

## ILLINOIS FAMILY INSTITUTE QUESTIONNAIRE

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SIGNATURE: **1. What do you think is the most important task of an Illinois judge?**

As a judge in the trial court, I have applied the law as I understand it, interpreting the law as it is written and not as I wish it to be. We are judges, not legislators or policy makers. We must apply the law as it is written, consistent with the intent of the drafters of the law and in a fair and impartial manner.

**2. What does it mean to uphold and defend the Illinois Constitution?**

The oath requires a judge to interpret the Constitution consistent with the intent of the drafters, to interpret statutes consistent with the intent of the legislature, and to apply the law in a fair and impartial manner, regardless of whether the result will be popular. Judges must respect the separation of powers provided for in the Constitution, and make their decisions free from political influence.

**Is this oath an objective requirement that you understand how it limits your behavior? How?**

Yes. The oath prohibits a judge from acting as a policy maker, and requires us to act only as judges, interpreting the law as it is written, free from political or other improper influence.

**Give an example of something you might face which would challenge that limit and how you would respond?**

Supreme Court Rule 67(A)(3)(d)(i) prohibits a judge from making statements that appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the Court. In my opinion, in answering this question I would violate this rule, and I must therefore respectfully decline to answer.

**3. Law schools typically teach three methods of Constitutional interpretation: Natural Law, Strict Construction, and Living Constitution. Do you believe all of those to be equally valid?**

I subscribe to the school of strict construction, which I believe is the best way to ensure that the judicial branch of government does not infringe on the other two branches of government. The living constitution school of thought permits the courts to act as another legislature, creating laws instead of interpreting them.

**Do you believe any of them to be contrary to an oath to defend the Constitution?**

While I consider myself more of a strict constructionist, I do not believe that as a trial judge it serves any purpose for me to criticize the approaches of other judges, and I therefore respectfully decline to answer this question.

**Which would you associate with most closely as your own method?**

Although as a trial judge I am seldom required to interpret the Constitution, to the extent I would be required to interpret the constitution, I consider myself a strict constructionist.

**Is it possible to reconcile legal protections for discrimination against women with the concept that gender is not fixed?**

It is impossible for me to answer the question in the abstract; to answer the question I would need to know the specific law being applied, its legislative history, and the facts of the case.

**Do you believe it is lawful to redefine marriage to include something other than one genetic man and one genetic woman?**

The United States Supreme Court has determined that gay marriage is a right under the Constitution. As a trial judge, I am required to follow the law, including Supreme Court decisions regardless of my personal opinion.

**5. Would it be lawful under the American rule of law for government not to prohibit murder or rape [i.e. not to secure basic unalienable rights to life, liberty and the pursuit of happiness, or those specified in the Bill of Rights?]**

There are certain acts that a large majority of society views as so reprehensible that they would be prohibited by the majority of society, even if not prohibited by the law. Murder and rape are two such examples.

**6. Would no protection under the law be equivalent to equal protection under the law?**

No. Equal protection of the law presumes, in my opinion, some level of protection.

**7. Judges at the Nuremberg trials were convicted of upholding duly passed laws in Germany. Why?**

There are a limited number of acts which are so reprehensible that the vast majority of society views them as abhorrent. Many German judges had become acolytes of the Nazi Government, and permitted the judiciary to become complicit in the war crimes of the Third Reich.

**8. We already know you'll appropriately follow precedent, but do you believe that the U.S. Constitution contains a right to abortion? YES/NO**

The Supreme Court has determined that the Constitution does not contain a right to abortion.

**9. I believe that Illinois is required by the 14<sup>th</sup> Amendment to equally protect all human beings at any location within its jurisdiction. YES/NO**

**10. I believe that an unborn child is a human being. YES/NO**

As a trial judge I am required to decide cases and controversies that come before me based upon the law and facts, and not based upon my personal viewpoints. I believe trial judges must, with some exceptions, base their decisions on what the law is at the time the case is decided. My viewpoint as to whether an unborn child is a human being is therefore not something which should influence my decision, and I respectfully decline to answer this question.

**11. Had I been a member of the Supreme Court in 1973, I would have joined Justice White's dissent in Roe v. Wade. YES/NO**

I must respectfully decline to answer this question. I am not and will not become an appellate court judge. This question is speculative. If I did answer the question, I could be accused of violating Supreme Court Rule 67A(3)(d)(1.).