

MICHAEL A. SIMONS

St. John's University School of Law
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ACADEMIC POSITIONS

St John's University, Queens, New York (1998-present)

Administrative Positions:

Dean, School of Law (2009-present)
Associate Dean for Faculty Scholarship, School of Law (2005-2008)

Academic Positions:

John V. Brennan Professor of Law & Ethics (2009-present)
Professor of Law (2003-2009)
Associate Professor of Law (2001-2003)
Assistant Professor of Law (1998-2001)

Courses:

Criminal Law, Evidence, Introduction to Law, Sentencing Seminar, Sentencing and Post-Conviction Relief, Prosecution Clinic

Awards:

University Outstanding Administrator Achievement Award (2013)
Professor of the Year, School of Law (2011, 2000)
Dean's Teaching Award, School of Law (2006, 2004, 2000)

University Committees:

University President's Cabinet (2011-present)
Provost Search Committee, Chair (2011-2012)
College of Pharmacy and Health Sciences Dean Search Committee (2013)
Executive Planning Committee (2009-present)
Provost's Council (2009-present)
Middle States Periodic Review Report Steering Committee (2010-2011)
Vincentian Mission Council (2000-2009)

Vincentian Center for Church & Society, St. John's University

Senior Fellow (2003-present)
Fellow (2001-2003)

Benjamin N. Cardozo School of Law, Yeshiva University, New York, New York

Visiting Professor (Spring 2009)
Visiting Adjunct Professor (Spring 2008, Spring 2003)

BAR/BRI Bar Review

Lecturer, Evidence and Criminal Law (2003-2009)

EDUCATION

Harvard Law School, J.D., *magna cum laude*, 1989

Harvard Law Review: Book Review and Commentary Office Co-Chair, 1988-89; Editor, 1987-88

Instructor, Legal Methods: Taught legal writing to first-year students, 1988-89 (with Professor David Wilkins); 1987-88 (with Professor Abram Chayes)

College of the Holy Cross, B.A. English, *magna cum laude*, 1986

SCHOLARSHIP

Scholarly Interests

Prosecutorial Decision-Making, Sentencing, Punishment Theory

Articles

Sense and Sentencing: Our Imprisonment Epidemic, 25 JOURNAL OF CIVIL RIGHTS AND ECONOMIC DEVELOPMENT 153 (2010)

Prosecutorial Discretion in the Shadow of Advisory Guidelines and Mandatory Minimums, 19 TEMPLE POLITICAL AND CIVIL RIGHTS LAW REVIEW 377 (2010)

Prosecutors as Punishment Theorists: Seeking Sentencing Justice, 16 GEORGE MASON LAW REVIEW 303 (2009)

Born Again on Death Row: Retribution, Remorse, and Religion, 43 CATHOLIC LAWYER 311 (2004)

Retribution for Rats: Cooperation, Punishment, and Atonement, 56 VANDERBILT LAW REVIEW 1 (2003)

Vicarious Snitching: Crime, Cooperation, and "Good Corporate Citizenship," 76 ST. JOHN'S LAW REVIEW 979 (2002)

Departing Ways: Uniformity, Disparity, and Cooperation in Federal Drug Sentences, 47 VILLANOVA LAW REVIEW 921 (2002)

Prosecutorial Discretion and Prosecution Guidelines: A Case Study in Controlling Federalization, 75 N.Y.U. LAW REVIEW 893 (2000)

Other Publications

Catholic Teaching, Catholic Values, and Catholic Voters: Reflections on "Forming Consciences For Faithful Citizenship," 47 JOURNAL OF CATHOLIC LEGAL STUDIES 205 (2008) (Symposium Introduction)

Talking Sense About Sentencing, NPR's Talking Justice Blog (January 2008)

A New Era for the Catholic Lawyer, 44 JOURNAL OF CATHOLIC LEGAL STUDIES (2005) (with Susan J. Stabile)

Perjury, in ENCYCLOPEDIA OF CRIME AND JUSTICE 1049 (2d ed., J. Dressler ed., 2001)

Ray Exercised Proper Discretion with Clinton, NEWSDAY, Jan. 22, 2001, at A3 (with John Q. Barrett)

Student Speech – Free Press in High Schools: Hazelwood School District v. Kuhlmeier, 102 HARVARD LAW REVIEW 271 (1988)

A Radical Intent (Review of M. Curtis, *No State Shall Abridge: The Fourteenth Amendment and the Bill of Rights*), 101 HARVARD LAW REVIEW 869 (1988)

Paper Presentations and Selected Speaking Engagements

The World is Here: Global Migration and Local Strategies, St. John's University, Vincentian Center for Church & Society (October 2010)

Celebrating the 40th Anniversary of Ronald H. Brown's Graduation from St. John's School of Law, St. John's University School of Law, Ronald H. Brown Center for Civil Rights and Economic Development (November 2009)

Examining Modern Approaches to Prosecutorial Discretion, Temple University School of Law, *Temple Journal of Political and Civil Rights* (October 2009)

Hon. Lawrence J. Finnegan, Jr. and Prof. Frank S. Polestino Memorial Seminar, Queens County Judges (November 2008, November 2006)

Prosecutors as Punishment Theorists, Hofstra University School of Law Faculty Workshop (January 2008)

Recent Developments in Criminal Evidence, New York State Judicial Institute (Winter 2008, Summer 2007, Winter 2007, Summer 2006)

