

NEW YORK STATE

**COMMISSION ON JUDICIAL
CONDUCT**



**ANNUAL REPORT
2026**

**NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT**



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NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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March 1, 2026

To Governor Kathy Hochul,
Chief Judge Rowan D. Wilson, and
The Legislature of the State of New York:

Pursuant to Section 42, paragraph 4, of the Judiciary Law of the State of New York, the New York State Commission on Judicial Conduct respectfully submits this Annual Report of its activities, covering the period from January 1 through December 31, 2025.

Respectfully submitted,

Robert H. Tembeckjian, Administrator
On Behalf of the Commission

TABLE OF CONTENTS

Foreword	vii
Introduction to the 2026 Annual Report	1
Bar Graph: Complaints, Inquiries & Investigations in the Last Ten Years	1
Action Taken in 2025	2
Complaints Received	2
Pie Chart: Complaint Sources in 2025	2
Preliminary Inquiries and Investigations	2
Formal Written Complaints	3
Summary of All 2025 Dispositions.	4
Table 1: Town & Village Justices	4
Table 2: City Court Judges	4
Table 3: County Court Judges	5
Table 4: Family Court Judges	5
Table 5: Surrogates	5
Table 6: District Court Judges	6
Table 7: Court of Claims Judges	6
Table 8: Supreme Court Justices	6
Table 9: Court of Appeals Judges and Appellate Division Justices	7
Table 10: Non-Judges and Others Not Within the Commission’s Jurisdiction	7
Note on Jurisdiction	7
Formal Proceedings and Public Dispositions	8
Overview of Public Decisions Rendered in 2025	8
Determinations of Censure	9
Determinations of Admonition	11
Resignation Stipulations	13
Suspension Recommendation	17
Other Dismissed or Closed Formal Written Complaints	17
Matters Closed Upon Resignation	17
Referrals to Other Agencies	18
Letters of Dismissal and Caution	19
Assertion of Influence	19
Audit and Control	19
Bias	19
Conflicts of Interest.	19
Inappropriate Demeanor	19

Improper <i>Ex Parte</i> Communications	20
Miscellaneous	20
Political Activity	20
Violation of Rights	20
Follow Up on Caution Letters	20
Outreach and Education	21
Observations and Recommendations	22
Recurring but Easily Avoidable Misconduct	22
Drinking and Driving	22
Failing to Cooperate with a Commission Inquiry	22
Undue Delays	23
Annual Financial Disclosure Statements	23
Asserting Judicial Office for the Personal Benefit of the Judge or Others	24
Unauthorized Political Activity	24
The Commission’s Budget	26
Chart: Selected Budget Figures 1978 to Present	26
Conclusion	27
Appendix A: Biographies of Commission Members	28
Appendix B: Biographies of Commission Attorneys	33
Appendix C: Referees Who Served in 2025	38
Appendix D: The Commission’s Powers, Duties and History	39
Appendix E: Rules Governing Judicial Conduct	48
Appendix F: 2025 Determinations Rendered by the Commission	66
<i>Matter of Mitchell H. Edelstein</i>	67
<i>Matter of Lucas H. Ferrin</i>	72
<i>Matter of Philip J. Gentile</i>	77
<i>Matter of David R. Green</i>	93
<i>Matter of William Alan Hohausser</i>	99
<i>Matter of Donald F. Hull</i>	105
<i>Matter of Nichelle A. Johnson</i>	112
<i>Matter of Reid L. Johnson</i>	133
<i>Matter of Corey E. Klein</i>	138
<i>Matter of Julie M. Kuck</i>	154
<i>Matter of Melissa A. Loehr</i>	159
<i>Matter of George J. Meyers</i>	167
<i>Matter of Robert J. Muller</i>	172
<i>Matter of Louis L. Nock</i>	187
<i>Matter of Bonnie L. Orden</i>	192

<i>Matter of Ian E. Penders</i>	197
<i>Matter of Michael H. Plass</i>	202
<i>Matter of Daniel L. Seiden</i>	215
<i>Matter of Naita A. Semaj</i>	233
<i>Matter of Richard T. Snyder</i>	264
<i>Matter of Eric T. Swartz</i>	269
<i>Matter of Louis P. Violanti</i>	274
<i>Matter of Todd C. Whitford</i>	280
<i>Matter of Lucas J. Whitmore</i>	285
<i>Matter of Jeffrey M. Zimmerman</i>	292
Appendix G: Statistical Analysis of Complaints	298
Complaints Pending as of December 31, 2024	298
New Complaints Considered by the Commission in 2025	299
All Complaints Considered in 2025: 3,363 New & 212 Pending from 2024	300
All Complaints Considered Since the Commission’s Inception in 1975	301

FOREWORD

Prior to 1975, the authority to discipline judges was vested primarily in the courts, but rarely exercised. From 1975 to April 1978, that authority transitioned from the courts to the Commission.

In January 1975, a temporary Commission on Judicial Conduct began operations, having been created by the state Legislature in advance of constitutional amendments in 1977 and 1978 that would make the Commission a permanent, independent entity for the enforcement of judicial ethics, with its disciplinary determinations subject to review directly and only by the state's highest court, the Court of Appeals.

On April 1, 1978, the Commission as it is currently constituted went into effect. Over the years, it has processed, analyzed and disposed of over 76,000 complaints alleging wrongdoing on or off the bench. While the overwhelming majority were dismissed because they expressed displeasure with the outcome of a case rather than ethical misbehavior by the judge, the Commission has effectively held accountable those judges whose misconduct was established.

- 994 judges have been publicly disciplined since 1978:
 - 291 were publicly admonished;
 - 359 were publicly censured;
 - 185 were removed from office, which under the Constitution renders the judge ineligible to return to the bench; and
 - 158 entered into public resignation stipulations, with commitments never to return to the bench
- 1,860 were issued confidential cautionary letters.

A more detailed history of the Commission and its record is available in Appendix D of this report.

While the vast majority of judges act honorably and discharge their responsibilities capably, the errant minority must be held accountable if public confidence in the courts is to be maintained. The Commission appreciates the cooperation extended by all – litigants, lawyers, judges, court staff, witnesses, and concerned citizens – who contribute to the fulfillment of its constitutional mission.

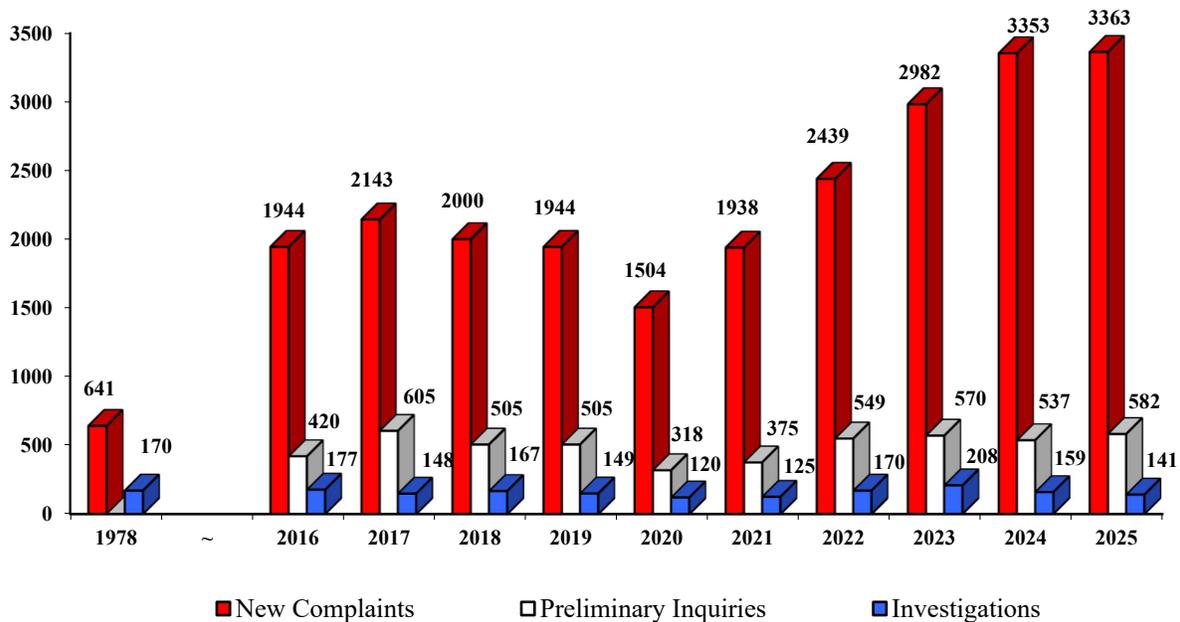
INTRODUCTION TO THE 2026 ANNUAL REPORT

The New York State Commission on Judicial Conduct is the independent agency designated by the State Constitution to review complaints of misconduct against judges and justices of the State Unified Court System and, where appropriate, render public disciplinary determinations of admonition, censure or removal from office. There are approximately 3,500 judicial positions in the system filled by approximately 3,350 individuals, in that some judges serve in more than one court.

The Commission’s objective is to enforce high standards of conduct for judges, who must be free to act independently, on the merits and in good faith, but also must be held accountable should they commit misconduct. The text of the Rules Governing Judicial Conduct, promulgated by the Chief Administrator of the Courts on approval of the Court of Appeals, is annexed.

The number of complaints received annually by the Commission in the past 10 years has substantially increased compared to the first three decades of the Commission’s existence. Since 2016, the Commission has averaged roughly 2,361 new complaints per year, 497 preliminary inquiries and 156 investigations. Last year, 3,363 new complaints were received – the most ever. Every complaint was reviewed by investigative and legal staff, and a report was prepared for each complaint. All such complaints and reports were reviewed by the entire Commission, which then voted on which complaints merited opening full-scale investigations. As to these new complaints, there were 582 preliminary reviews and inquiries and 141 investigations.

This report covers Commission activity in the year 2025.



COMPLAINTS, INQUIRIES & INVESTIGATIONS IN THE LAST TEN YEARS

ACTION TAKEN IN 2025

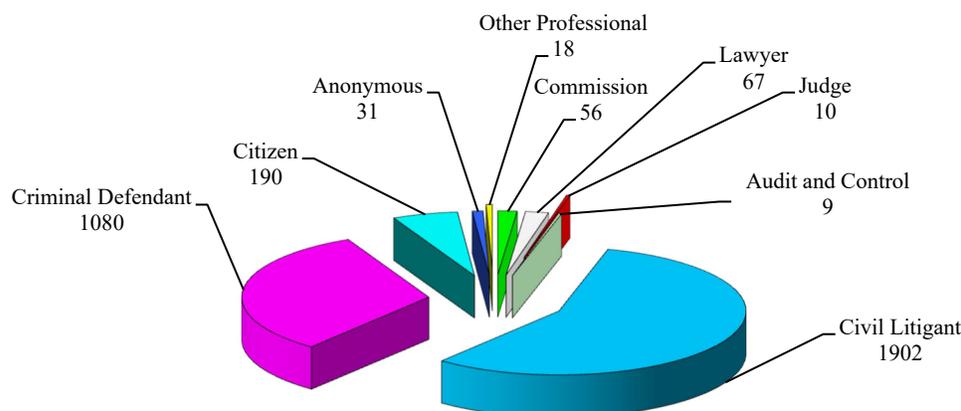
Following are summaries of the Commission’s actions in 2025, including accounts of all public determinations, summaries of non-public dispositions, and various numerical breakdowns of complaints, investigations and other dispositions.

