

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

TATIANA COFFINGER,

**AGREED
STATEMENT OF FACTS**

a Judge of the County, Family and Surrogate's Courts,
Hamilton County.

Subject to the approval of the Commission on Judicial Conduct

("Commission"):

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission, and the Honorable Tatiana Coffinger ("Respondent"), who is represented in this proceeding by William J. Dreyer, of Dreyer Boyajian, LLP, that further proceedings are waived and that the Commission shall make its determination upon the following facts, which shall constitute the entire record in lieu of a hearing.

1. Respondent was admitted to the practice of law in New York in 2001. She has been a Judge of the County, Family and Surrogate's Courts, Hamilton County, since 2020. Respondent's current term expires on December 31, 2030. Previously, she served as a Justice of the Indian Lake Town Court, Hamilton County, from July through December of 2018.

2. Respondent was served with a Formal Written Complaint dated December 7, 2021. She enters into this Agreed Statement of Facts in lieu of filing an Answer.

As to Charge I

3. In June 2019, during her campaign for election as judge of the County, Family and Surrogate's Courts in Hamilton County, respondent personally solicited contributions on behalf of a political organization on four separate occasions by posting on social media an invitation to a fundraising event on behalf of the Hamilton County Republican Committee.

Specifications to Charge I

4. Facebook is an internet social networking website and platform that *inter alia* allows users to post and share content on their own Facebook page as well as on the Facebook pages of other users and on Facebook groups. Facebook users are responsible for managing the privacy settings associated with their accounts. At the option of the account holder, the content of one's Facebook page and posts may be viewable online by the public or restricted to one's Facebook "Friends."

5. At all times relevant to this charge, Respondent was a candidate for election as judge of the County, Family and Surrogate's Courts in Hamilton County.

6. At all times relevant to this charge, Respondent maintained a campaign-related Facebook account under the name, "Tatiana Coffinger for Hamilton County Court Judge," which was viewable by the public.

7. On June 3, June 9, June 17 and June 21, 2019, Respondent posted to her campaign's Facebook page an invitation to the Hamilton County Republican picnic. It read, "You are Invited 2019 Republican Picnic and Meet the Candidates Day!" The invitation offered food, drinks, "Music, Bingo, Door prizes and more!" Ticket prices ranged from \$12 to \$35. The invitation also read, "Tickets – See any Republican

Committee Member.” Screenshots of this invitation are appended as Exhibit A.

8. At all times relevant to this charge, all four of Respondent’s posts advertising the event were viewable by the public.

9. At all times relevant to this charge, Respondent was scheduled to speak at the “2019 Hamilton County Republican Picnic and Meet the Candidates Day.” She did, in fact, ultimately speak at the event.

10. The event advertised by Respondent took place on June 22, 2019. It was a fundraiser that generated a profit of nearly \$1,800 for the Hamilton County Republican Committee.

11. At all times relevant to this charge, the Hamilton County Republican Committee constituted a political organization.

12. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent, while a candidate for public election to judicial office, failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to refrain from inappropriate political activity, in that she allowed her name to be used in connection with activity of a political organization, in violation of Section 100.5(A)(1)(d) of the Rules, personally solicited funds on behalf of a political

organization, in violation of Section 100.5(A)(1)(h) of the Rules, and personally solicited contributions for a political party's fundraising event at which she was scheduled to speak, in violation of Section 100.5(A)(2)(i) of the Rules.

As to Charge II

13. In June 2019, during her campaign for election as judge of the County, Family and Surrogate's Courts in Hamilton County, Respondent approved the content and distribution of campaign literature falsely depicting that one of her opponents in the Republican primary would appear on a ballot line labeled, "Democrat."

14. In 2019, Respondent ran in the Republican Party primary for the party's nomination to the office of judge of the County, Family and Surrogate's Courts in Hamilton County. Her two opponents in the primary were Marsha King Purdue and James W. Hyde, IV. The Republican primary took place on June 25, 2019. There was no Democratic primary.

15. In 2019, there were approximately 2,659 registered Republican voters in Hamilton County, and approximately 954 registered Democrats.

