

**STATE OF MARYLAND**

**BEFORE THE COMMISSION ON JUDICIAL DISABILITIES**

**IN THE MATTER OF:**

**JUDGE AMY LEIGH NICKERSON**

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**CJD 2018-033**

*Received By Commission*  
**DEC 13 2018**  
*on Judicial Disabilities*

**RESPONSE**

Judge Amy L. Nickerson of the Orphans Court for Kent County Maryland, pro se, pursuant to Md. Rule 18-407(c) files this response to the charges brought by the Commission on Judicial Disabilities:

1. Judge Nickerson admits the allegations of paragraph 1.
2. Judge Nickerson admits the allegations of paragraph 2.
3. Judge Nickerson admits the allegations of paragraph 3.
4. Judge Nickerson admits the allegations of paragraph 4.
5. Judge Nickerson admits the allegations of paragraph 5.
6. Judge Nickerson admits the allegations of paragraph 6.
7. Judge Nickerson admits the allegations of paragraph 7.
8. By way of further response, Judge Nickerson sincerely apologizes to the citizens of Kent County and the State of Maryland for her conduct and actions on March 9, 2018. Judge Nickerson is and remains to this day extremely remorseful for her actions that brought unflattering attention to herself as a member of the Maryland Judiciary specifically a

Judge of the Orphans Court for Kent County who was first elected to this position by a majority of the voters in Kent County Maryland in the 2014 Gubernatorial Election.

9. Judge Nickerson further agrees that her conduct and the subsequent finding of Probation for Judgment for the traffic citations would meet the definition of sanctionable conduct set out in Md Rule 18-401(j)(1) conduct prejudicial to the proper administration of justice.
10. Judge Nickerson has remained apologetic, remorseful and has been in total compliance with the payment of fines, court costs and terms and conditions of probation as imposed by The Honorable Melvin J. Jews in the District Court of Maryland for Kent County.
11. Judge Nickerson's traffic charges and the outcome of the trial in the Kent County District Court were made public record at both the time of the offense and following the Court Trial in that they were highly publicized in the local newspaper.
12. Judge Nickerson further states that despite the publicity which appeared in the local newspaper immediately following her arrest on the traffic charges and the outcome of the subsequent court trial, Judge Nickerson was reelected to the Orphans Court for Kent County in the 2018 Gubernatorial Election by a majority of the voters in Kent County Maryland and was sworn into office December 3, 2018.
13. Judge Nickerson further states that the incident and her conduct are isolated and not a pattern or routine behavior. This is the first time she has ever been charged with offenses such as this in 31 years of being a licensed driver in the State of Maryland.
14. Judge Nickerson is extremely remorseful for the negative and unflattering attention that this has brought to herself personally and especially professionally as a member of the

Maryland Judiciary, and is extremely remorseful for being an embarrassment to colleagues on the bench.

15. Judge Nickerson would consent to an appropriate reprimand as determined by the Commission.
16. Judge Nickerson would consent to a private reprimand and would agree to make that fact known to the public. A private reprimand would be appropriate in this case because the conduct was not so serious, offense, or repeated as to warrant formal proceedings and therefore, a private reprimand is the appropriate disposition under the circumstances of the sanctionable conduct.
17. Judge Nickerson would further ask for a private reprimand ask that she be permitted to maintain her seat on the Orphans Court for Kent County. In the recent 2018 election, there were 4 candidates for 3 seats. The voters in Kent County were fully aware of the details of this case due to the publicity in the local newspaper on the offense date of March 9, 2018 and the outcome of the Court Trial in the District Court for Kent County Maryland on July 18, 2018 and despite those facts, the voters in Kent County chose to reelect her to this position.
18. In further support of a private reprimand, Judge Nickerson has been extremely apologetic and remorseful for her actions and has been forthcoming to any member of the general public and her colleagues regarding her conduct on March 9, 2018. She has never tried to hide these charges from anyone and has spoken open, honestly and directly to any person who asks about the charges and trial dispositions. She further states that she disclosed the incident and subsequent charges directly to her colleagues 2 after she was charged, taking

responsibility for her situation and directly apologizing to the 2 other Kent County Orphans Court Judges.

19. If the commission feels that a public reprimand is more appropriate, Judge Nickerson, consistent with her position on a private reprimand made public, would also consent to a public reprimand.

THEREFORE, having filed this response to the charges, Judge Nickerson prays:

- A. That the Maryland Commission on Judicial Disabilities issue a appropriate reprimand in this case and,
- B. For such other relief as the Commission determines is appropriate.

Respectfully submitted,

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Amy L. Nickerson

#### CERTIFICATE OF SERVICE

I hereby certify on this 12<sup>th</sup> day of December, 2018 that I mailed 1 original and 11 copies of this response to

Kendra Randall Jolivet, Esq.  
Executive Secretary  
Commission on Judicial Disabilities  
P.O. Box 340  
Linthicum Heights, MD 21090-9380

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Amy L. Nickerson