COMPLAINTS RECEIVED

The Commission received 3,363 new complaints in 2025. All complaints are summarized and analyzed by staff and reviewed by the Commission, which votes whether to investigate.

New complaints dismissed upon initial review are those that the Commission deems to be clearly without merit, not alleging misconduct or outside its jurisdiction, including complaints against non-judges, federal judges, administrative law judges, judicial hearing officers, referees and New York City Housing Court judges. Absent any underlying misconduct, such as demonstrated prejudice, conflict of interest or flagrant disregard of fundamental rights, the Commission does not investigate complaints concerning disputed judicial rulings or decisions. The Commission is not an appellate court and cannot intervene in a pending case or reverse or remand trial court decisions.

A breakdown of the sources of complaints received by the Commission in 2025 appears in the following chart.



COMPLAINT SOURCES IN 2025

PRELIMINARY INQUIRIES AND INVESTIGATIONS

The Commission’s Operating Procedures and Rules authorize “preliminary analysis and clarification” and “preliminary fact-finding activities” by staff upon receipt of new complaints, to aid the Commission in determining whether an investigation is warranted. In 2025, staff conducted 582 such preliminary inquiries, requiring such steps as interviewing the attorneys involved, analyzing court files and reviewing trial transcripts.

In 141 matters, the Commission authorized full-fledged investigations. Depending on the nature of the complaint, an investigation may entail interviewing witnesses, subpoenaing witnesses to testify and produce documents, assembling and analyzing various court, financial or other records, making court observations, and writing to or taking testimony from the judge.

During 2025, in addition to the 141 new investigations, there were 189 investigations pending from the previous year. The Commission disposed of the combined total of 330 investigations as follows:

- 60 complaints were dismissed outright.
- 34 complaints involving 29 different judges were dismissed with letters of dismissal and caution.
- 30 complaints involving 20 different judges were closed upon the judge's resignation, eight becoming public by stipulation and 12 that were not public.
- Nine complaints involving seven different judges were closed upon vacancy of office due to reasons other than resignation, such as the expiration of the judge's term.
- 43 complaints involving 23 different judges resulted in formal charges being authorized.
- 154 investigations were pending as of December 31, 2025.

FORMAL WRITTEN COMPLAINTS

As of January 1, 2025, there were pending Formal Written Complaints in 23 matters involving 17 judges. In 2025, Formal Written Complaints were authorized in 43 additional matters involving 23 judges (as to one of whom a Formal Written Complaint was already pending). Of the combined total of 66 matters involving 39 different judges, the Commission acted as follows:

- 14 matters involving 10 different judges resulted in formal discipline (admonition or censure).
- 12 matters involving eight different judges were closed upon the judge's resignation from office, seven becoming public by stipulation and one that was not public.
- One matter involving one judge resulted in a letter of caution after formal disciplinary proceedings that resulted in a finding of misconduct.
- In two matters involving one judge, the Formal Written Complaint was dismissed, and a letter of dismissal and caution was issued.
- One matter involving one judge was closed upon the vacancy of office due to reasons other than resignation, such as the expiration of the judge's term.
- 36 matters involving 18 different judges were pending as of December 31, 2025.

SUMMARY OF ALL 2025 DISPOSITIONS

The Commission's investigations, hearings and dispositions in the past year involved judges of various courts, as indicated in the following ten tables.

TABLE 1: TOWN & VILLAGE JUSTICES – 2,000* ALL PART-TIME

	<i>Lawyers</i>	<i>Non-Lawyers</i>	<i>Total</i>
Complaints Received	164	194	358
Complaints Investigated	23	56	79
Judges Cautioned After Investigation	5	10	15
Formal Written Complaints Authorized	0	11	11
Judges Cautioned After Formal Complaint	0	0	0
Judges Publicly Disciplined	0	4	4
Judges Vacating Office by Public Stipulation	3	7	10
Formal Complaints Dismissed or Closed	0	1	1

NOTE: Approximately 700 town and village justices are lawyers.

*Refers to the approximate number of such judges in the state unified court system.

TABLE 2: CITY COURT JUDGES – 397, ALL LAWYERS

	<i>Part-Time</i>	<i>Full-Time</i>	<i>Total</i>
Complaints Received	25	459	484
Complaints Investigated	0	13	13
Judges Cautioned After Investigation	0	3	3
Formal Written Complaints Authorized	0	8	8
Judges Cautioned After Formal Complaint	0	0	0
Judges Publicly Disciplined	0	3	3
Judges Vacating Office by Public Stipulation	1	3	4
Formal Complaints Dismissed or Closed	0	1	1

NOTE: Approximately 51 City Court Judges serve part-time.

TABLE 3: COUNTY COURT JUDGES – 110, FULL-TIME, ALL LAWYERS*

Complaints Received	319
Complaints Investigated	10
Judges Cautioned After Investigation	3
Formal Written Complaints Authorized	2
Judges Cautioned After Formal Complaint	1
Judges Publicly Disciplined	1
Judges Vacating Office by Public Stipulation	0
Formal Complaints Dismissed or Closed	0

*Includes 11 who also serve as Surrogates, five who also serve as Family Court Judges, and 40 who also serve as both Surrogates and Family Court Judges.

TABLE 4: FAMILY COURT JUDGES – 183, FULL-TIME, ALL LAWYERS

Complaints Received	486
Complaints Investigated	6
Judges Cautioned After Investigation	3
Formal Written Complaints Authorized	0
Judges Cautioned After Formal Complaint	0
Judges Publicly Disciplined	0
Judges Vacating Office by Public Stipulation	0
Formal Complaints Dismissed or Closed	0

TABLE 5: SURROGATES – 31, FULL-TIME, ALL LAWYERS*

Complaints Received	45
Complaints Investigated	2
Judges Cautioned After Investigation	0
Formal Written Complaints Authorized	0
Judges Cautioned After Formal Complaint	0
Judges Publicly Disciplined	0
Judges Vacating Office by Public Stipulation	0
Formal Complaints Dismissed or Closed	0

*Many Surrogates also serve concurrently as Judges of the County and/or Family Court.

TABLE 6: DISTRICT COURT JUDGES – 50, FULL-TIME, ALL LAWYERS

Complaints Received	21
Complaints Investigated	3
Judges Cautioned After Investigation	1
Formal Written Complaints Authorized	1
Judges Cautioned After Formal Complaint	0
Judges Publicly Disciplined	0
Judges Vacating Office by Public Stipulation	1
Formal Complaints Dismissed or Closed	0

TABLE 7: COURT OF CLAIMS JUDGES – 51, FULL-TIME, ALL LAWYERS

Complaints Received	87
Complaints Investigated	1
Judges Cautioned After Investigation	0
Formal Written Complaints Authorized	0
Judges Cautioned After Formal Complaint	0
Judges Publicly Disciplined	0
Judges Vacating Office by Public Stipulation	0
Formal Complaints Dismissed or Closed	0

TABLE 8: SUPREME COURT JUSTICES – 460, FULL-TIME, ALL LAWYERS*

Complaints Received	624
Complaints Investigated	27
Judges Cautioned After Investigation	3
Formal Written Complaints Authorized	1
Judges Cautioned After Formal Complaint	0
Judges Publicly Disciplined	2
Judges Vacating Office by Public Stipulation	0
Formal Complaints Dismissed or Closed	0

* Includes 31 who serve as Justices of the Appellate Term.

**TABLE 9: COURT OF APPEALS JUDGES – 7, FULL-TIME, ALL LAWYERS;
APPELLATE DIVISION JUSTICES – 70, FULL-TIME, ALL LAWYERS**

Complaints Received	75
Complaints Investigated	0
Judges Cautioned After Investigation	1
Formal Written Complaints Authorized	0
Judges Cautioned After Formal Complaint	1
Judges Publicly Disciplined	0
Judges Vacating Office by Public Stipulation	0
Formal Complaints Dismissed or Closed	0

**TABLE 10: NON-JUDGES AND OTHERS NOT WITHIN THE COMMISSION’S
JURISDICTION***

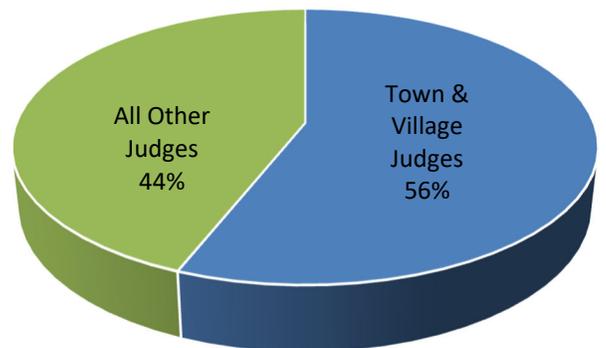
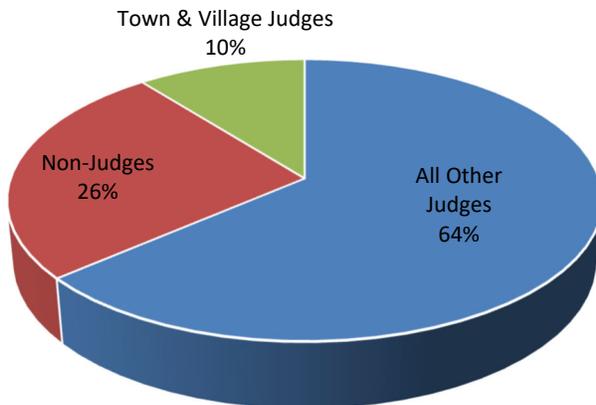
Complaints Received	864
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* The Commission reviews such complaints to determine whether to refer them to other agencies.

NOTE ON JURISDICTION

The Commission’s jurisdiction is limited to judges and justices of the State Unified Court System. The Commission does not have jurisdiction over non-judges, retired judges, judicial hearing officers, administrative law judges (*i.e.* adjudicating officers in government agencies or public authorities such as the New York City Parking Violations Bureau), housing judges of the New York City Civil Court, or federal judges. Legislation that would have given the Commission jurisdiction over New York City housing judges was vetoed in the 1980s.

