

# People's Alliance PAC 2023 Questionnaire for North Carolina District Court Judge Candidates

Please return the completed form along with your resume or biographical statement describing education, work history, community service, and prior political experience, as well as a high-resolution headshot of yourself as soon as possible, but no later than Saturday, April 1 at 5pm, at the latest.

Please e-mail your responses to PAC Coordinators at [papacboard@googlegroups.com](mailto:papacboard@googlegroups.com) by Saturday, April 1 at 5pm.

Please note that following the Saturday April 1 at 5pm deadline, the People's Alliance PAC may publish your responses to this questionnaire and your resume.

When answering this questionnaire, please repeat the questions in your response document with each question numbered and organized as it appears here. Type your responses in italics, bold, or a different font to distinguish your responses from the questions. Do not use colors or shading. Please try to confine your responses to no more than 300 words unless another word limit is indicated. Do not feel obliged to exhaust the limit for each question.

If you use words or ideas from another person, please attribute your source.

Thank you for completing this questionnaire and your willingness to serve the people of Durham.

Candidate's name: Michael "Mac" Clebone

Address: 510 S. Dillard St., Ste 4700 Durham, NC 27702

E-mail Address: [mclebone@gmail.com](mailto:mclebone@gmail.com)

Phone: (330) 550-7776

Website: [www.clebone.com](http://www.clebone.com)

*Judges and judicial candidates in North Carolina are allowed substantial freedom of political speech. PA PAC believes that every question in this questionnaire may be answered fully within the scope of the applicable rules. For more information on the scope of permitted political speech for judicial candidates, we refer you to the March 2, 2022 memorandum of the Judicial Standards Commission on Permitted Political Conduct. You may find it at:*

<https://www.nccourts.gov/assets/inline-files/JSC-3-16-22-Political-Conduct-Memo.pdf?VersionId=ePz7Gk6WyhubUTd5nry0pmUIIX41fuZ3?ePz7Gk6WyhubUTd5nry0pmUIIX41fuZ3>

1. What currently motivates you to be a district court judge and how have you prepared for this role?

Durham deserves a District Court Judge that will promote access to justice and serve human interests. My experience as an Assistant Public Defender, North Carolina Judicial Fellow, Legal Aid Intern, and Middle School Teacher has

provided me with the opportunity to listen to a wide range of voices. In my current role, as an Assistant Public Defender, I incorporate all perspectives to achieve more just outcomes. I pay special attention to those with the least resources and the most contact with the court system. Promoting access to justice and serving human interests are at the forefront of my legal practice. As District Court Judge, I will use this focus to effectuate more just outcomes on behalf of all parties to a case.

As an Assistant Public Defender, I have handled cases from class 3 misdemeanors through B1 felonies. Whether a case carries a potential sentence of ten years or ten days, it is the most important case to the individual facing those charges—and they deserve the zealous representation to match. Similarly, each individual coming before a judge deserves kindness, compassion, and careful consideration of their case.

2. What do you think is the single barrier to justice and what would you adopt as your judicial philosophy?

Complacency and bias lead to assembly line justice that takes away from the unique concerns of each individual in a case. In my current role as an Assistant Public Defender, I listen, not only to the accused, but also to families and crime victims. I incorporate all these perspectives into an effective defense that considers each party's relationship to each possible judgment. As a District Court Judge I will turn my attention to serving all individuals who are parties in a case with the perspective that this is not just another day at work for them, but rather a potentially life altering moment.

A judge should be kind, compassionate, judicious and fair. People should come away from the courtroom feeling like they were heard and they got a fair shake. They should never feel demeaned. A judge should be judicious, not judgmental.

3. What biases would be difficult for you to overcome and how will you overcome those biases for the administration of justice?

A decade of experience helps me quickly reach insights about where a case is headed or the concerns that might be central to a case. However, there is a fine line between educated guesses and insights that lead to better questions, and assumptions and biases that misdiagnose an issue or put aside the individual humanity of a client.

Whether acting as an Assistant Public Defender or a District Court Judge, it is important that the experience that leads to insight also leads to human engagement. This nuanced directive requires patience and continued vigilance. Sometimes it requires the humility to pause and refocus an interview or proceeding.

