

**Nomination of David W. Dugan for United States District Court Judge
For the Southern District of Illinois
Senator Dick Durbin
Written Questions for the Record
July 1, 2020**

For questions with subparts, please answer each subpart separately.

Questions for David Dugan

- 1. You have served as a trial judge on the Illinois Third Judicial Circuit since 2017. How would you describe the role and responsibilities of a federal district court judge, and how has your previous judicial experience helped prepare you for becoming a federal district court judge?**

While serving as a state court judge, and even as a practicing lawyer, I have come to believe that judges are viewed as the face of our judicial system because often a party's only encounter with the court room typically will involve the judge. As such it is that judge's demeanor, temperament, fairness, impartiality, independence, even-handedness and decisiveness that will reflect the level of confidence and respect society will have for our laws and those who serve to enforce them. Apart from the usual and typical duties that judges must fulfill each day, they must also ensure that their conduct and impartiality will never reduce, but rather will always sustain, a high level of public confidence in our system.

- 2. In an October 4, 2018 article in the *Belleville News-Democrat*, you were asked "what is your judicial philosophy?" You responded, "I believe that judges must be independent and free from the influences of politics and special interest organizations. Judges must employ their legal judgment and not their personal will when called upon to decide cases or interpret the law. Judges must interpret the Constitution and statutes as they have been written, informed by history and precedent."**

- a. Does this statement still reflect your judicial philosophy?**

Yes.

- b. In your career as a judge, what steps have you taken to ensure that you adjudicate cases independently and not with any political or personal agenda?**

As a trial lawyer, my core desire was that the judge before whom I appeared would make every effort to ensure that he or she would not take counsel of their personal leanings or beliefs but would always fairly apply the existing law to the facts when deciding an issue that affected my client. I have not forgotten this during my time serving as a state court judge. Accordingly, I make every effort to ensure that my rulings and decisions reflect a fair application of the law to the facts of the case before me. Furthermore, upon becoming a state court judge, I significantly reduced

participation in political activities and, since being nominated, I have further reduced my involvement in all organizations so as to be consistent with the Code of Conduct for United States Judges.

3. You have run for state judicial office and in the course of judicial election campaigns you have made statements regarding your personal views on legal and policy matters, including in a December 30, 2017 judicial candidate survey from Illinois Right to Life Action.

- a. **Should a judge's personal views on legal or policy matters influence the judge's adjudication of cases or application of precedent?**

No. A judge must in all things be independent of political and societal pressures and influences, and his or her decisions must reflect that independence through faithful and dutiful adherence to binding precedent. If confirmed by the Senate, I will faithfully and dutifully adhere to the precedent of the Supreme Court and the Seventh Circuit.

- b. In the judicial candidate survey you filled out for Illinois Right to Life Action, you concluded by saying "Please keep in mind, however, that while I hold and have held for many years these beliefs, I will follow and apply the law as my sworn obligation as Circuit Judge for Illinois." **Would you similarly follow and apply the law if confirmed as a federal district court judge?**

Yes. I am hopeful that my record clearly reflects that I am committed to following the rule of law and applying binding precedent without regard to any personal belief or will. I will remain committed to and fulfill those principles if confirmed by the Senate.