

Responses of Terrence G. Berg
Nominee to be United States District Judge for the Eastern District of Michigan
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 to adhere to the rule of law and act with integrity in all things. Integrity in this sense means being intellectually honest, open-minded and rigorous; applying the law fairly, impartially, and consistently; giving all parties a full opportunity to be heard; treating all who come before the court with dignity and courtesy; and having the courage to do the right thing. In our constitutional system, the role of the judge is to provide a neutral and open forum in which all sides will be heard, decisions will be rendered promptly, consistent with the rule of law, and narrowly tailored to address the case or controversy at issue.

- 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: I am committed to treating all persons who come before the court with fairness, impartiality, courtesy, and respect. I would give every party a full opportunity to be heard regardless of political belief, status, means, or affiliation.

- 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: All judges are duty-bound to apply legal precedent in resolving questions according to the doctrine of *stare decisis*. Regardless of the court, adherence to *stare decisis* is necessary because it promotes stability, predictability and respect for law.