

Responses of Michael Walter Fitzgerald
Nominee to be United States District Judge for the Central District of California
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: The role of a district judge is to decide the questions of facts and law arising from the cases before the court. In our constitutional system, this narrow role requires a district judge to show respect for the elected branches. A district judge should not legislate; he or she should only interpret the statutes enacted by Congress. District judges should confine themselves to this important but narrow role.

- 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 would decide all matters only on the basis of the law (as established by Supreme Court and Court of Appeals for the Ninth Circuit) and the facts (determined without respect to the background of the parties). I believe that my extensive litigation experience is consistent with this commitment. I have handled criminal cases on behalf of both the United States and individual defendants. I have handled a wide variety of civil cases on behalf of both plaintiffs and defendants and on behalf of both individuals and companies.

- 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: Judges should firmly bind themselves to the doctrine of stare decisis. This commitment should be followed by all judges.