SUMMARY OF TABLES 1-10



COMPLAINTS RECEIVED BY JUDGE TYPE

**INVESTIGATIONS AUTHORIZED
TOWN & VILLAGE JUDGES v ALL OTHER JUDGES**

FORMAL PROCEEDINGS AND PUBLIC DISPOSITIONS

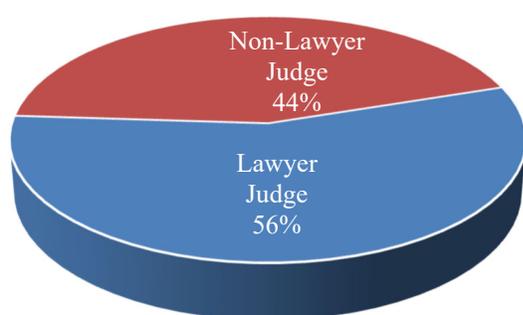
The Commission may publicly discipline a judge for misconduct, or retire a judge for mental or physical disability, after a Formal Written Complaint containing detailed charges has been served, and the respondent-judge has been afforded an opportunity for a formal hearing. The Commission may also approve a public stipulation of resignation signed by the judge and the Commission's Administrator at any point during an inquiry.

The confidentiality provision of the Judiciary Law (Article 2-A, Sections 44 and 45) prohibits public disclosure by the Commission of the charges, hearings or related matters, absent a waiver by the judge, until the case has been concluded and a determination of admonition, censure, removal or retirement has been rendered.

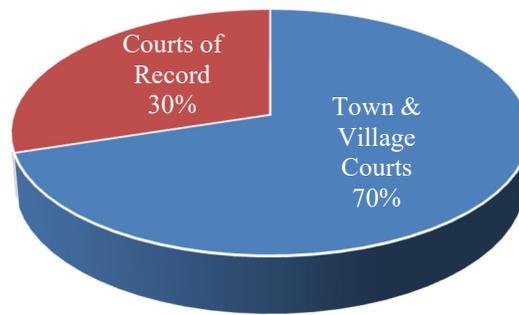
OVERVIEW OF PUBLIC DECISIONS RENDERED IN 2025

The Commission rendered 10 formal disciplinary determinations in 2025: seven censures and three admonitions. In addition, 15 matters were disposed of by stipulation made public by agreement of the parties (eight such stipulations were negotiated during the investigative stage, and seven after a Formal Written Complaint had been served). Eleven of the judges were non-lawyer judges and 14 were lawyers. Fourteen of the 25 judges were town or village justices, and eleven were judges of higher courts.

To put these numbers and percentages in some context, it should be noted that, of the roughly 3,350 judges in the state unified court system, approximately 59% are part-time town or village justices. About 59% of the town and village justices, *i.e.* 30% of all judges in the court system, are not lawyers. (Town and village justices serve part-time and need not be lawyers. Judges of all other courts must be lawyers.)



2025 DISPOSITIONS



1978-2025 DISPOSITIONS

SUMMARIES OF THE PUBLIC DISPOSITIONS IN 2025

The 25 public disciplines or stipulations the Commission decided in 2025 are summarized below. The full texts can be found in Appendix F.

DETERMINATIONS OF CENSURE

The Commission completed seven formal proceedings in 2025 that resulted in public censure.

Matter of Robert J. Muller

On March 28, 2025, the Commission determined that Robert J. Muller, a Justice of the Supreme Court, Fourth Judicial District (Warren County), should be censured for failing to disqualify himself from matters involving attorneys and law firms that hosted fundraisers for his re-election campaign. Judge Muller agreed to the censure. The Commission's Administrator would have recommended suspension from office, if the Commission had authority to do so. During his 2022 re-election campaign, Judge Muller presided over more than 40 cases in which one of the lawyers had hosted a fundraiser for him, or in which his campaign's finance chair or co-chair appeared before him. He did so notwithstanding an advisory opinion disqualifying him from such cases, subject to disclosure and remittal – an opinion he withheld from the parties until after election day. In its determination the Commission stated that the judge's "multiple failures to disqualify or disclose created at the least the appearance of impropriety and brought reproach upon the judiciary." Judge Muller did not request review by the Court of Appeals.

Matter of Daniel L. Seiden

On March 28, 2025, the Commission determined that Binghamton City Court Judge Daniel L. Seiden (Broome County) should be censured for contributing to a hostile work environment. Judge Seiden agreed to the censure. Beginning in 2023, when he objected to a change in the tracking of criminal cases from a manual to a web-based system, Judge Seiden disparaged his co-judges, denigrated the motivations of his administrative judge, blamed the chief court clerk for the loss of capable staff, and impugned the competence of the remaining court clerks, whom he said should "stay out of [his] shorts." Among other things, Judge Seiden indicated he would adhere to the old case-tracking system. Judge Seiden's actions ultimately resulted in his reassignment to the Cortland City Court, where he continued to send disparaging emails to senior court officials, saying for example that their "arrogance [was] breathtaking" and that they were "intoxicated by power and privilege." In accepting the jointly recommended sanction of censure, the Commission noted that Judge Seiden acknowledged that his conduct was improper and that he "voluntarily completed programs offered by the Office of Court Administration regarding appropriate workplace communication." Judge Seiden did not request review by the Court of Appeals.

Matter of Corey E. Klein

On May 29, 2025, the Commission determined that Corey E. Klein, a Judge of the Long Beach City Court (Nassau County), should be censured for invoking his judicial office in a personal matter involving his son, and in a traffic matter for the benefit of an acquaintance. Judge Klein agreed to the censure. In April 2024, during a public meeting of his local school board, Judge Klein engaged in a heated discussion with board members over a decision not to name his son a valedictorian at his school. At times, he interrupted, shouted over them, and said he was a judge and should be referred to as such. In October 2022, Judge Klein received a text message from a

professional acquaintance that her car was about to get “booted” by the police because she had unpaid parking tickets. Within minutes, the judge called various individuals at the police department, asking them to “stop the boot,” and advising that the unpaid tickets would be “taken care of.” The local police sergeant believed Judge Klein was acting in his judicial capacity when he said not to boot the vehicle. Ultimately, the boot was removed, and the judge’s acquaintance paid the tickets. In accepting the jointly recommended sanction of censure, the Commission stated that the judge “acknowledged that his conduct was improper and warrants public discipline.” Judge Klein did not request review by the Court of Appeals.

Matter of Philip J. Gentile

On May 30, 2025, the Commission determined that Philip J. Gentile, a Justice of the Rossie Town Court, St. Lawrence County, should be censured for initiating unauthorized ex parte communications, making injudicious and at times profane statements, and baselessly insinuating that a town justice in a different court had been involved in an affair. Judge Gentile agreed to the censure. At various times between November 2022 to March 2024, in connection with a case involving a defendant charged with assault, Judge Gentile (1) spoke privately with the prosecutor and did not disclose the conversation to the defense, (2) denied a defense motion to modify an order of protection after calling and talking about the matter privately with a local school official, and (3) uttered profanities in court. In January 2023, while conversing with an attorney between cases in his court, Judge Gentile – gratuitously and without evidence – said of a town official and judge of another community that they “were tight,” “boyfriends and girlfriends [sic],” and comparable to characters in the movie *Body Heat*. In accepting the jointly recommended sanction of censure, the Commission noted that the judge “has acknowledged that his conduct was improper and warrants public discipline.” Judge Gentile, who is not an attorney, did not request review by the Court of Appeals.

Matter of Naita A. Semaj

On May 30, 2025, the Commission determined that Naita A. Semaj, a Justice of the Supreme Court, 12th Judicial District (Bronx County), should be censured for repeated poor demeanor on the bench, particularly toward assistant district attorneys (ADAs). Judge Semaj agreed to the censure. Between March 2022 and April 2023, Judge Semaj unjustifiably ejected three ADAs from her courtroom, yelled at ADAs who appeared before her, made sarcastic comments about them, and inappropriately commented on the pregnancy of one of them. In its determination the Commission stated that Judge Semaj, who despite being counseled by an administrative judge, “continued to be impatient and discourteous toward assistant district attorneys who appeared before her which created at least the appearance of bias against them.” In accepting the jointly recommended sanction of censure, the Commission noted that the judge “acknowledged that her conduct was improper and warrants public discipline.” Judge Semaj did not request review by the Court of Appeals.

Matter of Donald F. Hull

On November 19, 2025, the Commission determined that Donald F. Hull, a Justice of the Antwerp Town Court, Jefferson County, should be censured for his misconduct during a summary eviction proceeding. Judge Hull agreed to the censure. In October 2022, while presiding over the eviction proceeding of a couple who did not have a lawyer, Judge Hull (1) made disrespectful ethnic comments and (2) permitted Judge Whitmore, who had no formal role in the case, to sit near the

bench and repeatedly interject himself into the proceeding. Judge Whitmore asked numerous substantive questions and divided the tenants' attention, as if there were two judges presiding. After ruling to evict the tenants, Judge Hull told them the Department of Social Services would "have to put you up. If they can put Mexicans up in the Taj Mahal..." When one of the tenants called that comment "racist," Judge Whitmore defended Judge Hull by saying he meant to say a "fancy hotel." In its determination the Commission found that Judge Hull "failed to perform his judicial duties without the appearance of bias." The Commission also found that by allowing Judge Whitmore to participate in the proceeding, Judge Hull "made it appear that there were two judges presiding over the matter," and gave the "appearance that [Judge Whitmore] had undue influence over him." Judge Hull, who is not an attorney, did not request review by the Court of Appeals.

Matter of Nichelle A. Johnson

On December 30, 2025, the Commission determined that Nichelle A. Johnson, a Judge of the Mount Vernon City Court (Westchester County), should be censured for engaging in improper ex parte communications, using the prestige of her judicial office to benefit acquaintances, and exhibiting poor demeanor. Judge Johnson agreed to the censure. The Commission found that the judge engaged in multiple acts of misconduct including: (1) Using Judicial Office to Advance Private Interests: In two cases, Judge Johnson used her judicial position to benefit others when she (a) assisted her neighbor in having a traffic ticket dismissed and (b) intervened in a case involving an acquaintance's contracting company; (2) Improper Ex Parte Communications: In three separate cases, Judge Johnson engaged in unauthorized out of court communications, such as calling an unrepresented litigant during an eviction proceeding, attempting to contact a victim in a criminal matter, and providing guidance about the return of a vehicle to a court officer, who was standing with the defendant whose car had been impounded, and then failing to disclose the communication during a later court proceeding; and (3) Poor Demeanor and Appearance of Bias: On two occasions, Judge Johnson displayed impatience and hostility toward prosecutors, used inflammatory language and created at least the appearance that she was biased against the District Attorney's Office. In accepting the jointly recommended sanction of censure, the Commission noted that the judge "has pledged to take extra care to abide by her ethical obligations" and completed five relevant education programs. Judge Johnson did not request review by the Court of Appeals.

DETERMINATIONS OF ADMONITION

The Commission completed three formal proceedings in 2025 that resulted in public admonition.

