

Responses of John E. Dowdell
Nominee to be United States District Judge for the Northern District of Oklahoma
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 would be to approach each case with an open mind, a willingness to listen to all the facts, and a diligent effort to identify the relevant law and to apply that law to the facts without bias or prejudice. This process would, at all times, be undertaken with humility and with a recognition of the important role that federal judges play in our constitutional system of government. The role of a district court judge is limited under the Constitution to deciding actual cases or controversies. A judge must decide cases fairly and promptly, applying the binding precedent of higher courts in a manner which affords predictability to litigants.

- 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: If confirmed, I will take an oath to administer justice equally to the poor and to the rich. I would fully abide by that oath. Throughout my career as a litigator in civil and criminal matters, I have represented clients both big and small, from large corporations to indigents. I have appeared before many judges in my practice, and I have gained an understanding that, regardless of a party's status or the issues at stake, all should be treated fairly and consistently in the eyes of the court. I also had the honor of serving as a law clerk for a judge on the United States Court of Appeals for the Tenth Circuit. There, I witnessed first hand the fair treatment and dignity accorded to all litigants before the Court, regardless of their status. That lesson has inspired me in the practice of law, and it serves as a model I would seek to replicate on the bench, if confirmed.

- 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: District court judges are required to follow precedent of the Supreme Court and United States Courts of Appeals, and must be fully committed to the principle of stare decisis. The Supreme Court and United States Courts of Appeals sitting en banc overrule their own cases in limited circumstances. District court judges must always follow controlling precedent.