



# VOTER GUIDE: JUDICIAL

New York City | Judicial Races in Brooklyn  
*Primary Day: June 22, 2021*

## About this Voter Guide

New Kings Democrats (“NKD”) developed this voter guide to help inform Brooklynites about the 2021 Judicial primary races. It includes information about the four races in Brooklyn and the candidates that will vie for the Democratic nod on the June 22, 2021 primary.

This guide includes a brief description of Surrogate and Civil Courts, how judges are elected, and the ways in which the Brooklyn Democratic Party holds sway over judicial elections. Information about the candidates are from publicly available records as well as from responses to a questionnaire NKD sent to all candidates.

A note about the judicial race for the June 2021 primary: because the judgeships are considered state-level positions, voters will NOT choose these candidates through ranked-choice voting.

## About New Kings Democrats

NKD is a progressive, grassroots political organization committed to bringing transparency, accountability, and inclusionary democracy to the Brooklyn Democratic Party. Founded by veterans of the Obama campaign, it is a borough-wide political organization that helps people seeking to become more engaged in local politics, and hopes to nurture a new generation of elected Brooklyn Democratic leaders.

As of the date of publication, NKD has not endorsed any candidate for judicial office in 2021.

Please e-mail [politics@newkingsdemocrats.com](mailto:politics@newkingsdemocrats.com) to learn more about our work.

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## About Judicial Elections

Three courts in New York City have elected judges: the Supreme Court of New York State, Surrogate's Court, and the Civil Court of New York City. Other courts are presided over by appointed judges. **Judicial candidates cannot speak to how they might rule in any matter.** Sitting judges are also forbidden from participating in political activities. These rules are intended to depoliticize the judiciary, but often drive judicial candidates to depend on buy-in from the political establishment, and lead to a lack of understanding of the candidates and their intended roles by the general public. The system benefits those with insider information.

### Civil Court and Surrogate Court Judicial Candidates

A judicial candidate for Civil Court or Surrogate's Court must have practiced law in New York State for 10 years. To run for a seat, they must gather a minimum of 4,000 signatures for countywide positions, or 1,500 for a district-level seat, from the public and submit to the Board of Elections in order to appear on the primary ballot.

Typically, judicial candidates will go before the Kings County (Brooklyn) Democratic County Committee ("KCDCC" or "the Party"), which convenes a judicial screening panel each election cycle to assess the qualifications of judicial candidates. The Party's Executive Committee may only endorse candidates that are deemed qualified by the screening panel; however, civil and surrogate judge candidates are not required to go before the Party's screening panel and can still run even if the panel finds them unqualified. Several other bar associations and legal organizations, such as the Brooklyn Bar and NYC Bar, conduct independent screenings.

### Supreme Court Judicial Candidates and Judicial Delegates

Unlike Civil Court and Surrogate's Court, New York State (NYS) Supreme Court candidates do not appear on the Primary ballot. Instead, candidates for NYS Supreme Court appear on the general election ballot following a nominating convention. The nominating convention is made up of Judicial Delegates who are selected by voters.

In the Primary, Democratic voters elect a slate of Judicial Delegates (and Alternates) to represent their Assembly District. (There are 21 Assembly Districts in Brooklyn.) Judicial Delegate candidates petition to be on the ballot, but only appear on it if there are more candidates than delegate seats. Elected Judicial Delegates then attend a Judicial Nominating Convention held between the Primary and general elections. At the Judicial Nominating Convention, delegates vote on which Democratic Party candidates to nominate for any Supreme Court vacancies.

**However, that judicial convention is mostly superficial.** Judicial Delegates "rubber stamp" candidates already chosen by the Party's Executive Committee. Frequently, delegates are given **no choice of candidates** at the Convention. See this [informative video](#) on the problematic, Party-driven process from community members in Assembly District 50 in north Brooklyn.

