

Senator Chuck Grassley
Questions for the Record
George Jarrod Hazel
Nominee, U.S. District Judge for the District of Maryland

- 1. Please explain what your understanding is of the rights and restrictions for individual citizens under the Second Amendment.**

Response: The Supreme Court has ruled that the Second Amendment guarantees an individual right to possess and to use firearms for traditional lawful purposes, including self-defense within a home. *See District of Columbia v. Heller*, 554 U.S. 570, 592 (2008). In *McDonald v. Chicago*, 561 U.S. 3025, 3036 (2010), the Supreme Court further ruled that this right was a fundamental one applicable to the states. The Supreme Court has also noted that its holding should not be interpreted as casting doubt on longstanding prohibitions on the possession of firearms by felons or the mentally ill, restrictions on carrying firearms in sensitive places such as schools or government buildings, or laws regulating the commercial sale of firearms. *Heller*, 554 U.S. at 626-627.

- 2. What is the most important attribute of a judge, and do you possess it?**

Response: The most important attribute of a judge is the ability to consistently apply the law to the relevant facts of the case. I believe I possess that ability.

- 3. Please explain your view of the appropriate temperament of a judge. What elements of judicial temperament do you consider the most important, and do you meet that standard?**

Response: Judges should treat everyone in their courtroom with respect, courtesy and dignity. Throughout my career, I have made every effort to comply with that standard and would continue to do so if confirmed to the bench.

- 4. In general, Supreme Court precedents are binding on all lower federal courts and Circuit Court precedents are binding on the district courts within the particular circuit. Please describe your commitment to following the precedents of higher courts faithfully and giving them full force and effect, even if you personally disagree with such precedents?**

Response: I am committed to following the precedents of higher courts faithfully and giving them full force and effect, even if I personally disagree with such precedents.

- 5. At times, judges are faced with cases of first impression. If there were no controlling precedent that was dispositive on an issue with which you were presented, to what sources would you turn for persuasive authority? What principles will guide you, or what methods will you employ, in deciding cases of first impression?**

Response: If faced with an issue of first impression, I would begin by examining the text of the statute or regulation at issue. If the plain language of the provision did not adequately address the issue before me, I would look to precedent from the Supreme Court or the Fourth Circuit involving analogous provisions. If there were no such precedent, I would look to relevant cases in other circuits or district courts as persuasive authority.

6. **What would you do if you believed the Supreme Court or the Court of Appeals had seriously erred in rendering a decision? Would you apply that decision or would you use your best judgment of the merits to decide the case?**

Response: I would apply binding precedent of the Supreme Court or the Fourth Circuit without regard to whether I believed the court erred in the decision.

7. **Under what circumstances do you believe it appropriate for a federal court to declare a statute enacted by Congress unconstitutional?**

Response: Statutes enacted by Congress are presumed constitutional and federal courts should only find them to be unconstitutional “upon a plain showing that Congress has exceeded its constitutional bounds.” *United States v. Morrison*, 529 U.S. 598, 607 (2000). I would follow precedent of the Supreme Court on this issue.

8. **In your view, is it ever proper for judges to rely on foreign law, or the views of the “world community”, in determining the meaning of the Constitution? Please explain.**

Response: No.

9. **What assurances or evidence can you give this Committee that, if confirmed, your decisions will remain grounded in precedent and the text of the law rather than any underlying political ideology or motivation?**

Response: In my years as a civil lawyer, I advocated on behalf of clients who held a range of political views. As a prosecutor, I have served under both Democratic and Republican leadership. At no point have I ever allowed political ideology or motivation to influence my decisions. I can assure the Committee that if confirmed as a judge, I would base my decisions on the law and the relevant facts and not on any political ideology or motivation.

10. **What assurances or evidence can you give the Committee and future litigants that you will put aside any personal views and be fair to all who appear before you, if confirmed?**

Response: I am committed to deciding each case impartially after a fair and open hearing, by applying precedent to the facts of the case before me and will do so without regard to any personal views I may have.

- 11. Do you believe that judges have a role in controlling the pace and conduct of litigation and, if confirmed, what specific steps would you take to control your docket and manage your caseload?**

Response: I believe that judges do have a role in controlling the pace and conduct of litigation. If confirmed, I will schedule case management conferences, set reasonable but firm deadlines for the filing of motions, decide motions in a thoughtful but efficient manner and encourage mediation or settlement conferences where appropriate.

- 12. You have spent your entire legal career as an advocate for your clients. As a judge, you will have a very different role. Please describe how you will reach a decision in cases that come before you and to what sources of information you will look for guidance. What do you expect to be most difficult part of this transition for you?**

Response: In reaching a decision in a case before me, I would carefully review the arguments made by the parties, analyze the text of the appropriate statute or regulation at issue, review controlling precedent from the Supreme Court or the Fourth Circuit and apply the law to the relevant facts. I do not believe that adopting this approach will be a difficult transition for me. As a more general matter, I do believe that working with a small chambers staff will be an adjustment for me after spending most of my career in larger offices.

- 13. According to the website of American Association for Justice (AAJ), it has established a Judicial Task Force, with the stated goals including the following: “To increase the number of pro-civil justice federal judges, increase the level of professional diversity of federal judicial nominees, identify nominees that may have an anti-civil justice bias, increase the number of trial lawyers serving on individual Senator’s judicial selection committees”.**

- a. Have you had any contact with the AAJ, the AAJ Judicial Task Force, or any individual or group associated with AAJ regarding your nomination? If yes, please detail what individuals you had contact with, the dates of the contacts, and the subject matter of the communications.**

Response: No.

- b. Are you aware of any endorsements or promised endorsements by AAJ, the AAJ Judicial Task Force, or any individual or group associated with AAJ made to the White House or the Department of Justice regarding your nomination? If yes, please detail what individuals or groups made the endorsements, when the endorsements were made, and to whom the endorsements were made.**

Response: No.

- 14. Please describe with particularity the process by which these questions were answered.**

Response: I received a copy of the questions from a Justice Department attorney of the Office of Legal Policy. I drafted responses and submitted them to the same attorney, made revisions and then submitted them in final form.

- 15. Do these answers reflect your true and personal views?**

Response: Yes.