

**Responses of Benita Y. Pearson
Nominee to the U.S. District Court for the Northern District of Ohio
to the Written Questions of Senator Charles E. Grassley**

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

Response: A judge plays the key role in dispute resolution. In disputes brought before the Court, it is the role of a judge to fairly and impartially apply the law to the facts consistent with due deference to the plain meaning of legal text and applicable legal precedent.

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: None.

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: None.

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: None.

- 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: None.

4. How do you define “judicial activism?”

Response: I define judicial activism as judicial action designed to achieve a predetermined goal, despite the applicable law and facts. I believe in judicial restraint. Congress writes the law. Judges apply the law to the facts. If confirmed, that is what I intend to do.