

Response of Mark A. Barnett
Nominee to be a Judge of the United States Court of International Trade
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 being committed to the rule of law, such that every party appearing before me would be treated respectfully, receiving a fair and impartial hearing, leading to the prompt resolution of the dispute. In reviewing agency determinations, I would apply the appropriate standard of review and not seek to remake the agency determination or substitute my views for an agency determination that meets that standard of review.

- 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: If I am confirmed, I would apply the law, impartially, to each case before me. The political beliefs of the litigants, their economic status, or their status as plaintiff or defendant would not be relevant to my judgment.

- 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 part of the bedrock of our legal system and the rule of law in our country. As such, I believe it is critical that all judges bind themselves to that doctrine.