

**Responses of James A. Wynn , Jr.
Nominee to the U.S. Court of Appeals for the Fourth Circuit
to the Written Questions of Senator Charles E. Grassley**

1. What is your view of the role of a judge?

Response: The role of a judge is to adjudicate disputes in a neutral and impartial manner by applying the pertinent law to the facts.

2. Do you believe it is ever appropriate for judges to indulge their own values in determining the meaning of statutes and the U.S. Constitution?

Response: No.

a. If so, under what circumstances?

Response: Not applicable.

b. Please provide an example of a case in which you have done so.

Response: There are no examples.

c. Please provide an example of a case where you have had to set aside your own values and rule based solely on the law.

Response: There are no examples.

3. Do you believe it is ever appropriate for judges to indulge their own policy preferences in determining the meaning of statutes and the U.S. Constitution?

Response: No.

a. If so, under what circumstances?

Response: Not applicable.

b. Please provide an example of a case in which you have done so.

Response: None. In each case in which I participate, I provide the parties with a neutral and impartial decision. Individual policy preferences play no role.

c. Please provide an example of a case where you have had to set aside your own policy preferences and rule based solely on the law.

Response: None. In each case in which I participate, I provide the parties with a neutral and impartial decision. Individual policy preferences play no role.

4. How do you define “judicial activism?”

Response: Judicial activism is not a term that I use. My understanding is that some people use the term to refer to a judge’s basing decisions on personal views rather than on the letter of the law.