Matter of Melissa A. Loehr

On March 28, 2025, the Commission determined that Westchester County Court Judge Melissa A. Loehr should be admonished for misconduct in two traffic cases. Judge Loehr agreed to the admonition. In March 2018, while serving as a Peekskill City Court judge, Judge Loehr dismissed a traffic ticket issued to her co-judge's daughter, without disclosing the relationship or that the defendant was a friend of her own daughter. Judge Loehr concedes that she should not have presided over the matter. In January 2017, after her daughter received a traffic ticket in the Town of Cortlandt, Judge Loehr called the court on her daughter's behalf and gratuitously told the deputy court clerk, "I don't know if you know, I'm the judge in Peekskill." Judge Loehr concedes it was improper to invoke her judicial status. In its determination, the Commission stated that in the 2018 matter, Judge Loehr "created the appearance of special consideration based on her personal

relationships and she undermined public confidence in the integrity and impartiality of the judiciary.” The Commission also found that in the 2017 matter, the judge’s “gratuitous reference to her judicial office created at least the appearance that she was inappropriately seeking special treatment for her daughter.” Judge Loehr did not request review by the Court of Appeals.

Matter of Lucas J. Whitmore

On November 19, 2025, the Commission determined that Lucas J. Whitmore, a Justice of the Antwerp Town Court, Jefferson County, should be admonished for his misconduct during a summary eviction proceeding. Judge Whitmore agreed to the admonition. In October 2022, Judge Whitmore was permitted by his co-judge, Judge Hull, to sit near the bench and repeatedly interject himself into the proceeding. Judge Whitmore asked numerous substantive questions and divided the tenants’ attention, as if there were two judges presiding. After ruling to evict the tenants, Judge Hull told them the Department of Social Services would “have to put you up. If they can put Mexicans up in the Taj Mahal...” When one of the tenants called that comment “racist,” Judge Whitmore defended Judge Hull by saying he meant to say a “fancy hotel.” In its determination the Commission found that he “breached his ethical obligations” when he “defended and minimized” Judge Hull’s improper statements, and that by interjecting in the proceeding, Judge Whitmore “undermined” Judge Hull’s authority. Judge Whitmore, who is not an attorney, did not request review by the Court of Appeals.

Matter of Michael H. Plass

On December 11, 2025, the Commission determined that Michael H. Plass, a Justice of the Hyde Park Town Court, Dutchess County, should be admonished for distributing a campaign mailer that included pledges suggesting bias in favor of law enforcement. In October 2023, while running for Hyde Park Town Justice, Judge Plass distributed a mailer that made, or appeared to make, pledges or promises of how he would rule on matters that might come before him in court. Upon learning that judges and judicial candidates are prohibited from doing so, he promptly issued a new mailer that complied with campaign ethics rules. Judge Plass also sought advice from the Advisory Committee on Judicial Ethics, which concluded that for his entire judicial term, he must disqualify himself from all criminal cases, cases involving allegations of domestic violence, Vehicle and Traffic Law matters, and cases involving purported drug dealers. In its determination the Commission found that Judge Plass acknowledged the impropriety of his campaign mailer, and that admonition was the appropriate discipline, noting Judge Plass’s contrition, that the misconduct involved a single incident, that he “took immediate remedial action,” and that admonition was consistent with precedents. It also found that his disqualification from a broad array of cases placed an undue burden on his co-judge. The Commission also determined that Judge Plass may now preside over the “full range of cases” in Hyde Park Town Court, needing only to disqualify where appropriate in individual cases. Judge Plass, who is not an attorney, did not request review by the Court of Appeals.

RESIGNATION STIPULATIONS

The Commission completed 15 other proceedings in 2025 that resulted in public dispositions. Eight of the matters were concluded during the investigative stage, and seven after formal proceedings had commenced.

Matter of Julie M. Kuck

On January 30, 2025, pursuant to a stipulation, the Commission closed its investigation of Julie M. Kuck, a Justice of the Lindley Town Court, Steuben County. In November 2024, the Commission apprised Judge Kuck that it was investigating complaints alleging that in June 2024, she was charged with alcohol-related violations of the New York State Vehicle and Traffic Law, which included a felony. In October 2024, Judge Kuck pleaded guilty to Driving While Intoxicated, a misdemeanor, in satisfaction of all the charges. In agreeing to resign, Judge Kuck, who is not an attorney, affirmed that she would neither seek nor accept judicial office at any time in the future.

Matter of Richard T. Snyder

On January 30, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving Richard T. Snyder, a Justice of the Petersburg Town Court, Rensselaer County, who was charged with misconduct by the Commission for evading jury duty by claiming he could not be impartial. The judge was served in November 2024 with a Formal Written Complaint alleging that in an effort to be excused from Grand Jury duty, he introduced himself as a town justice to the presiding judge and said he could not serve as a Grand Juror because he believed that anyone who comes before him is guilty and therefore he could not be impartial. Later, when appearing for testimony at the Commission, Judge Snyder repeatedly said that all litigants who appeared before him “did something wrong” and, among other things, “I know they’re guilty because they did something wrong. That’s how they got a ticket,” and “...that’s the reason why they got the ticket to appear in court, because they did something wrong.” In agreeing to resign, Judge Snyder, who is not an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Louis P. Violanti

On January 30, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving Louis P. Violanti, an Associate Judge of the Lackawanna City Court, Erie County, who was charged with misconduct by the Commission for orchestrating a fraudulent court proceeding to dismiss the traffic ticket issued to an acquaintance, twelve years prior. In January 2013, while serving as an Associate Judge of the Lackawanna City Court, Judge Violanti arranged and presided over a sham proceeding in which no prosecutor was present and a police officer impersonated the traffic defendant, with whom the judge was acquainted. Judge Violanti then dismissed the ticket. This conduct resulted in a two-year suspension of his law license by the Appellate Division, Fourth Department, which found that his actions constituted “serious misconduct.” Judge Violanti’s law license was reinstated in March 2016, and he was reappointed to the bench by the Mayor of Lackawanna in March 2024 for a 6-year term. This is the second time Judge Violanti resigned from the Lackawanna City Court. When he did so in 2013, it was without a pledge never to return, and before the Commission could remove him from office, which under the State Constitution

would have barred him from returning to the bench. In agreeing to resign in 2025, Judge Violanti affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Bonnie L. Orden

On March 13, 2025, pursuant to a stipulation, the Commission closed its investigation of Bonnie L. Orden, a Justice of the Greenburgh Town Court, Westchester County. In January 2025, the Commission apprised Judge Orden that it was investigating complaints alleging that she had developed a medical condition which interfered with her ability to fully perform select judicial duties. In agreeing to resign, Judge Orden, who is an attorney, affirmed that she would neither seek nor accept judicial office at any time in the future.

Matter of Jeffrey M. Zimmerman

On March 13, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving Jeffrey M. Zimmerman, a Judge of the New York City Criminal Court and an Acting Justice of the Supreme Court, Bronx County, who was charged with misconduct by the Commission for engaging in a pattern of discourteous behavior, among other things. In January 2025, Judge Zimmerman was served with a Formal Written Complaint, alleging that he, while presiding over criminal cases: (1) Interfered in the attorney-client relationship between a defendant and his attorney, repeatedly disparaged the defendant's attorney, and appeared to prejudice the defendant's guilt; (2) Spoke to the jury in private about the case it had just heard, and conveyed information to the jury that could be interpreted as implicitly criticizing its verdict; (3) Disparaged a fellow judge who authored an opinion with which he disagreed; and (4) Failed to be patient, dignified, and courteous to attorneys appearing before him. In agreeing to resign, Judge Zimmerman affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of David R. Green

On May 1, 2025, pursuant to a stipulation, the Commission closed its investigation of David R. Green, a part-time Justice of the Colonie Town Court, Albany County. Judge Green who also practices law, was apprised by the Commission in January 2025, that it was investigating complaints alleging that, among other things, he: (1) Behaved in an undignified, unprofessional and otherwise inappropriate manner toward various lawyers and litigants, such as discussing the merits of a case with an unrepresented defendant, making coercive and otherwise inappropriate comments to defendants, indicating he had prejudged them to be guilty; (2) Impermissibly appeared as a lawyer in a local court and let some of his clients appear in his own court; and (3) Solicited the help of prosecutors appearing before him on behalf of an applicant for an internship in their office. In March 2025, the judge was apprised that the Commission was investigating an additional complaint, alleging that he had engaged in partisan political activity, such as soliciting voters to change their political affiliations. In agreeing to resign, Judge Green affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Mitchell H. Edelstein

On June 12, 2025, pursuant to a stipulation, the Commission closed its investigation of Mitchell H. Edelstein, a Justice of the Long Lake Town Court, Hamilton County. In February 2025, the Commission apprised Judge Edelstein that it was investigating a complaint alleging: (1) Delays in depositing court-collected funds and in the disposition of certain cases; and (2) Failure to disqualify from two traffic cases involving immediate family of professional acquaintances. In

agreeing to resign, Judge Edelstein, who is not an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Lucas H. Ferrin

On June 12, 2025, pursuant to a stipulation, the Commission closed its investigation of Lucas H. Ferrin, a Justice of the Conquest Town Court, Cayuga County. In October 2024, Judge Ferrin was charged with Driving While Intoxicated (DWI) and several other related offenses, including obstructing governmental administration. In April 2025, the Commission apprised the judge that it was investigating a complaint related to the charges. Thereafter, Judge Ferrin resigned from office as a condition of his plea to the DWI charge, a misdemeanor, which satisfied all related charges against him. In agreeing to resign, Judge Ferrin, who is not an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of William Alan Hohausser

On June 12, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving William Alan Hohausser, a Judge of the District Court, Nassau County, who was charged with misconduct by the Commission for making offensive or otherwise inappropriate comments on numerous occasions to prosecutors and court staff. In March 2025, Judge Hohausser was served with a Formal Written Complaint, alleging that between February 2023 and May 2024, he made numerous inappropriate comments to various Nassau County Assistant District Attorneys and a court employee, despite having been cautioned by the Commission in May 2022 for making inappropriate remarks to attorneys. In agreeing to resign, Judge Hohausser affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of George J. Meyers

On September 18, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving George J. Meyers, a Justice of the New Windsor Town Court, Orange County. Judge Meyers was served with a Formal Written Complaint in January 2025 alleging that he: (1) Made discourteous, and/or otherwise inappropriate comments to and/or about court personnel; and (2) Engaged in retaliatory conduct toward court staff, another judge and town officials with whom he had disagreements. Judge Meyers denied the allegations of misconduct. In agreeing to resign, Judge Meyers, who is not an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Louis L. Nock

On September 18, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving Louis L. Nock, a Judge of the New York City Civil Court. Judge Nock was served with three Formal Written Complaints – in July 2024, January 2025 and May 2025 – alleging that: (1) He often acted in a rude, demeaning and otherwise unprofessional manner toward court staff; and (2) He threatened to file attorney grievance complaints against Commission staff and witnesses, and to file a criminal complaint against another witness, unless the charges against him were dismissed. The Commission also advised Judge Nock that it was investigating complaints alleging that: (1) He had provided legal services to clients in other states, notwithstanding the prohibition of full-time judges practicing law; and (2) He was improperly using his judicial title in his personal email address. Judge Nock denied all the allegations of misconduct. He filed two motions to

dismiss the charges, which the Commission denied. In agreeing to resign, Judge Nock affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Reid L. Johnson