16. At all times relevant to this charge, Ms. Purdue was a registered Republican, Respondent knew Ms. Purdue to be a Republican, and Respondent knew that Ms. Purdue was running against her in the Republican primary. Respondent also knew that Ms. Purdue had been the elected Hamilton County District Attorney since 2012, and Respondent believed Ms. Purdue had widespread name recognition among Republican voters in the county.

17. In June 2019, prior to the primary, Respondent approved the content and distribution of campaign literature to be mailed to registered Republicans ("mailer"),

depicting a sample primary ballot for the upcoming Hamilton County Republican primary. A copy of the mailer is appended as Exhibit B.

18. In the mailer, Respondent depicted an “Unofficial Sample Ballot” that identified Ms. Purdue on a line labeled “Democrat,” which Respondent knew would not have appeared on the actual Republican primary ballot. A copy of the official Sample Ballot from the Board of Elections is appended as Exhibit C.

19. Respondent and/or her campaign distributed the misleading mailer (Exhibit B) approximately one week before the primary election to an estimated 1,600 to 1,800 households of registered Republican voters in Hamilton County.

20. Respondent won the primary election with a total of 748 votes, defeating Ms. Purdue, who received 351 votes, and Mr. Hyde, who received 200 votes. Respondent thereafter won the general election in November 2019 with a total of 1,446 votes, defeating Ms. Purdue, who received 1,020 votes on the Democratic line. Ms. Purdue was nominated by the Democratic Party for the general election without a primary and with no opponents, notwithstanding that she was a registered Republican.

21. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent, while a candidate for public election to judicial office, failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public

confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to refrain from inappropriate political activity, in that she failed to maintain the dignity appropriate to judicial office and act in a manner consistent with the impartiality, integrity and independence of the judiciary, failed to prohibit employees and officials who serve at the pleasure of the candidate or were subject to her direction and control from doing on Respondent's behalf what she was prohibited from doing under the Rules, and authorized or knowingly permitted other persons to do for her what Respondent was prohibited from doing under the Rules, in violation of Section 100.5(A)(4)(a), (b) and (c) of the Rules, and knowingly made a false statement or misrepresented the identity, qualifications, current position or other fact concerning an opponent, in violation of Section 100.5(A)(4)(d)(iii) of the Rules.

Additional Factors

22. Respondent has been cooperative throughout this inquiry.

23. With respect to the Hamilton County Republican Picnic and Meet the Candidates Day, Respondent avers that while she believed the event to be a social occasion held to thank committee members and introduce the candidates, she acknowledges in retrospect that she should have made inquiries and been aware that it was a fundraiser which would have precluded her from posting the invitation or otherwise advertising the event.

IT IS FURTHER STIPULATED AND AGREED that the parties to this Agreed Statement of Facts respectfully recommend to the Commission that the appropriate sanction is public Admonition based upon the judicial misconduct set forth above.

IT IS FURTHER STIPULATED AND AGREED that if the Commission accepts this Agreed Statement of Facts, the parties waive oral argument and waive further submissions to the Commission as to the issues of misconduct and sanction, and that the Commission shall thereupon impose a public Admonition without further submission of the parties, based solely upon this Agreed Statement. If the Commission rejects this Agreed Statement of Facts, the matter shall proceed to a hearing and the statements made herein shall not be used by the Commission, Respondent or the Administrator and Counsel to the Commission.

Dated: *January 25, 2022*

Tatiana N. Coffinger

Honorable Tatiana Coffinger
Respondent

Dated: 1/25/2022

William J. Dreyer

William J. Dreyer, Esq.
Dreyer Boyajian, LLP

Dated: January 25, 2022

Robert H. Tembeckjian

Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**Cathleen S. Cenci** and **Kathleen E. Klein**, Of
Counsel)

EXHIBIT A

⚠ For a better experience on Facebook, update your browser.

facebook

Email or Phone

Password

[Forgot account?](#)

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- Posts
- Events
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Posts



Tatiana Coffinger for Hamilton County Court Judge

22 hrs · 🌐

Hosted by the Long Lake Fish and Game Club following the fishing derby. Please join us!



