

Responses of Brian J. Davis
Nominee to be United States District Judge for the Middle District of Florida
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 is characterized by an imperative to listen openly and completely, to analyze and weigh facts fairly and impartially, to apply the law as enacted, to communicate decisions concisely and clearly and to imbue proceedings with respect and dignity. Judges' roles are defined and limited by the Constitution to dispute resolution through and by law.

- 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: The best assurance to litigants, plaintiffs or defendants, of fair treatment regardless of political beliefs or station or status in life is gleaned from my record of more than a quarter century of public service, 18 years of which have been from the bench. That record would reveal an unwavering allegiance to my oath of office to fairness, impartiality and justice. If confirmed my intention would be to continue that allegiance.

- 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: By oath judges are bound to follow controlling precedent. With the exception of matters of first impression courts are equally bound by stare decisis. Adherence to its principles provide for a critical component of the rule of law.