

**Responses of Nancy Torresen
Nominee to be United States District Judge for the District of Maine
to the Written Questions 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: My view of a judge's role and my judicial philosophy are essentially the same thing. The federal district court judge has the job of approaching every case with an open mind. The judge must listen carefully to the parties, find any relevant facts if acting as the factfinder, and apply the law as it has been set forth either by statute, the United States Constitution, or in caselaw from the United States Supreme Court or the United States Court of Appeals.

- 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: In my view, the most important attribute of a judge is impartiality. A judge needs to be able to approach every case with an open mind, treat the parties even-handedly, consider the evidence fairly, and diligently apply the law to the case at hand. I believe that I possess these attributes.

- 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: Federal district court judges are absolutely bound by the doctrine of stare decisis. The job of the federal judge is to apply the law as it has been set forth in the Constitution, in statutes or in legal precedents. I have the utmost respect for the rule of law and for the predictability and stability which comes from following precedent. Stare decisis is an important principle for all levels of the federal bench, but it is particularly important for federal district court judges. Federal district court judges should not be policy makers.