

**Response of Claire R. Kelly
Nominee to be a Judge of the United States Court of International Trade
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 philosophy is that judges should act with modesty and moderation and should decide only the case before them by applying the applicable law. They should be bound by the relevant statutes and any applicable precedent and they should respect the given standard of review of agency action. Finally, they should articulate their analysis clearly.

- 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: I am certain that I can be fair to all litigants regardless of their circumstances or beliefs. I am absolutely committed to the rule of law. As a teacher and an academic I have committed myself to intellectual honesty, the fair consideration of all arguments, having an open mind and treating everyone 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: In my opinion all judges are bound by the doctrine of stare decisis. The obligation is fundamental to our legal system. District Court judges are strictly bound while the Court of Appeals may, in very limited circumstances, review its own precedent. The Court of Appeals is strictly bound to follow Supreme Court precedent.