

CITIZENS UNION CANDIDATE QUESTIONNAIRE
SURROGATE'S COURT
PRIMARY ELECTION 2007

Citizens Union would appreciate your response to the following questions related to the structure, function and role of the Surrogate's Court. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates running for the office in order to determine our "Preferred Candidate" for the Primary Election in the Brooklyn Surrogate's Court race

We plan to make responses to this questionnaire public in our website and in other appropriate venues.

We thank you very much for your response.

CandidateName: Shawn Dya Luisa Simpson Age: 41

Campaign Address: Committee to Elect Simpson for Surrogate 165 Court Street,
Box 211, Brooklyn, NY 11201

Campaign Telephone Number: (718) 852-6699 Fax: ()

Campaign Manager Name: Jake Walthout Party Affiliation(s): Democratic

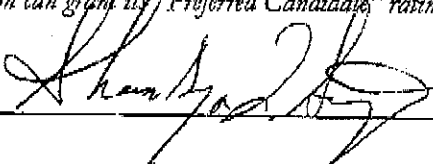
Website&Email: www.simpson4surrogate.com info@Simpson4Surrogate.com

Education: BS, 1987, University of Pittsburgh JD, 1990, University of Pittsburgh

Occupation/Employer (or years in currently held elected office): I am currently serving year
four of a ten year term as Judge of the Civil Court in New York City. I was elected in Kings
County and currently sit in Manhattan Criminal Court

Previous Offices and Campaigns: Assistant District Attorney Kings County 10/96 - 12/03;
Court Attorney, Civil Court Judge 1/96 - 8/96; Assistant Attorney General New York State 6/94
- 4/95; Assistant District Attorney Kings County 1/91 -6/94

Are you willing to be interviewed by CU's Local Candidates Committee? YES X NO
(Please note: Citizens Union can grant its "Preferred Candidate" rating only to candidates we have interviewed.)

Signature of Candidate:  Date of Response: 9-7-07

1. What qualifications do you possess that make you particularly well suited to handle the responsibilities of a Surrogate's Court judge?

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In my opinion, developed through discussions with attorneys, legal advocates and peers, judges are held to very high standards across a number of categories. I focus on bringing six career defining judicial qualities to the bench. They are as follows:

- Legal knowledge expertise in the relevant field of law and command of the legal process.
- Work ethic diligent and committed to the study of law and its processes and to working expeditiously and effectively.
- Temperament/respect for others willingness and ability to listen to all participants in the legal process to get an understanding of their view point and to treat all with dignity and respect.
- Administrative/management ability optimum effectiveness and efficiency in carrying out administrative task and responsibilities.
- Creativity the bench is the center of an organization that can have an impact on an entire community through community involvement and outreach.
- Leadership taking an active role in directing and making a difference by inspiring the thoughts, actions and perceptions of all participants in the legal process

2. What are the biggest problems, if any, confronting the Surrogate's Court, and how would you address them? What are your views as to the adequacy of the resources the Surrogate's Court has to handle the caseload set before it?

Improving the quality of service and ridding the system of the improprieties and cronyism that has plagued the Surrogate's Court are the two biggest problems

I will improve the quality of service and address cronyism by implementing the following:

-Assigned Counsel Plan- Counsel rotations, rather than have one attorney for the Public Administrator. I would like an open door policy, which would allow more attorneys to participate in the process. An open door policy would allow attorneys to submit a proposal or application to work on behalf of litigants within the Surrogate Court, creating competition and a merit based selection. A panel consisting of the Surrogate staff would participate in the selection process. During this process of selecting attorneys, great sensitivity will be applied to identifying conflicts of interest. As stated, an attorney's selection will be based on merit as opposed to political connection.

I believe that an assigned counsel plan would increase the resources of the court in handling its caseload.

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I will expedite the process of rendering legal decisions by setting specific time frames by which they must be completed and provided to the litigants. I will also implement a system by which such information may be reported and audited to account for its progress. I am advised that currently, there is a back log of decisions for the Kings County Surrogate Court. Given the Kings County Surrogate Court's history, the moral of the staff needs to be increased. I will speak to the staff, particularly people who have been in the Surrogate Court for years on necessary changes that must be made to effectively expedite cases and to improve the quality of service to the litigants. My objective and end is for the Kings County Surrogate Court to be viewed by all as a Court of competency, efficiency, justice, integrity and fairness.

3. What legislative and administrative changes would you make, if any, to improve the functioning of the court system?

As discussed above, I would implement an Assigned Counsel Plan. As also discussed, I would set specific deadlines by which decisions must be issued and provide a system for the court to account and report for the progress of this system. I would also have a website for the Kings County Surrogate Court with immediate access to court information (New York County and Queens County have existing websites). This site should include forms, schedules, records, fee, procedures, historical information, phone numbers and department information.

Also, Kings county auctions from the Surrogate are placed in the New York Times in back of the want ads. It appears that the auctions for Queens County and NY County are more visible. I will place such notice of the auctions in numerous papers.