On October 30, 2025, pursuant to a stipulation, the Commission closed its investigation of Reid L. Johnson, a Justice of the Ellington Town Court, Chautauqua County. In September 2024, Judge Johnson was charged with two motor vehicle offenses, including aggravated driving while intoxicated. In December 2024 he pleaded guilty to Driving While Ability Impaired, a violation-level offense, in satisfaction of all charges and in June 2025 was sentenced to a \$500 fine, a \$420 surcharge and other mandatory sentencing terms. In July 2025, the Commission apprised the judge that it was investigating a complaint related to the charges, as well as an allegation that he had identified himself as a judge when arrested. In agreeing to resign, Judge Johnson, who is not an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Ian E. Penders

On October 30, 2025, pursuant to a stipulation, the Commission closed its investigation of Ian E. Penders, a Justice of the Clarkson Town Court, Monroe County. In August 2025, the Commission began investigating a complaint alleging that in June 2025, when stopped by police on two separate occasions and charged with a misdemeanor and a violation relating to the unlicensed operation of a motor vehicle, Judge Penders invoked his judicial office to avoid being issued tickets. In September 2025, the Commission apprised the judge of its investigation. In agreeing to resign, Judge Penders, who is an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Eric T. Swartz

On December 11, 2025, pursuant to a stipulation, the Commission closed its investigation of Eric T. Swartz, a part-time Judge of the Watertown City Court, Jefferson County. In April 2024, the Commission apprised Judge Swartz that it was investigating a complaint alleging that he was suffering from a condition that interfered with his ability to perform his judicial duties. In agreeing to resign, Judge Swartz affirmed that he would neither seek nor accept judicial office at any time in the future.

Matter of Todd C. Whitford

On December 11, 2025, pursuant to a stipulation, the Commission discontinued a proceeding involving Todd C. Whitford, a Justice of the Jerusalem Town Court, Yates County. In September 2025, Judge Whitford was served with a Formal Written Complaint containing four charges, alleging as follows: (1) During a preliminary hearing involving charges related to alleged violations of an order of protection, Judge Whitford demeaned the alleged victim, exhibited bias against women, expressed disdain for law enforcement, mishandled evidentiary procedures, relied on materials that had not been admitted into evidence, and demonstrated a lack of legal competence with respect to orders of protection; (2) During a sentencing hearing for a serious traffic incident, Judge Whitford made inappropriate remarks about both the prosecutor and defense attorney, expressed sympathy for the defendant – including stating “I hope you’re not mad at me” for imposing the sentence as required – questioned the defendant’s culpability for the dangerous conduct to which he had pled guilty, and used vulgar language; (3) While presiding over a

suppression hearing, Judge Whitford laughed at the prosecutor, made derogatory comments about his legal abilities, improperly pressured him to act as a witness, and mockingly commented on one of the objections he made; and (4) While accepting a guilty plea in a DWI case, Judge Whitford criticized the law mandating incarceration for defendants convicted of two misdemeanor DWIs within a five-year period, characterizing the statute as “disgusting” and “wrong,” and expressed remorse that the defendant was going to jail. In agreeing to resign, Judge Whitford, who is not an attorney, affirmed that he would neither seek nor accept judicial office at any time in the future.

SUSPENSION RECOMMENDATION

Section 44 (8) of the Judiciary Law provides that the Court of Appeals may suspend a judge from office “when he is charged with a crime punishable as a felony...or any other crime which involves moral turpitude.” At appropriate times the Court asks the Commission to present its views as to whether the judge should be suspended and whether such suspension should be with or without pay. In 2025, there was one such matter.

People vs David M. Miller

Wolcott Village Court Justice David M. Miller was suspended with pay following his arrest for Grand Larceny in the Third Degree, a felony. The Commission recommended that his suspension be continued, which the Court has ordered.

OTHER DISMISSED OR CLOSED FORMAL WRITTEN COMPLAINTS

The Commission disposed of four Formal Written Complaints in 2025 without rendering public disposition. One complaint was disposed of with a Letter of Caution, upon a finding by the Commission that judicial misconduct was established but that public discipline was not warranted. Another complaint was dismissed, and a Letter of Dismissal and Caution was issued, upon a finding by the Commission that while judicial misconduct was not established, the judge’s conduct warranted a confidential suggestion and recommendation. A third complaint was closed due to the judge’s resignation. The fourth complaint was closed upon the vacancy of the judge’s office due to reasons other than resignation, such as the expiration of the judge’s term.

MATTERS CLOSED UPON RESIGNATION

In 2025, 28 judges resigned while complaints against them were pending before the Commission, and the matters pertaining to those judges were closed. Eight of those judges resigned while under formal charges by the Commission, seven pursuant to public stipulation. Twenty judges resigned while under investigation, eight of those pursuant to public stipulation. By statute, the Commission may continue an inquiry for a period of 120 days following a judge’s resignation, but no sanction other than removal from office may be determined within such period. When rendered final by the Court of Appeals, the “removal” automatically bars the judge from holding judicial office in the future. Thus, no other action may be taken if the Commission decides within that 120-day period that removal is not warranted.

REFERRALS TO OTHER AGENCIES

Pursuant to Judiciary Law Section 44(10), the Commission may refer matters to other agencies. In 2025, the Commission referred 50 matters to other agencies. Thirty-seven matters were referred to the Office of Court Administration, typically dealing with relatively isolated instances of delay, poor record-keeping or other administrative issues. Six matters were referred to the Office of Court Administration and to a U.S. Attorney's office, two matters were referred to the Office of Court Administration and the New York State Comptroller's office, and five matters were referred to an attorney grievance committee.

LETTERS OF DISMISSAL AND CAUTION

A Letter of Dismissal and Caution contains confidential suggestions and recommendations to a judge upon conclusion of an investigation, in lieu of commencing formal disciplinary proceedings. A Letter of Caution is a similar communication to a judge upon conclusion of a formal disciplinary proceeding with a finding that the judge's misconduct is established, but where the Commission determines that public discipline is not warranted.

Cautionary letters are authorized by the Commission's Rules, 22 NYCRR 7000.1(1) and (m). They serve as an educational tool and, when warranted, allow the Commission to address a judge's conduct without making the matter public.

In 2023, the Commission issued 30 Letters of Dismissal and Caution and one Letter of Caution. Fifteen town or village justices were cautioned, including five who are lawyers. Sixteen judges of higher courts – all lawyers, as required by law – were cautioned. The caution letters addressed various types of conduct as indicated below.

Assertion of Influence. Four judges were cautioned for lending the prestige of judicial office to advance private interests. One judge was cautioned for using her court email for a personal matter. Another judge was cautioned for using a personal email address that referred to his judicial status. A third judge was cautioned for asking attorneys appearing before her for letters of support. A fourth judge was cautioned for instructing his son's attorney to inform the trial judge that the plaintiff's father was a judge, despite no valid reason to do so.

Audit and Control. Four judges were cautioned for failing to file monthly reports and remittances with the State Comptroller in a timely manner as required.

Bias. One judge was cautioned for using language that could have been interpreted as having racial undertones. Another judge was cautioned for making inappropriate derogatory comments about an expert witness.

Conflicts of Interest. All judges are required by the Rules Governing Judicial Conduct to avoid conflicts of interest and to disqualify themselves or disclose on the record circumstances in which their impartiality might reasonably be questioned. One judge was cautioned for failing to recuse from a ruling on motion involving an attorney with whom he had a personal relationship, despite prior disqualifications involving the attorney. A part-time judge was cautioned for also serving as a prosecutor, which is prohibited.

Inappropriate Demeanor. The Rules require every judge to be patient, dignified and courteous to litigants, attorneys and others with whom the judge deals in an official capacity. Five judges were cautioned during the year for various displays of discourtesy or intemperance that did not warrant public discipline or were not part of a pattern of misconduct. Judges are prohibited, with limited exceptions, from making public comments about pending cases. Two judges were cautioned for inappropriately commenting to the press about pending cases. Another judge was cautioned for engaging in inappropriate conversations about politics with interns.

Improper *Ex Parte* Communications. One judge was cautioned for engaging in an isolated and minor instance of unauthorized out-of-court communication with a police detective.

Miscellaneous. The Rules require judges to diligently discharge the judge's administrative responsibilities and to cooperate with other judges and court officials in the administration of court business. One judge was cautioned for failing to comply with an Administrative Order. Another judge was cautioned for repeatedly refusing to be interviewed in connection with an internal court investigation.

Political Activity. The Rules permit judges to participate in limited political activities during a specifically defined "window period" when they are candidates for elective judicial office. However, the Rules prohibit all judges from publicly endorsing or publicly opposing (other than by running against) another candidate for public office, and from making contributions to political organizations or candidates. One judge was cautioned for making an improper political contribution and appearing to endorse a certain political party at an inauguration watch party. Another judge was cautioned for posting a photo with an elected official during the official's re-election campaign. A third judge was cautioned for making partisan political posts on Facebook.

Violation of Rights. The Rules require that a judge respect, comply with, be faithful to and professionally competent in the law. Sections 100.2(A), 100.3(B)(1). Three judges were cautioned for relatively isolated incidents of violating or not protecting the rights of parties appearing before them. One judge was cautioned for conducting a custody modification proceeding in absence of the defense attorney, notwithstanding that he ruled in favor of the attorney's client. Another judge was cautioned for ruling on a pending motion despite having recused from the matter, and without setting a briefing or hearing schedule, effectively denying the litigant an opportunity to be heard.

Follow Up on Caution Letters. Should the conduct addressed by a cautionary letter continue or be repeated, the Commission may authorize an investigation of a new complaint, which may lead to formal charges and further disciplinary proceedings. In certain instances, the Commission will authorize a follow-up review of the judge's conduct to assure that promised remedial action was indeed taken. In 1999, the Court of Appeals, in upholding the removal of a judge who *inter alia* used the power and prestige of his office to promote a particular private defensive driver program, noted that the judge had persisted in his conduct notwithstanding a prior caution from the Commission that he desist from such conduct. *Matter of Assini v Commission on Judicial Conduct*, 94 NY2d 26 (1999).

OUTREACH AND EDUCATION

Enhancing public confidence in the integrity of the courts requires not only disciplining those judges who have engaged in ethical wrongdoing but, as much as possible, preventing judicial misconduct from occurring in the first place. To that end, the Commission maintains an active schedule of presentations and educational programs throughout the year. For example, Commission representatives regularly lecture or appear on panels to provide updates on ethical standards and best practices, explain complaint and investigative procedures, analyze issues and trends in judicial ethics, and perhaps most significantly, offer guidance on how to avoid problematic behavior that might result in public discipline.