Oftentimes after giving my presentation to a judge I will put my hand on the shoulder of my client, look them in the eye and ask “Did I miss anything; is there anything you would like me to add or clarify for the judge?” I do this to (1) humanize my client (2) show the client and the court that they are the center of the case and (3) humble myself by not assuming I made a perfect presentation. Similarly, as a judge, I would make sure to stop and really listen to the human beings in front of me before making a ruling. I would seek to make all people feel comfortable and heard in my courtroom.

4. Please describe your practice as a lawyer. Describe the areas of your practice and your specialties. If, over time, your practice has evolved or changed, describe the changes. Describe your various client bases as a part of your answer.

As an Assistant Public Defender, I have handled cases from class 3 misdemeanors through B1 felonies. My client base is 100% indigent defense. I also have the unique experience of serving as a law clerk for our trial court judges. As an inaugural member of the North Carolina Judicial Fellowship, I assisted Superior and District Court judges with research, writing, and court procedure.

5. If your practice is primarily focused on criminal law, how will you address the learning curve associated with learning about civil law? If your practice is primarily focused on civil law, how will you address the learning curve associated with learning about criminal law?

As a Judicial Fellow and Legal Aid Intern, I worked on civil law matters. As an Assistant Public Defender I collaborate with my civil law colleagues when criminal law and civil law matters intersect. Reading and studying are essential for familiarizing yourself with the law. Additionally, collaboration with colleagues is fundamental to being effective in the courtroom—especially for understanding the informal structure of the court. As an Assistant Public Defender, I am proactive in consulting my colleagues, mentors, the school of government and others to make me as informed as possible when I enter the courtroom. On the bench would consult the vast human resources available to assist me in unfamiliar areas of law so that I would be aware of both the formal and informal structure of each courtroom.

6. North Carolina incarcerates an extraordinary number of people, including persons convicted of non-violent crimes. Those who are incarcerated are disproportionately people of color. What, if anything, should the legislature and our courts do to address the issues of mass incarceration and racial bias in the administration of justice?

Legalize marijuana. End the death penalty. Teach critical race theory. Increase school funding. Expand public transportation. Support unions. Build more affordable housing. Check and re-check yourself for bias on a regular basis. Mandate implicit bias training. Engage with diverse communities. Increase funding for mental health and substance abuse programs. Make workforce readiness programs more available as part of probation and incarceration. Reform sentencing on “status” offenses. Evaluate the impact of the VRA and Marcy’s law on incarceration length and racial disparities in sentencing, and consider reforms where appropriate.

7. Should the North Carolina General Assembly abolish the death penalty?

Yes.

8. What, if anything, should be done to improve access to justice for people with limited financial means or who mistrust the system? How should courts handle requests to waive court costs, fines, failure to appear fees, probation supervision fees, attorney’s fees, and bail in criminal court?

Be respectful of and limit the amount of time poor people spend sitting in court and missing work. Court costs, fines and fees often act as a regressive tax. We should seek to lower the quantity of time people are exposed to the court system and increase the quality of that time. Bonds on low level offenses should often be unsecured and requests by indigent persons to waive court costs, fines and other fees should be granted liberally.

9. What does racial equity mean to you and how does racial equity inform your work as a District Court judge? Have you any special training in issues related to racial disparities and equities?

Racial equity means acknowledging that fighting systemic racism and implicit bias is *every day, ongoing work*—especially for those in positions of power.

I was an inaugural member of the racial equity network training at the UNC School of Government in 2015-16 which included six day-long training sessions among other activities. I attended a follow-up training in 2020. Additionally, the annual Public Defender conferences often have a racial equity session.

10. What are your thoughts on Durham's current diversion programs? If you believe these programs should be changed in any way please describe how and why.

Diversion should be tailored to the specific individual to whom it is applied. Increasing agency on the part of the participant is ideal. Whether that means tailoring a deferral to include a program in which a Defendant is already participating or selecting a course of treatment from CJRC's offerings—these types of individualized deferrals are often appropriate in a District Court setting.

11. What is the most significant challenge we face in our Durham civil court system and what can be done to address it?

In speaking with lawyers who currently practice in our civil law court system, it is clear that we have a backlog of cases in Abuse Neglect Dependency court. Resolving this backlog will require more resources and more recruitment of personnel.