

Responses of Gregg J. Costa
Nominee to be United States District Judge for the Southern District of Texas
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: Independent judges play an essential role in our constitutional system because it is their duty to impartially apply the law, including our constitutional rights. In a system like ours that is based on the rule of law, those decisions must be made without regard to the popularity of the result or the societal status of the litigants. Consistent with that role, rather than making decisions based on preconceptions or a fixed ideology, my judicial philosophy would be to make rulings after thoughtful evaluation of the facts and law of a particular case.

- 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: From teaching elementary school in one of the poorest counties in the Mississippi Delta to handling *pro bono* matters while in private practice to serving as a federal prosecutor, I have spent most of my career in public service positions that have brought me into contact with diverse segments of our country. Through those experiences and others, I have developed a firm commitment to the principle of equal justice under law. If confirmed to be a district judge, I would seek to further that principle by making rulings without regard to the wealth, power or political beliefs of the litigants.

- 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: The doctrine of *stare decisis* plays an important role in our legal system because (1) a system based on the rule of law requires consistent application and (2) individuals and businesses make decisions in reliance on prior court rulings. While there are extraordinary circumstances that sometimes compel the Supreme Court or *en banc* Courts of Appeals to reconsider prior decisions, district court judges are bound to follow controlling precedents.