I will also include community outreach by devising a program that will have attorneys participate in educating the community of Brooklyn about the Surrogate Court and the necessity of estate planning. The Court will provide *pro bono* opportunities for attorneys to assist indigent and special needs populations with wills and estate matters.

4 Do you favor a more open, transparent, and less party leadership driven process for party nomination of judicial candidates, including a qualified screening panel? Do you support a merit-based commission appointment system? Do you support the open election of judges?

I support open primaries for Supreme Court Judges. I also support a more open, transparent, and less party leadership driven process for party nomination of judicial candidates, including a qualified screening panel.

Specifically, there should be a uniform application for candidates with input from various Bar Associations. I believe that there should be no more than three screening panels. The

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screening panels should consist of a Bar association panel with representatives from various associations, an Office of Court Administration screening panel and the political party screening panel.

There should be a review of the Board of Election's independence, oversight powers and enforcement activities.

It is critical that there be oversight and evaluation of "clubhouse" involvement in judicial selection process.

5. What is your position on whether judicial candidates should be able to discuss views on issues that may come before them once elected?

I do not believe that Judges should discuss or make their views known on matters and issues that come before them. I believe that this would compromise the judicial system because each case should be viewed with a fresh eye. The focus of the proceedings should not be on a judges view point, but on the facts and what is required by law

6. What are your views on the electronic filing of court documents and the effects of this on the Surrogate's Court system?

I believe there should be a test pilot of the electronic filing system for the Surrogate Court since it may serve to expedite the proceedings. However, I do not believe that it should be the exclusive mode of filing at this time since it could adversely impact small firms and solo practitioners who have complained that the system would not complement their practice

7. What are your views on the current system for how judges finance their campaigns?

Would you support public financing of judicial campaigns?

Yes, I would support public financing of judicial campaigns.

There should also be strict campaign finance rules that prevent conflicts of interest and identify and disclose in-kind contributions.

The Department of Taxation and Finance should insert itself into the election process to control the illegal and unethical movement of monies in campaigns.

More importantly, in the campaign finance rules, candidates should identify and disclose "in kind" contributions. Specifically, sitting Judges should not be allowed to take things of value for free. Although, candidates may think nothing of this "kindness", the "giver" may have a sense of entitlement and this in and of itself has the appearance of impropriety. The public's confidence in the court system is diminished by these practices. It is also troubling that a candidate can take funds from their own campaign committee to finance another candidate's

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campaign. Both parties should be required to report these types of contributions or the commingling of funds between candidates should be prohibited.

8. Would you support an obligatory pledge by elected judges not to appoint lawyers who contributed to their campaigns?

No

9. What is your view on the guardianship rules promulgated by the Office of Court Administration several years ago, particularly efforts to establish more precise procedures and limitations in the making of appointments?

I believe that as long as the appointments are made based on merit and provide litigants with competent counsel, with no conflict of interest, the rules may be effective in meeting the needs of the system.

10. What is your plan to avoid improprieties and cronyism that has plagued the Surrogate's Court in the past?

I intend to implement an Assigned Counsel Plan as discussed above and to ensure that any appointments or assignments are made based on merit and not political connection.

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Additional Comments:

All little girls have dreams. Some want to be famous. Some want to be married. Some want to be wealthy. As a little girl, I too had dreams that served less as a motivation but rather an escape from the circumstances of an impoverished life. There were many days when the daily realities of growing up in Brooklyn public housing with a single parent seemed like my fate. Those were cold and dark times for a mother and her two little girls in Brooklyn. Thankfully, there were people who cared and provided the warmth and light we needed to preserve. As I reflected back in time relative to my life today, I was right all along. This was my fate...and the foundation for a life dedicated to reaching back and helping others.

Poverty is painful. And people in pain often reach a threshold that inspires them to find a way to alleviate the suffering. Some resort to lying while others resort to stealing. You never know what you might do until you feel the pain. My ethics and moral character were tested over the years. I am extremely proud that my moral fabric is impenetrable. Given the current climate of distrust, I believe that more weight should be given to integrity than any other quality. Without public confidence in our governmental institutions, especially the judiciary which has been traditionally viewed as sacred, society will hit a slippery slope of anarchy. If citizens view the law as being unfairly applied or interpreted, they will take justice into their own hands. I have the ability to adjudicate without prejudice and uphold the highest ethical standards.

Poverty can be demoralizing and leave scars of anger and distrust. As such I know the feelings of helplessness. I also know that the application of humility can heal such wounds and relationships. Even if a person is not granted their wish, being treated with respect can make a positive difference in their perceptions of the judiciary and whether justice was rendered. As a Judge, I have upheld my responsibility to adjudicate within the confines of the law. Moreover, I have executed my responsibility in a way that preserves the dignity of all participants in the legal process and demonstrates concern for the relationship these participants have with the judiciary. I possess the requisite measure of humbleness to use my position on the bench to be a positive voice.