

**Response of Katherine Polk Failla
Nominee to be United States District Judge for the Southern District of New York
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 involves administering justice to litigants fairly, respectfully, promptly, and transparently. In this philosophy, the judge has an important, albeit limited, role of deciding the particular case or controversy before the judge by applying the precedent of the relevant Circuit Court of Appeals and the Supreme Court to the specific facts of the case.

- 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 critical to the continued success of our system of justice that people are – and believe from the outset that they will be – treated equally by judges regardless of their background or personal circumstances. I believe that the professional reputation I have developed in working on both civil and criminal litigation matters, including my many years of public service as a prosecutor, can and will assure litigants that they will be treated equally.

- 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: Stare decisis is another critical component of our system of justice that ensures a consistency in judicial decisions – which, in turn, gives litigants comfort that decisions will be based on the facts and the law, and not the personal opinions of the particular judge. I do not believe that the commitment to stare decisis should vary depending on the court, but I recognize that stare decisis is particularly important for district judges, since they more frequently decide disputed legal issues by following the precedent of the relevant Circuit Court of Appeals and the Supreme Court.