

Senator Dick Durbin
Written Questions for David Dugan and Stephen McGlynn
July 1, 2020

For questions with subparts, please answer each subpart separately.

Questions for Stephen McGlynn

1. You have served as a Circuit Court Judge and as an Appellate Court Justice in the Illinois court system. **How would you describe the role and responsibilities of a federal district court judge, and how has your previous judicial experience helped prepare you for becoming a federal district court judge?**

As a Circuit Judge I have served as felony criminal judge handling very serious cases. I have significant experience in evaluating criminal cases, and determining appropriate sentences. This experience will prove invaluable experience when handling federal criminal matters. I was also for years a Chancery Judge handling requests for injunctive relief. These cases are often complex and the judge has to be mindful of the unique challenges and pitfalls that present themselves when one is asked to enter a substantive ruling at the beginning of a case without the normal discovery process having been conducted. I have also presided over one of the largest Asbestos dockets in the country. This has given me valuable experience and insight regarding mass torts and management of very large dockets. I also preside over cases where the plaintiff is seeking class certification for tort or statutory actions. Finally, I have significant experience presiding over jury trials. In my roll as a Circuit Judge I have presided over many complex tort, contract and commercial litigation.

As an Appellate Justice, I learned the importance of writing clear, lucid, well-researched and well-reasoned opinions. I have the wonderful experience of working with other judges from very different backgrounds with very different judicial philosophies. I found the experience greatly informative.

2. You have run for state judicial office and you have been active in Illinois party politics. In the course of your election campaigns and political activity you have made statements regarding your personal views on legal, political, and policy matters.

- a. **Should a judge's personal views on legal, political, or policy matters influence the judge's adjudication of cases or application of precedent?**

No. And I pledge that I will not allow any personal views to invade or influence my duties to fully and faithfully follow the law.

- b. **In your career as a judge, what steps have you taken to ensure that you adjudicate cases independently and not with any political or personal agenda?**

I am very proud that I have earned a reputation for being very fair and impartial. Once I served on the Appellate Court, I no longer held any partisan political office and declined multiple offers to do so and declined multiple offers to run for political office. On the Appellate Court I worked closely with my colleagues who had different party affiliations than I. It was there that my colleagues observed my independence of partisan and political influence and informed members of the bar and the judiciary of my independence.

3. Please provide clarity in terms of your responsibility on the bench, if you are confirmed, when it comes to enforcing the law and upholding the precedent of *Roe v. Wade*.

I have a profound love and respect for the Constitution and our Rule of Law. America is a nation of laws, not of men. Therefore, our courts are courts of law where judges follow and uphold the rule of law. Our system breaks down when a judge believes he or she can rule according to personal opinions or beliefs. Our system breaks down when a judge picks and chooses which laws to enforce and which to ignore. As a former Appellate Court Justice, I have a deep respect for the importance of precedent and the necessity that lower courts follow the decisions, sometimes tough, sometimes controversial, of the higher courts. I do not come to the bench as a saboteur, looking to undermine the Rule of Law with respect to cases or statutes with which I might not agree. I will faithfully uphold and enforce the Constitution, the laws of our country and the precedents of the Supreme Court and of the Seventh Circuit. With respect to *Roe v. Wade*, I make no exception and will fully and faithfully apply *Roe* to any case before me.

4. How important is it that a federal judge be independent from partisan politics, and how would you assure that independence if you are confirmed?

An independent judiciary is absolutely critical to the proper functioning of legal system. I will continue to faithfully follow the law. I will continue to avoid involvement with any partisan group. I will continue to defend the independence of the judiciary and I will continue to help fellow judges resist the efforts all of us as judges face from those who seek to use the powers of the Court to advance their own partisan agenda or punish political enemies.