The Commission's recent education and training endeavors have included the following:

- Judicial Education
 - Statewide Appellate Justices Conference
 - Orientation for Newly Elected and Appointed Judges at the Judicial Institute
 - NYS County Court Judges Association
 - NYC Criminal Court Judges Association
 - NYS Administrative Judges Conference
 - City Court Judges Association
 - Upstate Administrative Judges
 - Bronx Supreme Court Justices
 - 5th Judicial District Judges
 - 7th Judicial District Judges Conference
 - 7th Judicial District Supreme Court Judges
 - NYS Administrative Law Judges
 - NYS Magistrates Association, Annual Conference
 - NYS Magistrates Association, local chapter meetings
 - NYC Administrative Law Judges
- Professional, National and International Collaboration
 - New York City Bar Association
 - Albany County Bar Association
 - National Center for State Courts
 - Association of Judicial Disciplinary Counsel
 - National Conference on Domestic Violence
 - United States Department of State International Visitor Leadership Program
 - Albanian High Inspector of Justice
- Legislative Engagement
 - Legislative Continuing Legal Education Program for lawyer-legislators and staff
 - Legislative committee hearing testimony

OBSERVATIONS AND RECOMMENDATIONS

The Commission traditionally devotes a section of its Annual Report to a discussion of topics of special note that have come to its attention in the course of considering complaints. It does so for public education purposes, to advise the judiciary as to potential misconduct that may be avoided, and pursuant to its statutory authority to make administrative and legislative recommendations.

RECURRING BUT EASILY AVOIDABLE MISCONDUCT

Commission representatives often make presentations to judicial groups and professional organizations, civic entities and educational institutions. One of the more popular themes – particularly among new judges at orientation programs and veteran judges at continuing education seminars – focuses on how to avoid conduct that would generate disciplinary inquiry.

Despite such educational efforts, and observations in our annual reports and website, certain types of misconduct repeatedly come to the Commission’s attention, often committed by relatively new judges who are not fully familiar with the Rules Governing Judicial Conduct or do not appreciate that judicial office imposes constraints that the practice of law or other professions do not. Some of the more commonly seen and easily avoided mistakes are discussed below.

DRINKING AND DRIVING

The Commission has publicly disciplined numerous judges over the years for having committed various alcohol-related driving offenses and, on occasion, discharging or attempting to discharge judicial duties while under the influence of alcohol. Apart from the obvious – that drinking to excess and then operating a car puts the driver and everyone in the vicinity at great risk of harm – when the wrongdoer is a judge, public confidence in the courts, where intoxication-related offenses are adjudicated, is seriously compromised.

The Commission’s docket seems always to have one or more active inquiries into complaints of public alcohol-fueled misconduct by judges, and in recent years, numerous disciplinary determinations have been rendered in such matters, particularly as to instances in which judges were arrested and convicted for driving under the influence. Often the misconduct is compounded when the judge invokes the judicial title seeking leniency from the arresting officer.

See the Commission’s website at: [Alcohol Related Conduct and Driving Offenses](#).

FAILING TO COOPERATE WITH A COMMISSION INQUIRY

Cooperation with a Commission inquiry or proceeding is mandatory, not optional. Such conduct as failing to respond to letters of inquiry, failing to produce documents, court audio recordings or other materials when requested, and failing to appear for testimony when summoned, subject a judge to disciplinary consequences without regard to the nature of the complaint that gave rise to the inquiry. A judge who refuses to cooperate risks removal from office even if the facts of the underlying complaint would not necessarily warrant such a severe result.

See the Commission’s website at: [Failure to Cooperate](#).

UNDUE DELAYS

The Rules Governing Judicial Conduct require a judge to “dispose of all judicial matters promptly, efficiently and fairly.” 22 NYCRR 100.3(B)(7). Delays that are “lengthy” and “without valid excuse” subject the judge to public discipline. *Matter of Gilpatric*, 13 NY3d 586, 589-90 (2009) (judge admonished for delays in deciding 26 fully-submitted matters for up to two or more years). Failing to report the delays on quarterly reports of pending matters compounds the delay and could lead to removal from office. *Matter of Washington*, 100 NY2d 873 (2003).

A judge who is falling behind should bring the matter to the attention of the appropriate administrative judge, who may be in a position to assist by bringing additional resources to the court to help clear a backlog.

See the Commission’s website at: [Delay in Rendering Decisions](#).

ANNUAL FINANCIAL DISCLOSURE STATEMENTS

All judges serving on courts of record in the New York State Unified Court System – that is, all courts except town and village courts – and all non-incumbent candidates seeking election to courts of record – are required by law to file annual financial disclosure statements, like those filed by other state officials and state government employees.

Since 1990, the Ethics Commission for the Unified Court System (UCS Ethics) has been responsible for administering the distribution, collection, review and maintenance of annual financial disclosure statements for all judges and those court system employees who are required by law to file. The powers, duties and procedures of the UCS Ethics are set forth in 22 NYCRR Parts 40 and 7400.

Section 211(4) of the Judiciary Law and Section 40.2 of the Rules of the Chief Judge require judges to file their annual financial disclosure statements by May 15 of each succeeding year. Section 100.5(A)(4)(g) of the Rules Governing Judicial Conduct require a judicial candidate to file a financial disclosure statement “within 20 days following the date on which the judge or non-judge becomes such a candidate.”

Full-time judges are also obliged under the Rules to report extra-judicial compensation annually to the clerk of the courts on which they sit. 22 NYCRR 100.4(H)(2).

A judge who fails to submit a timely disclosure statement is issued a “Notice to Cure” by UCS Ethics, usually providing 30 days notice. Failure to heed a Notice to Cure results in issuance of a “Notice of Delinquency,” which UCS Ethics is also required to send to the Judicial Conduct Commission, pursuant to Section 40.1(k) of the Rules of the Chief Judge.

A Notice of Delinquency automatically triggers a Commission investigation into the judge’s alleged tardiness. Where investigation reveals a valid excuse, discipline would not be imposed. Where the judge’s explanation is not persuasive, but the delinquency was a first-time oversight and the judge promptly files upon receipt of the UCS Ethics notice, the Commission may issue a confidential cautionary letter. However, where there are aggravating circumstances with respect

to a judge’s financial disclosure statements, such as multiple instances of late filings or filings that contain material inaccuracies, public discipline may result.

See the Commission’s website at: [Financial Disclosure](#).

ASSERTING JUDICIAL OFFICE FOR THE PERSONAL BENEFIT OF THE JUDGE OR OTHERS

Judges are prohibited from lending the prestige of their office to advance the private interests of themselves or others, and from otherwise allowing personal relationships to influence their judicial conduct and judgment. 22 NYCRR 100.2. It is a fundamental principle of the American system of justice that judicial office is a high public trust which may not be traded upon for private gain. Nevertheless, since the Commission’s inception, dozens of judges have been disciplined in whole or in part for inappropriately asserting the influence of judicial office to benefit themselves, or to benefit or harm others.

For example, a judge’s interest in avoiding a speeding ticket by telling the officer he or she is a judge, or in assisting a friend or relative get a lighter sentence, may be understandable, and it may sometimes be difficult to say no when asked for assistance, but as the Court of Appeals said 45 years ago, in the earliest days of the Commission’s existence:

Members of the judiciary should be acutely aware that any action they take, whether on or off the bench, must be measured against exacting standards of scrutiny to the end that public perception of the integrity of the judiciary will be preserved. *Matter of Lonschein*, 50 NY2d 569, 572 (1980).

See the Commission’s website at: [Assertion of Influence](#).

UNAUTHORIZED POLITICAL ACTIVITY

There are approximately 3,400 judges and justices of the New York State Unified Court System. With limited exceptions – most notably the Court of Appeals, which is New York State’s highest court – judges and justices are elected to specific terms of office.

Public confidence in the independence, integrity and impartiality of the judiciary requires keeping politics out of the courthouse and from influencing judicial decisions. Yet as the US Supreme Court has held, where judgeships are filled by election, it is necessary and permissible for judicial candidates to engage in some campaign activity while running for office because communication between candidates and electorate is fundamental to the democratic process. *Republican Party of Minnesota v White*, 536 U.S. 765 (2002).

The Rules Governing Judicial Conduct aim to strike a reasonable balance between these competing interests, i.e. allowing for and confining certain judicial campaign activity away from the courthouse. There is, for example, a defined “Window Period” of permissible political activity, based on when election to the judicial term is scheduled. In this Window Period, judicial candidates – whether incumbent judges or non-incumbent challengers – may engage in certain campaign activity, such as purchasing two tickets to political events sponsored by political parties or other partisan organizations, which they may attend in order to promote their own candidacies. 22 NYCRR 100.0(Q). Except for the Window Period in which they are actually running for judicial

office, or when exercising a fundamental democratic right such as voting in an election, judges may not engage in political activity. 22 NYCRR 100.5(A)(1).

Even in their Window Period, candidates for judicial office, including incumbent judges, are subject to certain guidelines that do not apply to candidates for legislative or executive office. Section 100.5 of the Rules Governing Judicial Conduct sets forth both the permissible and prohibited activities of judicial candidates.

One valuable and easily accessible resource for judicial candidates is the [Judicial Campaign Ethics Center \(JCEC\)](#), which operates in conjunction with the [Advisory Committee on Judicial Ethics](#). Among other things, the Center responds to candidate inquiries, publishes useful guidelines, and administers a course on judicial campaign ethics, which may be completed in person, by video or via the internet. All candidates for election to judicial office, other than those running for town or village court justice, are required by the Rules Governing Judicial Conduct to complete the JCEC program or an accredited alternative “no later than 30 days after receiving the nomination for judicial office.”

In 2023, the Commission was made aware of several dozen judges throughout the state who appeared to have made prohibited contributions over the past few years, mostly to candidates of the major political parties who were running for election to national or federal office, such as President, the US Senate or the House of Representatives. Most of the contributions were for modest amounts, typically under \$100, and sometimes as low as \$5 or \$10. Many of the judges did not seem to appreciate that the prohibition on partisan politics is not limited to state or local offices in New York but applies to all campaigns, anywhere. Many of the prohibited contributions appear to have been made on the spur of the moment, with little deliberation, in response to solicitations that came to the judges by email to their personal accounts, to their mobile phones as text messages, or to their computer internet browsers as “pop up” ads.

A number of judges were cautioned for having made impermissible contributions, and Chief Administrative Judge Joseph Zayas issued a statewide [memorandum](#), reminding all judges and justices of the Unified Court System about the rules and limitations on campaign contributions. Among other things, he specifically noted that the “restrictions apply broadly to all elections, including national elections, as well as state and local elections outside New York State.”

Making a prohibited political contribution is a self-inflicted mistake, easily avoidable by pausing when solicited, and consulting pertinent resources before acting.

See the Commission’s website at: [Prohibited Political Activity](#).