## Connection to the Brooklyn Democratic Party

The system for electing judges is heavily influenced by political party County Committees (for example, the KCDCC here in Brooklyn), including the Party's leadership, both through law and custom. The Party's Executive Committee benefits from its grip on judicial elections in multiple ways: it can give the Party sway over the employment of court staff and appointment of court-ordered financial guardians, and incentivizes judicial candidates to make monetary contributions to Party campaign accounts. Judicial candidates are more dependent on this kind of institutional support to run their campaigns than are candidates for other offices such as State Senate or City Council, since they can't speak to how they might rule in any manner and are forbidden to participate in political activities.

*For additional information about Judicial Elections, including information on the Supreme Court and Surrogate's Court, see our 2019 guide, ["A Fair Shot: The County Party and Judicial Elections in Brooklyn"](#)*

## Kings County Surrogate's Court

The Surrogate's Court hears cases involving affairs of the deceased, including the probate of wills such as transferring a property's title from the person who has died to the person's heirs, paying of any taxes owed by the deceased person, determining the validity of a will, or settling any disputes related to a will. The Court also handles family trusts, adoptions, and guardianships.

The Surrogate's Court is a state entity. Each county has one surrogate, except for New York (Manhattan) and Kings (Brooklyn) Counties, which have two each. Races are infrequent for the seat, as terms are 14 years long. If a Surrogate reaches the mandatory retirement age of 70 before their term is up, an election is held in their last year in office to determine their replacement.

## The Candidates

This race is countywide and will appear on all Brooklyn ballots. Names appear in alphabetical order.

*\*An asterisk indicates that the candidate did not complete NKD's questionnaire.*

### Rosemarie Montalbano

**Current position:** Justice of the Supreme Court of Kings County

**About:** "I have dedicated my entire career, 30 years to public service...I am presently a Supreme Court Justice, Civil Term."



**Endorsement highlights:** Congress Member Nydia Velazquez, Congress Member Carolyn Maloney, Senator Julia Salazar, Independent Neighborhood Democrats, Central Brooklyn Independent Democrats, Liberal Democratic Club, North Brooklyn Progressive Democrats, LAMBDA Independent Democrats of Brooklyn, LGBT Bar Association of Greater NY

#### Highlights from NKD questionnaire:

[Link to Montalbano's NKD questionnaire](#)

- On making the judicial election process more accessible: "I am running on experience and qualifications but reaching voters in a judicial race is very difficult, time consuming and expensive...The system can be improved by requiring candidates to make their qualifications and experience public and accessible."
- Judge Montalbano published her completed bar questionnaires: "I was found qualified by Kings County Democratic Screening committee and highly qualified by LeGal/LGBTQ Bar judicial screening committee."
- On what she plans to accomplish: "Encourage that the Public Administrator's office operates like a city agency, with limitations, regulations, checks and balances."

**Learn more:** [www.montalbanoforsurrogate.com](http://www.montalbanoforsurrogate.com)

**Twitter:** [@Montalbano2021](https://twitter.com/Montalbano2021)

## KINGS COUNTY SURROGATE'S COURT, continued

### Dweynie Paul\*

**Current position:** Kings County Civil Court Judge, Queens County Family Court

**Endorsement highlights:** The Brooklyn Democratic Party, Senator Kevin Parker, Congresswoman Yvette D. Clark, Senator Roxanne J. Persaud, Vanguard Independent Democratic Association, United Federation of Teachers

**Learn more:** [paulforsurrogate2021.com](http://paulforsurrogate2021.com)



## New York City Civil Court: Kings County and Municipal Court Districts

The Civil Court of the City of New York handles lawsuits involving monetary claims for damages up to \$25,000. For example, if a dry cleaner destroys \$500 worth of your clothes, you can sue them in Civil Court to try to recoup the loss. The New York City Civil Court consists of three parts: General Civil, Housing, and Small Claims.

The Civil Court is a citywide entity split into five divisions, each of which corresponds to a different borough. Brooklyn has 38 Civil Court seats; some of these seats represent municipal districts within the borough, while some are countywide. All Civil Court judges perform the same role, regardless of whether they were elected by residents of the entire borough or those in a specific municipal district. Once elected to Civil Court, a judge may be assigned to serve on a different court, such as criminal or family. Experienced civil court judges often also serve as acting Supreme Court judges.

Civil Court judges are elected to 10-year terms and candidates for Civil Court seats may live anywhere in New York City. Like the Surrogate Court, the mandatory retirement age is 70.

