

**Senator Grassley  
Questions for the Record**

**Jennifer Choe Groves  
Nominee, U.S. Court of International Trade**

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

Response: I believe that the most important attribute of a judge is to uphold the rule of law, while also possessing the qualities of fairness, impartiality, and open-mindedness when considering arguments and applying the law to the facts at hand. I believe that I possess these qualities.

2. **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: I believe that the appropriate temperament of a judge is to be even-tempered, courteous of litigants and counsel, and respectful of the role that a judge plays in the legal system.

3. **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 binding precedents of the Supreme Court and Federal Circuit faithfully and giving them full force and effect. Any opinions of whether binding precedential case law is decided correctly will not be a factor in my application of binding precedent.

4. **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 a case of first impression, I would first examine the plain meaning of the applicable statute. I would review relevant case law of the Supreme Court and Federal Circuit addressing persuasive and analogous issues. Then, if necessary, I would review case law in other circuits to find persuasive authority.

5. **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 the binding precedent of the Supreme Court or the Federal Circuit, regardless of my opinion of whether the case was decided correctly.

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

Response: Statutes are presumed to be constitutional. A federal court should declare a statute enacted by Congress unconstitutional only in the rare circumstance in which it is clearly shown that Congress exceeded its authority under the Constitution or if the statute violates constitutional rights.

7. **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: I do not believe it is proper for judges to rely on foreign law or the views of the “world community” in determining the meaning of the Constitution, unless it is so required by the Supreme Court or other binding precedent.

8. **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: Throughout my legal career, I have always represented my clients to the best of my ability using my legal judgment and skills, without any underlying political ideology or motivation. This has been the case whether I was working for the government representing the United States or the State of New York, or in private practice representing a company or an individual. While I understand that the role of a judge is different than an attorney, if I were fortunate enough to be confirmed, I will apply applicable law and binding precedent with impartiality and open-mindedness, without regard to any underlying political ideology or motivation.

9. **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: If I am fortunate enough to be confirmed to the bench, I will certainly put aside any personal views and will be fair to all who appear before me. I believe that judges should be impartial and neutral to all who appear in court, and each litigant deserves a fair opportunity to present his or her position to an open-minded judge.

10. **If confirmed, how do you intend to manage your caseload?**

Response: I would consult with my colleagues as to the best way to organize my docket and manage my caseload in order to resolve cases most effectively. I would work hard to rule promptly and thoughtfully, and to resolve cases in a timely manner.

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?**

Response: Yes, I believe that judges have an important role in controlling the pace and conduct of litigation. If I am fortunate enough to be confirmed, I would work diligently to ensure that litigations are resolved expeditiously, fairly, and efficiently.

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

Response: I received these questions on February 3, 2016. I drafted responses to the questions and provided them to the U.S. Department of Justice. I received feedback from a representative of the Department of Justice and did not make any revisions. I authorized the Department of Justice to transmit them to the Senate Judiciary Committee.

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

Response: Yes.