



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Brooklyn Supreme Court Justice with Alzheimer's To Retire

Supreme Court Justice ShawnDya L. Simpson (Kings County) has agreed to leave office as the result of a retirement proceeding initiated by the New York State Commission on Judicial Conduct. She also agreed never to seek or accept judicial office in the future. The Commission accepted a stipulation to that effect signed by the judge, her attorneys and the Commission's Administrator, and she has notified court officials that she will formally retire on October 31, 2020¹.

Judge Simpson was apprised in October 2019 that the Commission was investigating complaints against her alleging (1) that her demeanor toward litigants, lawyers and others had become erratic and at times intemperate, and (2) that she was frequently absent from court, arriving very late or leaving very early, or not arriving at all, despite the fact that she was scheduled to preside.

In the course of its investigation, the Commission learned that Judge Simpson was suffering from Alzheimer's Disease, which had reached an advanced stage uncommon for someone of her age. (She is in her mid-fifties.) Her medical records indicated that she had not been diagnosed with the disease at the time of the incidents the Commission was originally investigating.

¹ The Stipulation was signed on July 31, 2020. The Commission accepted it and issued an order closing the matter on August 6, 2020.

Judge Simpson was served with a Formal Written Complaint dated March 27, 2020, containing one charge: that she should be retired from judicial office for a medical disability. She waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it and closing the case would be public.

Judge Simpson has been a Justice of the Supreme Court, 2nd Judicial District, Kings County, since 2017. She previously served as a Judge of the New York City Civil Court, Kings County, from 2004 through 2016. Her current term would have expired on December 31, 2030. Most recently the judge had been assigned to serve in Bronx County.

The stipulation and the Commission's order closing the case can be found on the Commission's website: www.cjc.ny.gov.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“This is as sad a situation as I have encountered in over 40 years of judicial ethics enforcement. The Commission sought to balance its responsibility to ensure public confidence in a capable judiciary with compassion for Judge Simpson and her family over her heartbreaking Alzheimer's diagnosis. We wish her well in retirement and hope her example makes people more aware of how to recognize and cope with this insidious disease.”

Joint Statement in the Stipulation by the Commission Administrator and the Judge's Attorneys

In the stipulation that concluded this matter, the Commission Administrator (Robert H. Tembeckjian) and the Judge's attorneys (Michael S. Ross and Deborah A. Scalise) made the following statement:

“Both the Administrator and the attorneys for Respondent appreciate the enormous emotional impact a diagnosis of Alzheimer's Disease can have on an individual, a family, and a community of personal friends and professional colleagues, especially where, as here, the disease has already reached an advanced stage in the life of a relatively young and highly accomplished individual. The signatories hope that Respondent and her family will share years of enjoyment in her retirement, that further progression of the disease will be slowed by application of the best available science, and that her legacy will be burnished by her fortitude in

revealing her condition and the degree to which this action might de-stigmatize Alzheimer's Disease and inspire others to learn more about how to recognize and cope with it."

Statistics Relating to Prior Commission Decisions

The Commission has accepted 94 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 274 determinations of admonition against judges in New York State, 334 determinations of censure and 175 determinations of removal.

The Court of Appeals has reviewed 100 Commission determinations. The Court accepted the Commission's sanctions in 84 cases (75 of which were removals, six were censures and three were admonitions). Of the remaining 16 cases, two sanctions were increased from censure to removal, and 13 were reduced: nine removal determinations were modified to censure, one removal was modified to admonition, two censures were modified to admonition, and one censure was rejected and the charges dismissed. The Court remitted one matter to the Commission for further proceedings. One request for review is pending.

Counsel

In the proceedings before the Commission Judge Simpson was represented by Michael S. Ross, Esq., One Grand Central Place, 60 E. 42nd Street, 47th Floor, New York, New York 10165 (212) 505-4060; and Deborah A. Scalise, of Scalise & Hamilton, PC., 670 White Plains Road, Suite 325, Scarsdale, New York 10583, (914) 725-2801.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; Mark Levine, Deputy Administrator in Charge of the New York City office; and Staff Attorney Daniel W. Davis. Investigator Drew Zagami was assigned to the case.

Background Information on Judge Simpson

Civil Court Term in Office:	2004-2016
First Took Office (Supreme Court):	2017
Current Term Expires:	December 31, 2030

Members of the Commission

The Commission members serve four-year terms. A list of members is appended.

The Public File

The stipulation and order are attached. They are also available for inspection during regular business hours at the Commission's three offices:

61 Broadway Suite 1200 New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Suite 700 Rochester, New York 14604
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MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Joseph W. Belluck, Esq., Chair	Governor Andrew M. Cuomo	March 31, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
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Paul B. Harding, Esq.	Former Assembly Minority Leader Brian M. Kolb	March 31, 2021
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
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Hon. Angela M. Mazzairelli	Chief Judge Janet DiFiore	March 31, 2022
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