## The Candidates: Kings County Civil Court

This election is countywide and will appear on all Brooklyn ballots. For the June 22 Primary, there are three available seats. However, only one of the seats is being contested (i.e., multiple individuals petitioned for that seat). Voters will therefore only select one candidate to fill this one contested seat. The other two candidates will automatically appear on the November general election ballots, bypassing the Primary, since no one else petitioned for these civil court seats.

*\*An asterisk indicates that the candidate did not complete NKD's questionnaire.*

### Sharen D. Hudson, *incumbent\**

**Current positions:** Kings County New York City Civil Court, Misdemeanor Brooklyn Treatment Court, New York State Supreme Court, Criminal Court of the City of New York, Kings County

**Endorsement highlights:** The Brooklyn Democratic Party

**Learn more:** no website

*Candidate will not appear on the ballot; they are the only candidate for this seat.*



## KINGS COUNTY CIVIL COURT, continued

### Heela Capell\*

**Current positions:** Civil Court of the City of New York, New York County-Housing Part

**Learn more:** [www.heelaforcivilcourt.com](http://www.heelaforcivilcourt.com)

**Endorsement highlights:** The Brooklyn Democratic Party, Independent Neighborhood Democrats, Central Brooklyn Independent Democrats, Shirley Chisholm Democratic Club, LGBT Bar Association of Greater NY, LAMBDA Independent Democrats

*Candidate will not appear on the ballot; they are the only candidate for this seat.*



### Charles Finkelstein\*

**Current positions:** Private Criminal Defense Attorney

**Endorsement highlights:** The Jewish Press, NY State Court Officers Association

**Learn more:** [FinkelsteinDefenseFirm.com](http://FinkelsteinDefenseFirm.com)



### Inga O'neale

**Current position:** Principal Law Clerk to Supreme Court Judge at Kings County Supreme Court, Civil Term

**About:** “For almost 19 years, I have worked as an attorney in the court system...I have dedicated my entire career to serving the public appearing before the court...I was presented with the Employee of the Year Award for Chambers staff in 2017. In addition to my legal experience, I have been involved in community service organizations, mentoring the youth, as well as, participating in Warrant Forgiveness and Know Your Rights programs.”



**Endorsement highlights:** City Council Member Laurie Cumbo, District Leader Josue Pierre, District Leader Ari Kagan, the Brooklyn Democratic Party, Senator Roxanne Persaud, Vanguard Independent Democratic Associations, LAMBDA Independent Democrats of Brooklyn

## KINGS COUNTY CIVIL COURT, continued

### Highlights from NKD questionnaire:

[Link to O'neale's NKD questionnaire](#)

- “[If elected], I would continue to be involved in the community so that I would always remain grounded and sensitive to the issues that affect our local communities.”
- “Courts need to be cognizant of and sensitive to issues of institutionalized racism. Last year, the Judicial Friends Association issued a Report to the New York State Court’s Commission on Equal Justice in the Courts highlighting, among other things, the experiences of racism in the court system by court staff and litigants with recommendations on how to improve it....If elected as a judge, I would incorporate the recommendations in my courtroom.”
- “...as with any election, having more transparency is always helpful so that the voting public is equipped to make an informed decision. I believe that it is important to provide the general public with information regarding: the required qualifications for each position; the qualifications, experience and community involvement of the respective candidates...; the role of each court; and the vacancies available.”

Learn more: [www.ingaoneale4judge.com](http://www.ingaoneale4judge.com)

Twitter: [@Inga4Judge](https://twitter.com/Inga4Judge)

## Casilda Elena Roper-Simpson

**Current position:** Administrative Law Judge, New York State Office of Court Administration

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**About:** “As an [Administrative Law Judge], I conduct administrative hearings for disputes between applicants or recipients of social services and social service agencies. Consequently, most of the parties that come before me are pro-se litigants or represented litigants and attorneys representing the various social service agencies.”