THE COMMISSION’S BUDGET

Although the Commission performs a purely Judicial Branch function and is not an Executive agency reporting to the Governor, it was determined in 1978 that the Commission’s annual funding request would be submitted to the Legislature by the Governor in the Executive Budget. This is intended to avoid the obvious conflict that would arise were the Commission’s budget to be controlled by the very Judicial Branch whose officers it may investigate and discipline. However, it was never intended for the Executive to unilaterally dictate or control the Commission’s budget.

Over the years, some Governors and Budget Directors have worked with the Commission to arrive at an appropriate recommendation on the proposed budget. Where the Executive and the Commission have disagreed, and the Executive has unilaterally recommended a figure, the Commission has successfully appealed to the Legislature for additional funding.

For fiscal year 2026-27, consistent with the Governor’s request that all agencies refrain from proposing increases, the Commission requested a “flat” budget of \$9.3 million, *i.e.*, the same amount it received for fiscal year 2025-26.

Governor Hochul’s Executive Budget submission to the Legislature for the fiscal year beginning April 1, 2026, proposed the \$9.3 million as the Commission had requested.

SELECTED BUDGET FIGURES: 1978 TO PRESENT

Fiscal Year	Annual Budget ¹	New Complaints ²	Prelim Inquiries	New Investigations	Pending Year End	Public Dispositions	Full-Time Staff
1978	1.6m	641	N.A.	170	324	24	63
1988	2.2m	1109	N.A.	200	141	14	41
1996	1.7m	1490	492	192	172	15	20
2006	2.8m	1500	375	267	275	14	28
2007	4.8m	1711	413	192	238	27	51
2020	6.0m	1504	318	120	177	24	39
2021	6.4m	1938	375	125	191	17	43
2022	7.2m	2439	549	170	187	25	46
2023	8.1m	2982	570	207	204	17	49
2024	8.9m	3353	537	159	212	24	49
2025	9.3m	3363	582	141	190	25	56
2026	9.3m	~	~	~	~	~	56

¹ Budget figures are rounded off; budget figures are fiscal year (Apr 1 – Mar 31).

² Complaint figures are calendar year (Jan 1 – Dec 31).

CONCLUSION

Public confidence in the independence, integrity, impartiality and high standards of the judiciary, and in an independent disciplinary system that helps keep judges accountable for their conduct, is essential to the rule of law. The members of the New York State Commission on Judicial Conduct are confident that the Commission's work contributes to those ideals, to a heightened awareness of the appropriate standards of ethics incumbent on all judges, and to the fair and proper administration of justice.

Respectfully submitted,

JOSEPH W. BELLUCK, ESQ., *CHAIR*
TAA GRAYS, ESQ., *VICE CHAIR*
HON. FERNANDO M. CAMACHO
STEFANO CAMBARERI, ESQ.
BRIAN C. DOYLE, ESQ.
HON. JOHN A. FALK
ROBIN CHAPPELLE GOLSTON
NINA M. MOORE, PH.D.
HON. PETER H. MOULTON
MARVIN RAY RASKIN, ESQ.

APPENDIX A: BIOGRAPHIES OF COMMISSION MEMBERS

There are 11 members of the Commission on Judicial Conduct. Each serves a renewable four-year term. Four members are appointed by the Governor, three by the Chief Judge, and one each by the Speaker of the Assembly, the Minority Leader of the Assembly, the Temporary President of the Senate (Majority Leader) and the Minority Leader of the Senate.

Of the four members appointed by the Governor, one shall be a judge, one shall be a member of the New York State bar but not a judge, and two shall not be members of the bar, judges or retired judges. Of the three members appointed by the Chief Judge, one shall be a justice of the Appellate Division, one shall be a judge of a court other than the Court of Appeals or Appellate Division, and one shall be a justice of a town or village court. None of the four members appointed by the legislative leaders shall be judges or retired judges.

The Commission elects a Chair and a Vice Chair from among its members for renewable two-year terms, and appoints an Administrator who shall be a member of the New York State bar who is not a judge or retired judge. The Administrator appoints and directs the agency staff. The Commission also has a Clerk who plays no role in the investigation or litigation of complaints but assists the Commission in its consideration of formal charges, preparation of determinations and related matters.

Member	Appointing Authority	Year First App'ted	Expiration of Present Term
Joseph W. Belluck	Governor Kathy Hochul	2008	3/31/2028
Taa Grays	Senate President Pro Tem Andrea Stewart-Cousins	2017	3/31/2027
Fernando M. Camacho	Chief Judge Rowan Wilson	2021	3/31/2028
Stefano Cambareri	Assembly Minority Leader William A. Barclay	2024	3/31/2029
Brian C. Doyle	Senate Minority Leader Robert G. Ort	2023	3/31/2028
John A. Falk	Chief Judge Rowan Wilson	2017	3/31/2029
Robin Chappelle Golston	Governor Kathy Hochul	2025	3/31/2029
Nina M. Moore	Governor Kathy Hochul	2023	3/31/2027
Peter H. Moulton	Chief Judge Rowan Wilson	2025	3/31/2026
Marvin Ray Raskin	Assembly Speaker Carl Heastie	2018	3/31/2026
Vacant	Governor		3/31/2026

Joseph W. Belluck, Esq., *Chair of the Commission*, graduated magna cum laude from the SUNY-Buffalo School of Law in 1994, where he served as Articles Editor of the Buffalo Law Review and where he is an adjunct lecturer on mass torts. He is the founder of the Manhattan law firm Belluck Law, which focuses on asbestos and serious injury litigation. Mr. Belluck previously served as counsel to the New York State Attorney General, representing the State of New York in its litigation against the tobacco industry, as a judicial law clerk for Justice Lloyd Doggett of the Texas Supreme Court, as staff attorney for Public Citizen in Washington, D.C., and as Director of Attorney Services for Trial Lawyers Care, an organization dedicated to providing free legal assistance to victims of the September 11, 2001 terrorist attacks. Mr. Belluck has lectured frequently on asbestos, product liability, tort law and tobacco control policy. He is an active member of several bar associations, including the New York Academy of Trial Lawyers. He is also a member of the SUNY Board of Trustees, Chair of the New York State Cannabis Advisory Board, and sits on the board of several not-for-profit organizations.

Taa Grays, Esq., *Vice Chair of the Commission*, is a graduate of Harvard University, cum laude, and Georgetown University Law Center. Until 2024, she served in various senior positions at MetLife, Inc. including most recently as Vice President & Associate General Counsel for Information Governance. Prior to MetLife, she previously served as an Assistant District Attorney in the Bronx from 1997 - 2003. Ms. Grays is the President-Elect of the New York State Bar Association, is on the New York Law Journal Board of Editors and has served as President of the Metropolitan Black Bar Association, the Network of Bar Leaders and the Association of Black Women. She has received numerous awards and recognition for her leadership in bar and diversity endeavors.

Honorable Fernando M. Camacho is a graduate of Columbia College and Fordham University School of Law. He previously served as judge of the New York City Criminal Court from 1997 to 2008 and as Administrative Judge for Criminal Matters, 11th Judicial District from 2008 to 2012. Justice Camacho was appointed to the Court of Claims in 2009 and has served as an Acting Justice of the Supreme Court, Suffolk County, since 2013. Justice Camacho began his career in the Manhattan District Attorney's Office, where he served from 1985 until 1995 when he left to work in private practice.

Stefano Cambareri, Esq., is a graduate of the State University of New York at Albany with a B.S. (cum laude) in Business Administration, and the Syracuse University College of Law (magna cum laude), where he was a member of the Justinian Honorary Law Society and an Associate Editor of the Syracuse Law Review. Mr. Cambareri is Senior Partner in the law firm of Cambareri & Brenneck, PLLC, in Syracuse. He previously served as an associate at Bond, Schoeneck & King and later worked as an Assistant District Attorney in Onondaga County. Mr. Cambareri has taught trial practice at The Syracuse University College of Law and classes at Cazenovia College and Bryant & Straton College. He is a past member of the Lexis/Nexis New York Criminal Practice Editorial Board, has lectured on various law-related topics for the Onondaga County Bar Association Continuing Legal Education Program, the Syracuse Police Department, the Onondaga County Sheriff's Office, the Onondaga County Center for Forensic Sciences, local school districts and community groups.

Brian C. Doyle, Esq., is a graduate of the University of North Carolina at Chapel Hill and the Wake Forest School of Law. He is Co-Managing Shareholder of the Long Island office of law firm Greenberg Traurig. He began his career as an Assistant District Attorney in Suffolk County before

entering private practice. Mr. Doyle represents clients in real estate transactions, land use applications and litigated matters related to municipal determinations, construction, business and broker disputes, easements and adverse possession claims. Mr. Doyle previously chaired the Suffolk County Bar Association's East End Committee and was a member of its Judicial Screening Committee. He also previously served on the Board of Directors of the East Hampton Business Alliance and as the treasurer of the East End Regional Intervention Court. In 2011, Mr. Doyle received the Suffolk County Bar Association's Special Award of Recognition.

Honorable John A. Falk is a graduate of LeMoyne College and the University of Dayton School of Law. He has served as a Justice of the Brighton Town Court since 2008. He is the Managing Partner of Faraci Lange, LLP, in Rochester, where he focuses on serious injury litigation. Before joining Faraci Lange, he served as an Assistant District Attorney for Monroe County. Justice Falk is a member of the American Board of Trial Advocates.

Robin Chappelle Golston, a graduate of Hampton University, is the President and CEO of Planned Parenthood Empire State Acts. Ms. Golston has previously served as Executive Deputy Secretary to Governor Kathy Hochul, Vice President of Corporate Relations and Government Affairs at EmblemHealth, Vice President and Government Relations Manager at JPMorgan Chase, and as a political director under Senators Kirsten Gillibrand and Hillary R. Clinton. Ms. Golston serves on the board of New York Open Air Shakespeare, an international theater company and educational organization.

Nina M. Moore, Ph.D., graduated magna cum laude and Phi Beta Kappa from Knox College and earned her M.A. and Ph.D. in political science at the University of Chicago. She is a professor of Political Science and former department chair at Colgate University, and the director of the Forum on Race and Public Policy. Dr. Moore previously taught at DePaul University, Loyola University of Chicago, and the University of Minnesota. The author of three books, *Governing Race: Policy Process and the Politics of Race*, *The Political Roots of Racial Tracking in American Criminal Justice*, and *Toeing the Line: The Supreme Court and the Politics of Affirmative Action* (forthcoming), her research and teaching interests center on race and institutions. She is named in Princeton Review's Best 300 Professors in the U.S. volume and has served in numerous faculty leadership posts at Colgate, by appointment and peer election. Beyond Colgate she has worked as a consultant on a mayoral and presidential campaign and is the recipient of several outside grants. Dr. Moore previously served as a member of the Judicial Conduct Commission from 2009-2013 and as a New York State Senate appointee to the state Advisory Council on Underage Alcohol Consumption and Substance Abuse. She is on the editorial board of the Ralph Bunche Journal of Public Affairs and a member of the American Political Science Association, the Midwest Political Science Association, and the National Conference of Black Political Scientists. Dr. Moore is an active member of the Syracuse, NY community where she has served on not-for-profit boards, is a regular panelist on the PBS television series *Ivory Tower*, and is an active member of her church congregation.

