



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Brooklyn Surrogate's Court Judge Should Be Admonished for Failing to Disclose Campaign-Related Conflicts

The New York State Commission on Judicial Conduct has determined that Bernard J. Graham, a Judge of the Surrogate's Court (Kings County), should be admonished for handling matters involving attorneys who, at the time, were active in his campaign for election to judicial office.

Judge Graham agreed to the admonition.

In 2023, while serving as Acting Surrogate of Kings County and running for a full term, Judge Graham appointed five attorneys as Guardians Ad Litem in 21 estate matters while those attorneys, or their law firms, were sponsoring or hosting campaign events for him. Between 2023 and 2025, he also presided over at least ten estate matters involving attorneys or law firms that supported his campaign through such events. He neither disclosed those connections nor recused himself, in violation of the Rules Governing Judicial Conduct.

In accepting the jointly recommended sanction of admonition, the Commission noted that "it was stipulated that there was no indication of any inappropriate arrangement" between Judge Graham and the attorneys, who were already on the

approved fiduciary list for Kings County, and that attorneys involved in his campaign were treated in the same manner as others on the list.

The Commission noted that the judge has “no disciplinary history in his more than 20 years on the bench and has acknowledged that his conduct was improper and warrants public discipline.”

Judge Graham has served as Judge of the Surrogate’s Court, Kings County, since 2024, having previously served as Acting Surrogate, Kings County, from 2023 to 2024, as a Supreme Court Justice, Kings County, from 2014 to 2023, and as a Civil Court Judge, Kings County, from 2005 to 2013. His current terms expires on December 31, 2030.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“While it is no surprise that a judge would get campaign support from lawyers, public confidence in judicial integrity and impartiality requires separating politics from the courthouse. Individual judges would be disqualified, or at least have to disclose, when lawyers before them are contemporaneously holding fundraisers on behalf of their electoral campaigns.”

The Commission Proceedings

Judge Graham was served with a Formal Written Complaint dated March 17, 2026, containing two charges.

On June 29, 2026, the Administrator of the Commission, Judge Graham and his attorney entered into an Agreed Statement of Facts, stipulating to the facts and sanction and waiving further submissions and oral argument.

The Commission accepted the Agreed Statement on August 13, 2026.

The Commission Determination

The Commission filed a determination dated August 26, 2026, in which 10 members concurred. One member dissented as to sanction and voted censure was the appropriate disposition.

Court of Appeals Review

The Commission transmitted its determination to the Chief Judge of the Court of Appeals, pursuant to Judiciary Law Section 44, subdivision 7. The Commission was notified on September 14, 2026, that Judge Graham had received the determination. Consequently, the matter is now public.

A judge may either accept the Commission's determination or, within 30 days from receipt, make a written request to the Chief Judge for a review of the determination by the Court of Appeals.

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Graham does not request review by the Court of Appeals, the Commission will admonish him in accordance with the determination.

If a Commission determination is reviewed by the Court of Appeals, the Court may accept the determined sanction, impose a different sanction including admonition, censure or removal, or impose no sanction.

Statistics Relating to Prior Determinations

Since 1978, the Commission has issued 293 determinations of admonition against judges in New York State. The Commission has issued 190 determinations of removal and 361 determinations of censure.

The Commission has accepted 163 permanent resignation stipulations, in which the judge has agreed to leave office and never seek or accept judicial office in the future, since the procedure was instituted in 2003.

The Court of Appeals has reviewed 102 Commission determinations. The results are available on the Commission's website at "[Appealed Decisions](#)."

Counsel

Judge Graham was represented by Deborah A. Scalise of Scalise & Hamilton, P.C., 111 Brook Street, Suite 202, Scarsdale, New York 10583, (914) 725-2801.

The Commission was represented by Deputy Administrator Mark Levine, Principal Attorney Jennifer L. Lowry and Investigator Andy Fenwick.

Background Information on Judge Graham

First Took Office (Surrogate's Court):	2023
Current Term Expires:	December 31, 2030
Prior Judicial Experience:	
Supreme Court	2014-2023
Civil Court	2005-2013
Year Admitted to NYS Bar:	1986

Members of the Commission

The Commission members serve four-year terms. A list of members is noted below.

The Public File

The determination and other records are available on the Commission's website: www.cjc.ny.gov.

MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Joseph W. Belluck, Esq., Chair	Governor Kathy Hochul	March 31, 2028
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2027
Hon. Fernando M. Camacho	Chief Judge Rowan D. Wilson	March 31, 2028
Stefano Cambareri, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2029
Brian C. Doyle, Esq.	Senate Minority Leader Robert G. Ort	March 31, 2028
Hon. John A. Falk	Chief Judge Rowan D. Wilson	March 31, 2029
Hon. David Fried	Governor Kathy Hochul	March 31, 2030
Robin Chappelle Golston	Governor Kathy Hochul	March 31, 2029
Nina M. Moore, Ph.D.	Governor Kathy Hochul	March 31, 2027
Hon. Peter H. Moulton	Chief Judge Rowan D. Wilson	March 31, 2030
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2030