



Candidate Questionnaire 2011
JUDICIAL POSITIONS

Name: Marsha Kumble Simms Office sought: NLV Muni Court Judge

1. Please rate your judicial philosophy on a scale of 1 to 10, with "strict constructionism"¹ being a "1" and "noninterpretivism"² being a "10". 1 2 3 4 5 6 7 8 9 10
2. Which of the current justices of the United States Supreme Court most closely reflects your judicial philosophy?
I will follow the laws as written by the legislature and NV Sup Ct.
 Alito Breyer Ginsburg Kennedy Roberts Scalia Sotomayor Kagan Thomas
3. Do you believe that few, if any restrictions should be placed on a citizen's right to engage in peaceful political and religious free speech activities in public places such as sidewalks?
I will enforce the laws as written by Congress, state legis, and local ordinances.
 Yes No Undecided
4. Do you believe that there is a constitutional right to assisted suicide, euthanasia, or other affirmative or deliberate acts or omissions, which end life, other than to permit the natural process of dying?
Nevada prohibits assisted suicide via common law. ~~Yes~~ Undecided
5. Do you believe that a judge has the right to display the Ten Commandments in his or her courtroom?
A Judge must follow the law. The US Supreme Court ruled this is a violation of church/state. ~~Yes~~ Undecided
6. The Declaration of Independence states that, "all men are endowed by their Creator with certain unalienable Rights, that among these are Life..." Do you believe that it is the proper role of government and the courts to protect the life of the weaker among us including the pre-born, the handicapped, and the elderly?
 Yes No Undecided

-- Continue on reverse side--

7. In *Roe v. Wade*, 410 U.S. 113 (1973), the United States Supreme Court recognized a right to abortion under the United States Constitution. Do you agree with the *Roe* decision, which recognizes a constitutional right to abortion?

As a judge I will enforce the law as written. Yes No Undecided

8. Do you believe that police traffic stops for purposes such as checking insurance is a proper means of enforcing the law.

NO, in order for administrative stops to be used the government must show compelling reason. You must evaluate every case. Yes No Undecided

9. In *Lawrence v. Texas*, 539 U.S. 558 (2003), the United States Supreme Court recognized a right to homosexual sexual relations under the United States Constitution. Do you agree with the *Lawrence* decision, which recognizes a constitutional right to homosexual sexual relationships?

I would enforce the law as written. my personal belief cannot influence my judicial decisions. Yes No Undecided

10. In *Kelo v. City of New London*, 126 S. Ct. 2655 (2005), the United States Supreme Court ruled that a governmental entity's use of eminent domain powers to take private property for economic development purposes did not violate the Fifth Amendment to the United States Constitution. Do you agree with the *Kelo* decision, which recognizes that governmental entities can constitutionally take private property for economic development purposes?

I don't agree; but I would enforce the law as written. Yes No Undecided

11. Should a standard of decency be established that would limit sexually explicit displays in outdoor advertising?

Each community must determine this and I would follow the law. Yes No Undecided

12. Do you believe that "Hate Crime" legislation is fundamentally unfair to victims as it deems some victims more important than others and that "Hate Crime" laws penalize thoughts instead of actions, leaving a chilling effect on free speech by making unpopular ideas a basis for harsher treatment in criminal proceedings?

I would enforce the law regardless of my personal beliefs. Yes No Undecided

13. Should Islamic Sharia Law be allowed to be considered when applying local, state or federal statutes to parties who are Muslim?

I would enforce the law as written. Yes No Undecided

In addition to endorsements, NCC will be publishing a voter guide, which will include your answers to the above questions. I agree do not agree to have my answers published.

Questionnaire completed by candidate. Questionnaire completed by staff.


Signature

2/17/11
Date

¹ "strict constructionism, n. The doctrinal view of judicial construction holding that judges should interpret a document or statute according to its literal terms, without looking to other sources to ascertain the meaning." *Blacks Law Dictionary* (8th ed. 2004).

² "noninterpretivism, n. In constitutional interpretation, the doctrine holding that judges are not confined to the constitutions text or preratification history but may instead look to evolving social norms and values as the basis for constitutional judgements." *Blacks Law Dictionary* (8th ed. 2004).