

Responses of William F. Kuntz II
Nominee to be United States District Judge for the Eastern District of New York
to the Written Questions of Senator Amy Klobuchar

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

Response: If I had to describe it, I would characterize my judicial philosophy as one traditional for a United States District Court Judge: of applying the law to the facts of the particular case and controversy before the Court. I see the role of the District Court Judge as applying the law to the facts of the case before the Court with patience, humility and respect for the litigants and their counsel.

2. **As the one undemocratic branch, the courts have a special responsibility to make sure they are available to those Americans most in need of the courts to protect their rights. 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 believe that equal justice under law is the paramount value of our judiciary. All persons stand equal before the law. In my twenty three years (23) as a Commissioner on the Civilian Complaint Review Board of the City of New York, I applied the law to the facts of each case without fear or favor. In my tenure as a member of the Board of Trustees of the Legal Aid Society of New York and the Lawyers' Committee for Civil Rights Under Law I have worked with leading lawyers and jurists to ensure equal access to justice for all, regardless of political beliefs, socio-economic status, or whether they were defendants or plaintiffs. I would ensure that same access and just treatment in my courtroom were I fortunate enough to be confirmed as a United States District Court Judge.

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

Response: I believe that District Court Judges are most strongly bound to follow the precedent established by the United States Supreme Court and the Court of Appeals. In my case, as a District Court Judge in the Eastern District of New York, should I be fortunate enough to be confirmed I would follow the precedents of the United States Supreme Court and the Court of Appeals for the Second Circuit. The commitment to stare decisis does not vary depending on the court: that commitment applies to all courts.