

Responses of Timothy S. Black
Nominee to the U.S. District Court for the Southern District of Ohio
to the Written Questions of Senator Charles E. Grassley

1. What is your view of the role of a judge?

Response: The role of the judge is to decide each case with independence and impartiality, based solely on the evidence and the law.

2. Do you believe it is ever appropriate for judges to indulge their own values in determining the meaning of statutes and the U.S. Constitution?

Response: No.

a. If so, under what circumstances?

Response: None.

b. Please provide an example of a case in which you have done so.

Response: I have not done so.

c. Please provide an example of a case where you have had to set aside your own values and rule based solely on the law.

Response: I rule solely on the evidence and the law, without consideration of my own values.

3. Do you believe it is ever appropriate for judges to indulge their own policy preferences in determining the meaning of statutes and the U.S. Constitution?

Response: No.

a. If so, under what circumstances?

Response: None.

b. Please provide an example of a case in which you have done so.

Response: I have not done so.

c. Please provide an example of a case where you have had to set aside your own policy preferences and rule based solely on the law.

Response: I rule solely on the evidence and the law, without consideration of my own policy preferences.

4. How do you define “judicial activism?”

Response: It is not a term I use, but I understand others to define it as conduct by a judge in deciding a case according to his or her own personal predilections and not based solely on the evidence and the law as required.