MEET AND GREET...
Tatiana Coffinger
 Candidate for County Judge

The right experience, the right choice

19 years working in the judiciary-
Supreme, County, Family, Surrogate, City, Town

Come meet Tatiana Coffinger and learn why she is the right choice!

Where: Long Lake Diner, 1161 Main Street

When: Saturday, June 15th, 2019 2 – 4 p.m.

Enthusiastically endorsed by: Judge Feldstein (ret.); Supreme Court Justice Krogmann (ret); Supervisors B. Wells (IL), C. Seaman (LL), R. Wilt (Arietta), D. Wilt (LP); Sheriff Karl Abrams; Jane Zarecki, County Clerk; Heather Farber, Deputy County Clerk; Tracy Eldridge, Highway Superintendent; Amy Granger, Probation Director. Ask any one of them why they support Tatiana!

Paid for by: Friends to Elect Tatiana Coffinger, PO Box 474, Indian Lake, NY 12842



Tatiana Coffinger for Hamilton County Court Judge

Yesterday at 3:00 AM · 🌐

Community

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About

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People



259 likes

Related Pages



Marsha King Purdue for Hamilton ...
Political Candidate



Hamilton county NY FireWire
Nonprofit Organization



O'Connor Automotive
Oil Lube & Filter Service



Indian Lake Central School
Public School

See more of Tatiana Coffinger for Hamilton County Court Judge on Facebook

Log In

OR

Create New Account



You are Invited
2019
Republican
Picnic

and
Meet The
Candidates Day!

Old Fashioned Picnic with
Music,
Bingo, Door prizes and more!
All Welcome!

BBQ Chicken, Clam Chowder, Sausage &
Peppers,
Burgers & Dogs, Salad, Dessert,
Iced Tea, Beer & Wine all included!



The Pavilion at Speculator
Noon to 4:00 PM
Saturday June 22, 2019



Tickets	Pre-
	sale thru 6/21
	At The Door
Adults	\$30.00
	\$35.00
11-18	
Years	\$12.00
	\$15.00

[See All](#)

Photos



You are Invited
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Meet The
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MEET AND GREET...
Tatiana Coffinger
Candidate for County J

The right experience, the right choice

19 years working in the judiciary-
Supreme, County, Family, Surrogate, City, Town

**Come meet Tatiana Coffinger and learn
she is the right choice!**

Where: Long Lake Diner, 1161 Main S

When: Saturday, June 15th, 2019 2 - 4

Enthusiastically endorsed by: Judge Feldstein (ret.); Supreme Court Justice (ret); Supervisors B. Wells (LL), C. Seaman (LL), R. Wilt (Arietta), D. Wilt (Lafayette); Karl Abrams; Jane Zarecki, County Clerk; Heather Farber, Deputy County Clerk; Eldridge, Highway Superintendent; Amy Granger, Probation Director. Ask them why they support Tatiana!

Paid for by: Friends to Elect Tatiana Coffinger, PO Box 476, Indian Lake, NY 12342



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[See All](#)

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EXHIBIT B

ON PRIMARY DAY—TUESDAY, JUNE 25TH—PLEASE VOTE FOR



Hamilton County Republican Primary
UNOFFICIAL SAMPLE BALLOT

OFFICES	1	2	3
	COUNTY FAMILY AND SURROGATE COURT JUDGE 10 YEARS Vote for ONE		
DEMOCRAT  A ★	DEMOCRAT 1A <input type="radio"/> Marsha King Purdue		
REPUBLICAN  B	REPUBLICAN James W. Hyde, IV	REPUBLICAN 2B <input checked="" type="radio"/> Tatiana N. Coffinger	REPUBLICAN Marsha King Purdue

"Hamilton County deserves a County Judge who is knowledgeable, compassionate, and fair. My legal and personal experience will serve all those who come before the County, Family and Surrogate Courts."

TATIANA COFFINGER

★ For Hamilton County Judge ★

"The right experience, the right choice."

