

Hon. Cheri N. Simpkins

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**Testimony of Judge Cheri Simpkins, on behalf of the
Maryland Hispanic Judges Association
Senate Judicial Proceedings Committee
SB 630 – Favorable
February 12, 2025**

Good Afternoon Chair Smith, Vice Chair Waldstreicher, and Honorable Members of the Committee,

I am testifying today on behalf of the Maryland Hispanic Judges Association. I stand before you today to strongly advocate for the elimination of judicial elections in Maryland. Our current system places an undue burden on sitting judges, injects politics into what should be an impartial process, and threatens the integrity of our judiciary by allowing unqualified candidates to challenge highly experienced judges.

1. Judicial Elections Undermine Merit-Based Selection

Maryland has a rigorous judicial selection process designed to ensure that only the most qualified individuals ascend to the bench. Judges undergo extensive vetting by bar associations, judicial nominating commissions, and multiple layers of review before being appointed by the Governor. In my own career, I was vetted twice—once for my appointment to the District Court by Governor Hogan and again for my appointment to the Circuit Court by Governor Moore.

Despite this thorough evaluation process, our system allows individuals with little to no judicial experience to challenge sitting judges in an election. In a recent race, my former running mates and I—each with over 20 years of legal experience—were forced to run against a candidate who had only recently graduated from law school and had just three years of experience as an attorney in the State Comptroller's Office. This individual did not campaign, yet received 120,000 votes. This stark example highlights how judicial elections do not prioritize qualifications or merit but instead rely on name recognition, ballot placement, and voter unfamiliarity with the judiciary.

2. Judicial Elections Threaten Judicial Independence

Judges are not politicians—we are impartial arbiters of the law. However, elections force us into the political arena, requiring us to campaign and fundraise while maintaining the appearance of neutrality. To retain our seats, we must take time away from our already heavy caseloads, using

personal leave to campaign. This is time that should be spent ensuring justice is served, not engaging in political contests that diminish the integrity of the judicial system.

Furthermore, judges do not receive security protections, making public campaigning a significant safety risk—especially in cases involving sensitive matters like domestic violence, public corruption, and violent crime.

3. Voters Lack the Information Needed to Make an Informed Choice

Unlike legislative or executive races, where candidates campaign on policies and platforms, judicial races are inherently different. Judges cannot make promises or take policy positions. Most voters do not have direct interactions with the court system and are often unfamiliar with the qualifications necessary to be an effective judge.

In the recent election, an individual with minimal legal experience secured 120,000 votes, despite not actively campaigning. This demonstrates a fundamental issue with judicial elections—voters are making decisions without the information necessary to assess judicial qualifications. Judicial appointments, on the other hand, ensure that legal expertise, experience, and temperament—not ballot placement or political dynamics—determine who serves on the bench.

4. The Merit-Based Appointment System Works

Maryland already has a strong appointment-based system for **District Court** and **Appellate Court judges**, where candidates are nominated by the Governor and confirmed by the Senate. **District Court judges serve 10-year terms without facing elections**, ensuring judicial independence. **Appellate Court judges must stand for retention elections after one year, but they do not face direct challengers.**

However, **Circuit Court judges are the only ones subject to contested elections.** Once appointed, they must run in the next general election, where anyone meeting minimal requirements—such as residing in the county for five years and paying a \$50 filing fee—can challenge them, regardless of qualifications.

This system allows unqualified challengers to undermine a merit-based selection process. If Maryland fully transitioned to an appointment-based system for all judges, it would **align the judiciary with the best practices of impartiality, merit selection, and judicial independence.**

Conclusion

The integrity of our judiciary should not be subject to political whims. Judicial elections compromise merit-based selection, force judges into political roles, and allow unqualified candidates to challenge experienced judges without meaningful voter scrutiny. Maryland should fully embrace an appointment-based judiciary, ensuring fairness, experience, and judicial independence.

I urge this committee to take the necessary steps to eliminate judicial elections in Maryland and preserve the integrity of our courts.

Thank you for your time and consideration.

Sincerely,

Hon. Cheri Simpkins
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