**Endorsement highlights:** District Leader Anthony T. Jones, Black Law Enforcement Alliance, District Leader Shaquana Boykin, Haitian PowerHouse

### Highlights from NKD questionnaire responses:

[Link to Roper-Simpson's NKD questionnaire](#)

- On clients she has represented in previous roles: “For clients that I represented as Managing Attorney of a foster care agency, I handled matters including adoptions, termination of parental rights and neglect/abuse cases. For my private family law cases, I represented clients in matters ranging from child support disputes to custody matters.”

## KINGS COUNTY CIVIL COURT, continued

- “The courts can address institutionalized racism by ensuring that diverse justices are appointed throughout all levels of the justice system especially in policy-making positions...Moreover, courts can audit its justices to ensure that their decisions are based upon applying the law equally to all persons that come before them based upon relevant facts and not diversity-related factors.”
- On making the judicial electoral system more accountable: The system can be improved [by] hosting forums for the voters to meet and get to know their judicial candidates, which include inviting all judicial candidates without political bias or affiliation.”

**Learn more:** [ropersimpson4judge.com](http://ropersimpson4judge.com)

**Twitter:** [@cers4judge2021](https://twitter.com/cers4judge2021)

## Civil Court Municipal District: 2<sup>nd</sup> Municipal District

The residency requirements and roles for the Civil Court seats assigned to specific municipal districts are the same as residency requirements and roles for countywide seats. The only difference is that residents of a specific municipal district are allowed to vote in the election to fill that district's seat.

*\*An asterisk indicates that the candidate did not complete NKD's questionnaire.*

### The Candidates

#### Marva Brown

**Current position:** Staff Attorney, The Legal Aid Society

**About:** "My clients are indigent persons from all communities in Brooklyn...[I have] extensive litigation experience where I have argued cases and anticipated the arguments of opposing counsel which makes me uniquely prepared to take on the role as decision-maker in the courtroom."



**Endorsement highlights:** Working Families Party, Jim Owles Liberal Democratic Club, LAMBDA Independent Democrats of Brooklyn

#### Highlights from NKD questionnaire responses:

[Link to Brown's NKD questionnaire](#)

- More on her experience: "15 years spent representing the legal system's most vulnerable, giving a voice to the voiceless, holding police accountable for what they do in our communities, protecting the rights of those involved in the system, and offering services to those in need - leading to an enhance insight, empathy, and understanding of our community."
- "The Office of Court Administration has to first acknowledge that there are injustices occurring in the courts daily and make a concerted effort to root out the perpetrators of those injustices. Stakeholders in the court who are perpetuating institutionalized racism must be called out, be given the opportunity to undergo anti-bias training and modify their behavior, and if they do not, they must be removed."
- "Judicial candidates should not be political or beholden to any political entity and where a political entity can put a candidate on the ballot, there is no transparency or accountability to the voting public. As a result, the candidate becomes beholden to the whims of the party and the influence of politicians who have agendas, not necessarily an interest in justice. The system can be improved by taking politics out of the judicial election process and starting all candidates on an equal footing and letting the public decide who is the best candidate."

**Learn more:** [www.marvaforjudge.com](http://www.marvaforjudge.com)

**Instagram:** [@marva4judge2021](https://www.instagram.com/marva4judge2021)

## 2<sup>ND</sup> MUNICIPAL DISTRICT, continued

### Lisa Lewis

**Current position:** Staff Attorney, DC37 Municipal Employees Legal Services

**About:** “I currently represent DC37 union employees and retirees in matrimonial proceedings...I have been a practicing attorney for more than 25 years and most of the people I represented would not have been able to afford an attorney...After law school I was an attorney with the Legal Aid Society where I represented low income litigants in civil and criminal court...I also volunteer in Housing Court where I represent tenants in holdovers and nonpayments.”



