

Responses of Richard Gary Taranto
Nominee to be United States Circuit Judge for the Federal Circuit
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: I would characterize my judicial philosophy as a thorough commitment to the rule of law. The role of the judge, as I see it, is to respect record facts and, within the limits of jurisdiction that authorize adjudication, to interpret and to apply all governing law, whether constitutional, statutory, regulatory, or otherwise, with impartiality, neutrality, fidelity, reason, appreciation for complexities, clarity of explanation, and all possible expedition.

- 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: Such fairness, entailing impartiality and neutrality in adherence to law and respect for the record, is the bedrock of the rule of law to which I am committed. I take the oath of office as a solemn, unwavering commitment to such fairness. In addition, my career has been apolitical—spent in the judicial system, representing a broad spectrum of clients. I have not served in political positions in government or in any political organization or engaged in political campaigning or advocacy.

- 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 is essential to maximizing stability, consistency, and predictability in our system of law. All judges should adhere completely to that doctrine, which treats precedent as controlling in all but limited, exceptional circumstances. One particular aspect of the doctrine is that a lower court must strictly follow a superior court's precedents until the superior court has instructed otherwise. Thus, a circuit court is bound to apply a Supreme Court precedent that is on point and has not been overturned and, more generally, to resolve all cases by giving all pertinent Supreme Court precedents a faithful reading.