

Response of Raymond T. Chen
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: My judicial philosophy would be best characterized as an unwavering commitment to the rule of law. Regardless of personal views, a judge is bound by the applicable statutes and precedent, and must apply the law in a consistent, impartial manner. Furthermore, an appellate judge may not remake the record created below or substitute his views for those of the lower tribunal on a fact finding.

Our constitutional system is based on a separation of powers between the branches of government, and the judiciary's role in reviewing the decisions of the democratically elected branches is a limited one. Moreover, it is a judge's role to faithfully apply the laws enacted by Congress regardless of a judge's personal policy preferences.

- 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: It is essential for our administration of justice and public confidence in the court system that judges treat all parties equally, fairly, and respectfully. I believe that my professional reputation that I have developed while working in both the government and private practice reflects a commitment to those principles. If confirmed, I would continue to adhere to those principles and apply the law in a neutral, impartial manner.

- 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 integrity of our judicial system depends on predictability and stability in the rule of law. It is therefore imperative that judges bind themselves to the doctrine of *stare decisis*. If confirmed as a circuit court judge, I would be bound by all Supreme Court precedents as well as prior panel and *en banc* decisions by the Federal Circuit. Only in exceptional circumstances should an appellate court overturn its prior precedent through *en banc* review.