**Endorsement highlights:** Vanguard Independent Democratic Associations, DC37 AFSCME

**Highlights from NKD questionnaire responses:**

[Link to Lewis's NKD questionnaire](#)

- “If elected I would continue my community service work with young people. I would invite young people into the courtroom to learn about the rehabilitative aspects of the court and begin a conversation about what they would do to create a less punitive judicial system. Second, I would increase efficiency so cases do not languish in the courts.”
- “Implicit biases impact decision making more than people think. Attorneys and judges need to understand the needs and concerns of the communities we represent. The judicial system must constantly evaluate our implicit biases and increase diversity on the bench and the bar to represent the communities... accomplished through programming about how to become a judge in black and hispanic bar associations and internships for minority law students. I would increase mentorship programs for high school and college students. In addition, I would speak to middle school student to increase their interest...Lack of access to attorneys and judges is a significant barrier to diversity in the bar and the bench.”
- On improving transparency in this process: “I would like to see more people informed about who is elected to the bench. Voters must do their own independent research about judges. Unfortunately, the current voter guides do not include judges. However, I think a voters guide for judges would benefit voters.”

**Learn more:** [www.lewisforjudge2021.com](http://www.lewisforjudge2021.com)

**Twitter:** [@Lewis4Judge2021](https://twitter.com/Lewis4Judge2021)

## 2<sup>ND</sup> MUNICIPAL DISTRICT, continued

### Lola (L.O.) Waterman

**Current position:** Principal Law Clerk, Kings County Supreme Court

**About:** “I have been appointed in Civil, Supreme, and Surrogate Courts as court evaluator, guardian ad litem, counsel to the alleged incapacitated person, referee, guardian, and trustee.”



**Endorsement highlights:** District Leader Walter Mosley, LAMBDA Independent Democrats of Brooklyn

**Highlights from NKD questionnaire responses:**

[Link to Waterman's NKD questionnaire](#)

- “A diverse bench is critical. This also extends to having diverse court personnel at every level of the court system. I believe diversity within the courts will help foster public trust and confidence in the judicial system.”
- “Other measures that could and should be taken within the courts [to address issues of institutionalized racism] include increasing diversity within the judicial nominating and screening panels process; implementing mandatory bias trainings and professional development programs for all court staff; addressing jurors’ bias; improving interpretation services; and including more judges of color in decision making process with the Office of Court Administration.”
- “...I do not have the backing of the Kings County Democratic Party. Instead, I have chosen to run a grassroots campaign and have been intentional about educating voters on the judicial election process and doing what I can with bringing more transparency and accountability to the election process.”
- “Judicial candidates are unable to participate in the NYC Campaign Finance Board’s Matching Funds Program....Funding would ensure that more qualified candidates can decide to run for judicial office, regardless of their access to wealth. It also helps with engaging voters. Public funding of judicial elections and preserving judicial impartiality are not mutually exclusive.”

**Learn more:** [lolawaterman.com](http://lolawaterman.com)

**Twitter:** [@lola4judge](https://twitter.com/lola4judge)

## Civil Court Municipal District: 7<sup>th</sup> Municipal District

The residency requirements and roles for the Civil Court seats assigned to specific municipal districts are the same as residency requirements and roles for countywide seats. The only difference is that residents of a specific municipal district are allowed to vote in the election to fill that district's seat.

*\*An asterisk indicates that the candidate did not complete NKD's questionnaire.*

### The Candidates

#### Keisha Alleyne\*

**Current position:** Corporate Litigator for Travelers Insurance, Co-Founder of Elite Vision Enterprise LLC, Cofounder of Collegiate M.I.N.D.S. Inc

**Endorsement highlights:** Congresswoman Yvette Clarke, Senator Kevin Parker, City Council Member Laurie Cumbo, City Council Member Alicka Ampry-Samuel

**Learn more:** [keishaalleyne.com](http://keishaalleyne.com)

**Twitter:** [@ElectKeisha](https://twitter.com/ElectKeisha)



#### Carmen Pacheco\*

**Current position:** Partner at Pacheco & Lugo, PLLC, Attorneys at Law

**Endorsement highlights:** Congress Member Nydia Velazquez, Assembly Member Emily Gallagher, Brooklyn Hispanic Chamber of Commerce, LAMBDA Independent Democrats of Brooklyn, East Brooklyn Democratic Club, Bushwick Williamsburg Democratic Club, District Leader Samuel Olivares, District Leader Julio Pena

**Learn more:** [www.pachecoforjudge.com/home.html](http://www.pachecoforjudge.com/home.html)

**Twitter:** [@pacheco4judge](https://twitter.com/pacheco4judge)

