



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

CORNING TOWER, SUITE 2301
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12223

MARISA E. HARRISON
PUBLIC INFORMATION OFFICER

518-453-4600 518-299-1757
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

March 4, 2024

Contact:

*Marisa E. Harrison, Public Information Officer
(518) 453-4600*

Judicial Conduct Commission Reports Record Number of Complaints and Inquiries in 2023

The New York State Commission on Judicial Conduct received 2,982 complaints in 2023 – the most in its history -- representing a 22% increase from 2022, the previous record high, and a 38% increase over the 5-year average of 2,161 a year.

The Commission also rendered 17 public decisions.

The information is reported in the Commission's newly released 2024 Annual Report, covering its activities in 2023, available online at www.cjc.ny.gov.

The Commission also reported the following:

- 570 preliminary inquiries were conducted.¹
- 395 full-fledged investigations were undertaken: 208 new ones and 187 carried forward from 2022.
- 8 judges were publicly disciplined: four judges were removed from office, two were censured and two were admonished.

¹ Defined in the Commission rules as the preliminary analysis, clarification and fact-finding activity intended to aid the Commission in determining whether or not to investigate a complaint.

- Nine judges resigned and publicly agreed never to return to judicial office.
- Six other judges resigned while complaints were pending, where it had not been determined permanent departure from office was warranted or appropriate.²
- 65 judges were issued confidential cautionary letters.
- 204 matters were pending at year's end.

Established in the State Constitution as an independent agency in 1978, the Commission evaluates and investigates complaints of misconduct against judges of the state unified court system and, where appropriate, disciplines such judges for ethics violations. Through 2023, it rendered public decisions against 945 judges, including 182 who were removed from office and 131 who resigned and publicly agreed never to return to the bench.

All Commission decisions and the Annual Reports are available on the agency's website: www.cjc.ny.gov.³

Commentary

In addition to summaries of the year's public disciplines, confidential cautions and statistics, the 2024 Annual Report comments on (1) pending legislation that would enhance the Commission's ability to hold judges accountable for misconduct they commit and (2) certain prohibited political activity.

Pending Legislation. A bill passed by the Senate (S4398) and pending in the Assembly (A4908) has three components. (1) The Commission's annual budget request would be submitted directly to the Legislature, with comment by the Governor. This is equivalent to how the court system's budget is handled. (2) Commission proceedings would become public when a judge was formally charged with misconduct, rather than remain confidential until the lengthy process is completed and a public discipline is imposed. This is equivalent to the process in 38 other states. (3) The Commission would have authority to complete formal disciplinary proceedings and discipline a judge, notwithstanding the judge's departure from office before the proceeding is completed. In the past ten years, 90 judges resigned before proceedings against them were completed, and statutory confidentiality mandates prohibit the Commission from revealing anything about those matters.

² The Commission notifies such judges that proceedings would resume if they return to the bench.

³ The website and Annual Report also report on cases decided by two predecessor commissions, beginning with a legislatively-created temporary commission on judicial conduct in 1975, whose dockets were carried over to the current Commission.

Political Activity. Except for a limited “Window Period” in which they are running for judicial office, judges and judicial candidates are prohibited from engaging political activity. The Commission recently became aware that a significant number of judges throughout the state were making minor contributions to political candidates running for national office – President, the US Senate or the US House of Representatives – apparently in the mistaken belief that the prohibition on political activity pertained only to state and local offices. Both the Commission and the Chief Administrative Judge reminded all judges that the prohibition on political activity applies to all campaigns. The Commission’s Annual Report notes that where there was no valid explanation or excuse, a confidential letter of dismissal and caution was typically issued to the judge, and that a judge who repeats the violation risks public discipline in the future.

The Commission’s Budget

For the fiscal year beginning April 1, 2024, the Commission requested a budget of \$8,900,000 – an increase of \$770,000 from the prior year. The request carefully took into account the Commission’s burgeoning caseload, and the need to cover mandated salary increases, rent increases, a case management system, IT upgrades and license renewals. It would also allow for additional staff. (While the Commission had 63 full-time staff in 1978, it now has 49, a result of financial exigencies over the years..)

Although the recent Executive Budget proposed approximately \$600,000 less than what the Commission requested, the Commission has asked for assistance from the Legislature, which has supplemented the agency’s funding repeatedly and supported its mission consistently since conducting legislative hearings on its work in 2006.

Statement by Commission Chair Joseph W. Belluck

“Faith in the integrity of the courts is fundamental to the rule of law. The work of the Judicial Conduct Commission promotes public confidence in a judiciary that is both independent and accountable. We believe the passage of pending legislation, which would responsibly bring a measure of transparency to our work, would also enhance public understanding of the judicial disciplinary process.”

Statement by Commission Administrator Robert H. Tembeckjian

“The Judicial Conduct Commission is a notable success story in government ethics enforcement. It promotes both judicial independence and public confidence in the courts, by disciplining those judges who have engaged in misconduct, while exonerating those who have been wrongly accused. Hopefully, when the final state budget is enacted later this month, our resources will be suitably matched to our ever-increasing workload.”

Office Addresses

The Commission's offices are located at the following addresses:

61 Broadway Suite 1200 New York, NY 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, NY 12223	400 Andrews Street Suite 700 Rochester, NY 14604
---	---	--

Commission Members

There are 11 members of the Commission on Judicial Conduct. Four are appointed by the Governor, three by the Chief Judge and four by the leaders of the Legislature. Members serve overlapping 4-year terms and are eligible for re-appointment. The present Commission members are:

Joseph W. Belluck, Esq., <i>Chair</i>	
Taa Grays, Esq., <i>Vice Chair</i>	Nina M. Moore, Ph.D.
Hon. Fernando M. Camacho	Marvin Ray Raskin, Esq.
Brian C. Doyle, Esq.	Graham B. Seiter, Esq.
Hon. John A. Falk	Hon. Anil C. Singh
Hon. Robert J. Miller	Akosua Garcia Yeboah