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August 18, 2026

Heather Davis, Esq.
Chief Clerk and Legal Counsel
New York State Court of Appeals
20 Eagle Street
Albany, New York 12207-1095

Re: Matter of the Hon. Joseph F. Kasper

Dear Ms. Davis:

Thank you for your letter of August 6, 2026, inviting comment by the Commission on Judicial Conduct regarding the Court's consideration of the suspension of Hon. Joseph F. Kasper from the exercise of the powers of the office of New York City Civil Court Judge, Queens County. At the request of his attorney, Richard D. Emery, and without objection by the Commission, the deadline for responding to your letter was adjourned to August 21, 2026.

The Commission filed a determination dated August 3, 2026, that Judge Kasper should be removed from office. Pursuant to Article VI, Section 22(e) of the New York State Constitution, and Section 44(8) of the Judiciary Law, a judge who is the subject of a removal determination filed by the Commission with the Court may be suspended, with or without pay, pending the Court's disposition of the matter pursuant to Section 44(7) of the Judiciary Law.

It is the Commission's view that public confidence in the integrity of the judiciary, the courts and the administration of justice would be undermined were a

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judge to continue exercising the powers of office while a removal determination against him was before the Court. That is especially true where, as here, the misconduct involves a judge who (A) continued to practice law for approximately two years after taking the bench, notwithstanding the prohibition on the practice of law by full-time judges, (B) facilitated the unauthorized practice of law by a convicted felon, which included her use of his court system credentials to electronically file legal papers, (C) failed to file certain mandatory financial disclosure statements in a timely manner, or at all, and omitted material information about cash payments he acknowledged having received, and (D) failed to cooperate with the Commission's investigation by not producing certain requested material.

Based upon the foregoing, the Commission respectfully recommends that Judge Kasper be suspended, pending the Court's final disposition of the matter. The Commission is mindful of the Court's usual practice in such circumstances of directing that such suspension be with pay.

As your letter of August 6 indicates, the Court's consideration of suspension does not excuse the need for Judge Kasper to file a separate and timely request for review of the Commission's determination. We take this opportunity to note that Judge Kasper is required to retire from the bench on December 31, 2026, having reached the age of 70 this year. If indeed he requests review of the Commission's determination, as Mr. Emery has indicated he would, the Commission would be unlikely to consent to any future adjournment requests.

Thank you for your continuing attention to this important matter.

Very truly yours,



Robert H. Tembeckjian

cc: Judges of the Court of Appeals (via Ms. Davis)
Hon. Joseph A. Zayas, Chief Administrative Judge
Richard D. Emery, Esq.