Public Defender's office, and judges on the bench who have been working toward creating and implementing reforms that are beginning to address the criminalization of poverty. Few officials, beyond lawyers involved in the cases, understand the impact of fines, fees, and others costs on the poor. The personal interaction the Clerk has with individuals who are challenged with complying with these costs is a source of information that has enormous value in the creation of reform measures. Along with implementing an automated court notification system, the Clerk's office should be a constant student of other efforts to address minor Failure to Appear and Failure to Comply charges that are often responsible for

starting the vicious cycle that disproportionately impacts the poor and leads to de facto debtor's prison sentences.

2. What in your record as a public official or other experience demonstrates your ability to be an effective clerk? This might include career or community service; be specific about its relevance to this office.

I have practiced as an attorney for 18 years. My practice has largely been focused on death penalty litigation and fighting for the rights of minority groups and people with disabilities. The work I have done, by its nature required me to be very detail-oriented, and to develop organizational skills to handle enormous volumes of records. This history of challenging and high stress work gives me the ability to handle the high expectations of not only the other professionals operating in the court system, but also allowed me to develop the empathy and personal skills that are necessary to insure that the values of the people of Orange County are reflected in the work we do. During my time in practice, I was also the executive director of the Fair Trial Initiative, a small non-profit organization focused on improving the quality of representation in high-stakes criminal cases and advocating for criminal justice reform. There, I developed grant-writing skills and learned to develop and apply innovative strategies to complex legal issues. It also provided me the opportunity to develop relationships that will make me an effective advocate for reform -- a skill necessary to gaining the support of other officials from the County Commission to the North Carolina General Assembly.

While in practice as an attorney, I also served as an elected official in Chapel Hill -- eight years as a Council Member, and six years as Mayor. These high profile positions in our community gave me an opportunity to develop connections with people throughout the county. In these roles I learned the importance of providing high quality customer service in a way that generates the confidence in government. I worked with a large and diverse staff that raised the profile of the town and made it a model for other similar communities across the state and nation. As the next Clerk of Superior Court in Orange County, I will be equally committed to having this office be a model for others as well.

3. If you are challenging an incumbent, in what ways do you believe you could run the clerk's office more efficiently? If you are an incumbent, what in your record and experience do you believe entitles you to another term?

I will begin immediately, even before taking office, to improve the relationship between the Clerk's office and the other stakeholders within the system; there is a great deal of room for improvement of these relationships. Tension between peers, or concerns that if you challenge a process or a decision that you will be treated differently by someone who has the power to affect your work, can create enormous obstacles to efficiency, especially in a complex environment like a court house. Mine will be an office open to criticism and feedback on how to adapt to the changing needs of its constituents. I plan to hit the ground running with a preliminary set of goals to improve the various constituencies' engagement with the office. Before taking office I plan to gather several focus groups of attorneys, other court house officials, and residents of Orange

County. I will use these goals as benchmark objectives and will make the office's progress toward achieving them public. One specific goal I already have is to increase the priority of expunction petitions. In the past, it has taken up to a year to resolve simple expunction petitions. These petitions allow people with low level convictions and arrests an opportunity to clear their record and re-open opportunities for employment, promotions and education. This is just one example of how a more efficient process can directly impact the lives of people in our county, especially the disproportionate number of people who engage with the office who come from low socio-economic backgrounds.

4. This is something of a low-profile office, and many voters may be unfamiliar with the clerk's tasks, which include not just record-keeping but also judicial functions such as probate and adoptions. What would you tell voters about your management style? How would you assure them that the office would run efficiently under your direction?

I come to this position with a willingness to work with and support the current staff. I am not running to clear the office, but rather use the experience of the staff to enhance the quality of service offered to the public. As with other groups, I plan to engage them in establishing benchmark goals for the office including developing objectives to improve the work environment. This commitment is reflective of how I have managed staffs in other areas of my professional life. I am a hands-on manager who has high expectations, but who also brings a degree of empathy not only for those seeking services, but also for those who provide it.

5. How will you advocate for additional state funding for the operation of a growing and increasingly burdened court system?

I will develop relationships with Orange County stakeholders that will support our requests for funding needs - whether through the Administrative Office of the Courts, existing and available outside grants, or direct lobbying of the General Assembly. I will work collaboratively with state and county leaders to prioritize needs and work closely with the local bar to ensure their needs are being met. I also have experience using media, when appropriate, to highlight needs, educate citizens and develop popular support for funding.

6. What steps would you take to make the clerk's office more accessible to the public—for instance, for non-English-speakers or those who work during the day?

One of the benchmarks goals I have is to insure a bilingual and diverse staff and to offer services by telephone that allow for multiple language access. In order to increase appreciation for the need to make accessibility a priority among staff members, I will also require staff attend Racial Equity Institute training. When I was mayor of Chapel Hill, not only did I participate in REI training, a large number of the staff, including all the senior staff, also participated. We saw an almost immediate change in the quality of service. It is amazing how the quality of service improves when service providers are trained to have insight into the challenges faced by people who are different from them.

7. Identify and explain one principled stand you would be willing to take if elected that you suspect might cost you some points with voters.

Another goal, one that might create some consternation among people with different political views, is to work with the District Attorney's office to identify old warrants, such as failures to appear on old, minor offenses, and failures to comply with money owed. Linger charges such as these can have enormous collateral consequences for the lives of people with lower income. These warrants can, and should be dismissed. I would like to coordinate an amnesty day for matters such as these similar to those held in other counties like New Hanover. The Clerk of Court can be an important partner in effort to reduce unnecessary incarceration and addressing disparate outcomes for the poor. These old warrants can your impact ability to get a license, obtain employment and prevent you from enrolling in higher education. This may not be popular with some, but it is an important step toward ending the criminalization of poverty.

In addition, as Clerk, I would pursue an effort to get a declaratory judgment from our courts that would guarantee that same-sex couples using in vitro fertilization from an anonymous donor would not have to go through the step-parent adoption process. Heterosexual couples who use this process enjoy the presumption of parenthood without having the non-biological parent (typically the man) go through a step-parent adoption. In those situations, "dad" enjoys the legal presumption that he is the parent of the child his wife gives birth to. The United States Supreme Court issued a decision just last year that affirmed the promise of *Obergefell*, specifically that all married couples be treated the same. Therefore, every married couple, even two women married to each other, should enjoy the same presumption. No couple similarly situated should have to pursue a "legal fiction" to be their child's parent. And certainly, no couple, even two women married to each other, should be forced to go through additional, non-statutory processes created by their local Clerk of Court.