About Tatiana:

- ★ Principal Court Attorney to Hamilton County Family, County and Surrogate Courts
- ★ Former Indian Lake Town Justice
- ★ 19 years experience as Senior and Principal Attorney and Law Clerk for Supreme and County Courts in region
- ★ Written over 3,000 decisions on a variety of civil and criminal matters
- ★ Resident of Indian Lake, married for 20 years, mother of two teenagers

Endorsed by Hamilton County Republican Leaders:

- | | | |
|--|---|---|
| ✓ Peter Feldstein
<i>Recently retired
Hamilton County Judge</i> | ✓ Beth Hunt
<i>Hamilton County Treasurer</i> | ✓ John Frey
<i>Supervisor, Inlet</i> |
| ✓ Karl Abrams
<i>Hamilton County Sheriff</i> | ✓ Brian Wells
<i>Supervisor, Indian Lake</i> | ✓ Rick Wilt
<i>Supervisor, Arietta</i> |
| ✓ Jane Zarecki
<i>Hamilton County Clerk</i> | ✓ Clark Seaman
<i>Supervisor, Long Lake</i> | ✓ John Stortecky
<i>Supervisor, Benson</i> |
| | ✓ Dan Wilt
<i>Supervisor, Lake Pleasant</i> | |

Friends of Tatiana Coffinger
PO Box 242
Indian Lake, NY 12842

PRSRT
FIRST-CLASS
U.S. POSTAGE
PAID
ALBANY, NY
PERMIT# 164



For more about Tatiana, visit

WWW.VOTECOFFINGER.COM



Tatiana with her husband John, and their children Alexandra (13) and Nicholas (15).

EXHIBIT C

OFFICE	1 2 3			4 5	
	COUNTY, FAMILY AND SURROGATE COURT JUDGE 10 YEARS Vote for ONE			COUNTY DISTRICT ATTORNEY 4 YEARS Vote for ONE	
REPUBLICAN	<small>REPUBLICAN</small> 1B <input type="radio"/> James W. Hyde, IV	<small>REPUBLICAN</small> 2B <input type="radio"/> Tatiana N. Coffinger	<small>REPUBLICAN</small> 3B <input type="radio"/> Marsha King Purdue	<small>REPUBLICAN</small> 4B <input type="radio"/> Dana J. Beyer	<small>REPUBLICAN</small> 5B <input type="radio"/> Christopher C. Shambo
WRITE-IN	WRITE-IN			WRITE-IN	

SAMPLE

1001

OFFICIAL BALLOT FOR THE PRIMARY ELECTION -JUNE 25, 2019

INSTRUCTIONS:

- (1) Mark only with a writing instrument provided by the Board of Elections.
- (2) To vote for a candidate whose name is printed on this ballot fill in the oval above or next to the name of the candidate.
- (3) To vote for a person whose name is not printed on this ballot write or stamp his or her name in the space labeled "WRITE-IN" that appears at the bottom of the column for such office.
- (4) To vote yes or no on a proposal, if any, that appears on the back of the ballot, fill in the oval that corresponds to your vote.
- (5) Any other mark or writing, or any erasure made on this ballot outside the voting ovals or blank spaces provided for voting will void this entire ballot.
- (6) Do not overvote. If you select a greater number of candidates than there are vacancies to be filled, your ballot will be void for that public office, party position or proposal.

STATE OF NEW YORK, COUNTY OF HAMILTON

- (7) If you tear, deface, or wrongly mark this ballot, return it and obtain another. Do not attempt to correct mistakes on the ballot by making erasures or cross outs. Erasures or cross outs may invalidate all or part of your ballot. Prior to submitting your ballot, if you make a mistake in completing the ballot or wish to change your ballot choices, you may obtain and complete a new ballot. You have a right to a replacement ballot upon return of the original ballot.
- (8) After completing your ballot, insert it into the ballot scanner and wait for the notice that your ballot has been successfully scanned. If no such notice appears, seek the assistance of an election inspector.

Ballot ID: 1001

Arietta
E.D.(s): 1