

Response of Honorable John Milton Younge
Nominee, United States District Judge for the Eastern District of Pennsylvania
To the Written Questions of Senator Thom Tillis

Questions for All Nominees

- 1. One challenge you will face as a federal judge is managing a busy caseload. If confirmed, how will you balance competing priorities of judicial efficiency and due process to all litigants involved in the case?**

- a. Will you give certain cases priority over others?**

Response: Generally, cases should be disposed of in the order in which they are filed. However, cases of different complexity will have different discovery schedules. Complex cases will take longer to prepare for trial but will be moved toward disposition in an efficient manner.

- 2. What is a fundamental right?**

Response: In *Washington v. Glucksberg*, 521 U.S. 702, 720-21, the United States Supreme Court held that the Due Process Clause protects those fundamental rights and liberties which are, objectively, deeply rooted in this Nation's history and traditions.

- a. From where are these rights derived?**

Please see my response to Question 2.

- 3. What role, if any, should societal pressure or popular opinion play in interpreting legislation or the United States Constitution?**

Response: Societal pressure or popular opinion should play no role in interpreting legislation or the United States Constitution.

Questions for Judge John Milton Younge

- 1. A number of states, including North Carolina, have passed or introduced laws to protect women's health. You have characterized *Roe v. Wade* and its progeny as settled law. Please address whether you consider the following settled law:**

- a. That a state can require a consultation with a physician or qualified professional at least 24 hours prior to an abortion procedure,**

Response: This is an issue that is currently being debated in courts throughout this land. It would be inappropriate for me to offer an opinion in response to this question.

- b. That a state can forbid an abortion if a significant factor in the woman's decision is related to the gender of the unborn child,**

Response: Please see my response to Question 1a.

- c. That a state can require abortion facilities to meet the same standards as ambulatory surgical centers, and**

Response: Please see my response to Question 1a.

- d. That a state can require an ultrasound be made available to the woman before permitting an abortion.**

Response: Please see my response to Question 1a.

- 2. When running for a judicial seat in Pennsylvania, you sought an endorsement from the Planned Parenthood Pennsylvania Political Action Committee. As you are aware, Planned Parenthood has been accused of illegally selling fetal tissue and organs at some of its facilities. Had you known this behavior was an alleged practice of Planned Parenthood when you were seeking election for a judicial seat in Pennsylvania, would you still have sought an endorsement from the Planned Parenthood Pennsylvania Political Action Committee?**

Response: I have not studied this issue and can express no opinion as to how I would have responded if such accusations had been made in the past.