

Responses of Kristine Gerhard Baker
Nominee to be United States District Judge for the Eastern District of Arkansas
to the Written Questions of Senator Amy Klobuchar

- 1. If you had to describe it, how would you characterize your judicial philosophy?
How do you see the role of the judge in our constitutional system?**

Response: My judicial philosophy is that district court judges must demonstrate a respect for the rule of law and an understanding of the limited, but important, role of judges in our constitutional system. District court judges should decide only cases or controversies that are properly before the court, and those cases should be decided as narrowly as possible based on the law at issue and the decisions of the United States Supreme Court and the Eighth Circuit Court of Appeals. Judges must decide all cases fairly and impartially without regard for the judge's personal views or opinions.

- 2. What assurances can you give that litigants coming into your courtroom will be treated fairly regardless of their political beliefs or whether they are rich or poor, defendant or plaintiff?**

Response: Throughout my legal career, I have endeavored to interpret and advocate the law faithfully and to treat all parties fairly, without regard to their political beliefs, economic condition, or social status. I believe that my experience demonstrates that, if confirmed as a district judge, my decisions will be rooted exclusively in the law and I will treat all parties who come before me fairly and courteously. Should I be confirmed, I pledge that each person who appears before me will receive equal access, just treatment, and a decision grounded in precedent and the text of the law rather than any underlying ideology or motivation.

- 3. In your opinion, how strongly should judges bind themselves to the doctrine of stare decisis? How does the commitment to stare decisis vary depending on the court?**

Response: In my opinion, a commitment to the doctrine of stare decisis should not vary depending on the court. Proper respect for precedent must be the rule at all levels of our judicial system. Judges must respect precedential opinions in order to instill confidence that the result in a given case is based on the rule of law. The Supreme Court and the Eighth Circuit Court of Appeals sitting en banc each can change its precedent with justification, making clear the reasons for rejecting it or departing from it. However, that is not the role of a district court judge.