Vincentian Chair of Social Justice Conference: The Just and Moral Society, St. John's University, Vincentian Center for Church & Society (October 2007)

Religion and Morality in the Public Square, St. John's University, *Journal of Legal Commentary* (March 2007) (Conference Co-Organizer)

The Jurisprudential Legacy of John Paul II, St. John's University, *Journal of Catholic Legal Studies* (March 2006) (Conference Co-Organizer)

Vincentian Chair of Social Justice Conference: Hope: Foundation of a Civilization of Love and Justice, Immigration Workshop, St. John's University, Vincentian Center for Church & Society (October 2005)

Seeking Justice at Sentencing: The Prosecutor's Changed Role Under Booker, St. John's University School of Law Faculty Colloquium (April 2005)

Seeking Justice: The Challenge of Prosecutorial Discretion in an Age of Fixed Sentences, St. John's University School of Law Faculty Colloquium (February 2004)

Vincentian Chair of Social Justice Conference: The Faces and Facets of 21st Century Poverty: Criminal Justice Workshop, St. John's University, Vincentian Center for Church & Society (October 2003)

Post 9/11 Race and War!: A Comparative Analysis of the Wars on Poverty, Drugs and Terrorism, St. John's University School of Law (February 2003)

Corporate Fraud in the 21st Century, Alexander Hamilton Inn of Court (November 2002)

The Role of the Professional, Enron and Its Aftermath, St. John's University School of Law (September 2002)

Departing Ways: Uniformity and Disparity in Federal Drug Sentences, New Voices on the War on Drugs, Villanova Law School (October 2001)

The Rules Are Changing! Federal Civil Practice Update, Nassau Academy of Law, Nassau County Bar Association (January 2001)

Litigation Updates: Federal Rules of Evidence, Association of the Bar of the City of New York (October 2000)

Experts in the Jury Room: Professional Jurors after People v. Maragh, Theodore Roosevelt American Inn of Court (October 2000)

Updates in the Federal Rules of Evidence, Association of the Bar of the City of New York (March 2000)

OTHER EMPLOYMENT

United States Attorney's Office, Southern District of New York

Assistant United States Attorney (1995-1998). Handled all aspects of federal criminal prosecutions, including conducting fraud, narcotics, and murder trials, and arguing appeals.

Significant Cases:

United States v. Daiwa Bank, 95 Cr. 914 (KMW) (prosecution of a Japanese bank and its officers for the cover-up of \$1.1 billion in unauthorized trading losses; \$340 million fine was one of the largest criminal fines in history)

United States v. Jeffrey Nichols, 928 F. Supp. 302 (S.D.N.Y. 1996), *aff'd*, 113 F.3d 1230 (2d Cir. 1997) (prosecution of one of the country's most notorious "deadbeat dads")

United States v. Torres, 140 F.3d 392 (2d Cir.), *cert. denied*, 525 U.S. 1042 (1998) (post-conviction challenge to high-profile 1977 homicide trial based on a terrorism bombing)

United States v. White, 165 F.3d 16 (2d Cir. 1998) (conviction of a U.S. Postal Service employee after trial for murder and armed robbery)

Awards:

Attorney General's Award for Distinguished Service, 1996

National Crime Victims' Service Award (Crime Victims' Fund Award), 1997

Stillman, Friedman & Shaw, New York, New York

Associate (1991-95). Handled criminal and civil litigation in state and federal courts.

The Washington Post, Washington, D.C.

Staff Attorney (1990-91). Handled First Amendment and access litigation in federal and local trial and appellate courts, conducted prepublication libel review, and acted as a general business lawyer.

The Honorable Louis F. Oberdorfer, United States District Judge, District of Columbia Law Clerk (1989-90)

MEMBERSHIPS

Admitted to bars of New York State, United States Courts of Appeals for the Second Circuit and the District of Columbia Circuit, United States District Courts for the Southern and Eastern Districts of New York

American Bar Association, New York State Bar Association, New York City Bar Association, Nassau County Bar Association, Federal Bar Council

PUBLIC SERVICE AND COMMUNITY SERVICE

New York City Mayor's Advisory Committee on the Judiciary, 2004-2005

Organizer, Catholic Middle School Mock Trial Program, St. John's University School of Law, 2006-present

Lecturer, Ronald H. Brown Center Summer Prep Program, St. John's University School of Law, 2007, 2012, 2013

Chair, Parish Transition Team, St. Brigid Parish, Westbury, New York 2012-present

Member, Pastoral Council, St. Brigid Parish, Westbury, New York, 2006-present

Parish Minister, St. Brigid Parish, Westbury, New York (Marriage Preparation and Baptism Preparation Programs), 2004-present

Mock Trial Coach, St. Brigid/Our Lady of Hope Regional School, Westbury, New York, 2006-2009

Co-Chair, Middle States Reaccreditation Steering Committee, St. Brigid/Our Lady of Hope Regional School, Westbury, New York, 2007-2009

Youth Coach, Carle Place Soccer Club, Carle Place, New York, 1999-2009

Youth Coach, Carle Place Little League, Carle Place, New York, 1999-2007

PERSONAL

Born November 22, 1964; married to Karen Moritz Simons; five children; live in Westbury, New York.

Web: <http://www.stjohns.edu/academics/graduate/law/faculty/profiles/MichaelASimons>