Honorable Peter H. Moulton is a graduate of Stanford University and Columbia University School of Law. He was elected to the Supreme Court in 2014 and appointed to the Appellate Division, First Department, in 2017. Justice Moulton has had several leadership positions within the court system, including Administrative Judge for Civil Matters of the First Judicial Department and Coordinating Judge for the New York City Asbestos Litigation. He began his judicial service in 2004 as a Judge of the New York City Civil Court, where he served as Supervising Judge in

New York County from November 2010 to January 2014. Prior to taking the bench, Justice Moulton was principal law clerk to Justice Leland DeGrasse, worked as a litigator for the Affirmative Litigation Division of New York City's Corporation Counsel and served as Law Clerk to U.S. District Judge Charles E. Stewart, Jr.

Marvin Ray Raskin, Esq., is a graduate of New York Law School, where he served as Editor-in-Chief of the law school publication *Equitas*. He has maintained a private practice in the Bronx since 1977 and has an office in Yorktown Heights. Mr. Raskin previously served as an assistant district attorney in the Bronx. He has been a member of the Bronx County Bar Association for over 40 years, was elected president in 1994, and since 1996 has been Chair of its Criminal Courts Committee. Mr. Raskin served on the New York City Mayor's Advisory Committee on the Judiciary, 2007-2017, under Mayors Bloomberg and DiBlasio. He is presently the Vice-Chair of the Central Screening Committee, Assigned Counsel Plan, for the Appellate Division, First Department. Among his professional awards are the New York County Lawyers Pro Bono Award for free legal services rendered to the Courts and the Public, The New York Law Journal award for Attorney's Who Lead by Example, and the President's Award for Extraordinary Service by the Bronx County Bar Association. Mr. Raskin regularly lectures on criminal law and procedure and legal ethics in the metropolitan area and has been an Adjunct Assistant Professor at the Herbert H. Lehman College of the City University of New York.

RECENT MEMBERS

Honorable Robert J. Miller served on the Commission from 2018 until his retirement from the bench on December 31, 2025. Judge Miller is a graduate of Brooklyn College and the Georgetown University Law Center. In 2007, he was elected to the Supreme Court, Second Judicial District, and in 2010 he was appointed to the Appellate Division, Second Department. Prior to his judicial career Justice Miller was a partner in several law firms, including Reed Smith and Parker Duryee Rosoff & Haft. Justice Miller is a frequent lecturer at a variety of Continuing Legal Education programs and has long been active in various civic and bar associations endeavors. Justice Miller is the former Chair of the New York State Ethics Commission and is a member of the Association of the Bar of the City of New York, the Brooklyn Bar Association, the Kings County Columbian Lawyers and the Catholic Lawyers Guild.

Honorable Anil C. Singh served on the Commission from 2023 until his retirement from the bench on April 15, 2025. Judge Singh is a graduate of Lawrence University and the Antioch School of Law in Washington, D.C. In 2013, he was elected to the Supreme Court and in 2017 he was appointed to the Appellate Division, First Department. He served as a Judge of the New York City Civil Court from 2003 to 2013. Prior to his judicial career Justice Singh worked as a principal court attorney to the Hon. Alice Schlesinger. Before joining the Commission, Justice Singh had served on the Advisory Committee on Judicial Ethics.

Akosua Garcia Yeboah served on the Commission from 2016 to 2025. Ms. Yeboah received her B.A. from the State University of New York at New Paltz and holds a Master of Science degree in Urban Planning and Environmental Studies from Rensselaer Polytechnic Institute. She is a former Senior Information Technology Project Manager for the City of Albany. She previously worked for the IBM Corporation as a Systems Engineer and I.T. Consultant. Ms. Yeboah is a former member of the Attorney Grievance Committee of the Appellate Division, Third Department. She also served as a member of the Commission on Statewide Attorney Discipline.

Ms. Yeboah served two terms on the Albany Citizen’s Police Review Board as a Board member and as Secretary of the Board. She was also a member of the Advisory Board of the Center for Women in Government & Civil Society, and Chair of the Advisory Board of the New York State Office of the Advocate for Persons with Disabilities.

APPENDIX B: BIOGRAPHIES OF COMMISSION ATTORNEYS

Robert H. Tembeckjian has been Administrator and Counsel to the New York State Commission on Judicial Conduct since 2003. He is a graduate of Syracuse University, the Fordham University School of Law and the Kennedy School of Government at Harvard University. Mr. Tembeckjian was a Fulbright Scholar to Armenia in 1994, teaching at the American University of Armenia and advising the Armenian Parliament on its drafting of a new constitution. He was an Advisor to the American Bar Association Commission to Evaluate the Model Code of Judicial Conduct, has served on numerous civic and professional boards and bar association committees, and has published numerous articles in legal periodicals on judicial ethics and discipline.

Eric Arnone, *Senior Attorney*, is a graduate of New York University (Phi Beta Kappa, magna cum laude) and Brooklyn Law School (Moot Court Honor Society selection). Prior to joining the Commission Staff, he served for ten years as an Assistant District Attorney in the New York County District Attorney's Office under the Hon. Robert M. Morgenthau. After handling over a thousand cases in the Trial Division, he was selected to join the Office's elite Homicide Investigations Unit where he tried homicides, large-scale narcotics conspiracy cases and handled firearms trafficking cases and "murders-for-hire." He continued this work in the Office's Violent Criminal Enterprises Unit under the Hon. Cyrus Vance, Jr. After leaving the Manhattan D.A., he spent a decade in private practice with a focus on criminal defense, Federal and state civil litigation. He also conducted investigations designed to identify and suppress criminal activity and extortion on behalf of private clients.

Denise Buckley, *Senior Litigation Counsel*, earned her J.D. at NYU School of Law and B.A. (magna cum laude, in cursu honorum) at Fordham University. Born and raised in Bronx, New York, she lived and worked in New York City, Edinburgh, and Dublin before settling in New York's Capital Region. She holds an LL.M., from the University of Edinburgh and a Diploma in Commercial Litigation from the Law Society of Ireland. Before assuming her current role with the Commission, she worked as a Professional Support Lawyer in the Edinburgh and Glasgow offices of a law firm in Scotland, a State Solicitor with the Chief State Solicitor's Office in Dublin, Ireland, an Adjunct Lecturer at Albany Law School of Union College, and an Assistant Attorney General with the New York State Office of the Attorney General. In 2021, she received a Louis J. Lefkowitz Memorial Award from New York State's Attorney General in recognition of her outstanding performance on behalf of the Office of the Attorney General and the people of the State of New York. In addition to her academic and professional achievements, Denise has served as a volunteer with St. Peter's Community Hospice and Capital City Rescue Mission.

Cathleen S. Cenci, *Deputy Administrator in Charge of the Commission's Albany office*, is a graduate of Potsdam College (summa cum laude) and the Albany Law School of Union University. In 1979, she completed the Course Superior at the Institute of Touraine in Tours, France. Ms. Cenci joined the Commission staff in 1985. She has been a judge of the Albany Law School moot court competitions and a member of Albany County Big Brothers/Big Sisters.

Brenda Correa, *Former Principal Attorney*, is a graduate of the University of Massachusetts at Amherst and Elisabeth Haub School of Law at Pace University (cum laude). Prior to joining the

Commission staff, she served as an Assistant District Attorney in the New York County District Attorney's Office under Robert M. Morgenthau. She also worked as an associate for Wilentz Goldman & Spitzer, PA in the area of toxic torts and Kaufman Borgeest & Ryan, LLP in the area of legal malpractice defense and as Professional Responsibility Counsel for Foley & Lardner, LLP.

Kelvin S. Davis, *Staff Attorney*, is a graduate of Yale University and the University of Virginia Law School. Prior to joining the Commission staff, he served as an Assistant Staff Judge Advocate in the United States Air Force and as Judicial Law Clerk to New Jersey Superior Court Judge Eugene H. Austin.

Melissa DiPalo, *Principal Attorney*, is a graduate of the University of Richmond and Brooklyn Law School. She previously served as Administrative Counsel and as a Staff Attorney at the Commission. She has also served as an Assistant District Attorney in the Bronx and as a Court Attorney in Kings County Civil Court.

David M. Duguay, *Senior Attorney*, is a graduate of the State University of New York at Buffalo (summa cum laude) and the SUNY at Buffalo Law School. Prior to joining the Commission's staff, he was Special Assistant Public Defender and Town Court Supervisor in the Monroe County Public Defender's Office. He served previously as a staff attorney with Legal Services, Inc., of Chambersburg, Pennsylvania.

Stephanie A. Fix, *Former Staff Attorney*, is a graduate of the State University of New York at Brockport and Quinnipiac College School of Law in Connecticut. Prior to joining the Commission staff, she was in private practice focusing on civil litigation and professional liability in Connecticut, Manhattan and Rochester. She has served on the Monroe County Bar Association (MCBA) Board of Trustees and other boards in the community including Bishop Kearney High School. She is a current member of the MCBA's Professional Performance Committee. Ms. Fix received the President's Award for Professionalism from the Monroe County Bar Association in 2004. She is a member of the MCBA, New York State Bar Association and Greater Rochester Association of Women Attorneys (GRAWA). Ms. Fix is an adjunct professor at St. John Fisher University.

Carla Freedman, *Former Deputy Administrator for Litigation*, is the former US Attorney for the Northern District of New York (NDNY). Ms. Freedman, who joined the US Attorney's office in 2007, served as a supervisor and as Narcotics Bureau Chief from 2018 to 2021. She was nominated by President Joseph R. Biden and took office as the US Attorney for NDNY in October 2021, becoming the first woman serve in that position. Prior to joining the US Attorney's office, Ms. Freedman was an Assistant District Attorney in Manhattan for 16 years, serving as Chief of the Asian Gang Unit from 1997 to 2004. Ms. Freedman is a graduate of Syracuse University and New York Law School.

Alan W. Friedberg, *Special Counsel*, is a graduate of Brooklyn College, the Brooklyn Law School and the New York University Law School, where he earned an LL.M. in Criminal Justice. He previously served as Chief Counsel to the Departmental Disciplinary Committee of the Appellate Division, First Department, as Deputy Administrator in Charge of the Commission's

New York City Office, as a Senior Attorney at the Commission, as a staff attorney in the Law Office of the New York City Board of Education, as an adjunct professor of business law at Brooklyn College, and as a junior high school teacher in the New York City public school system.

Stella Gilliland, *Staff Attorney*, is a graduate of Lewis and Clark College and Fordham University School of Law. She previously served as Deputy State Public Defender with the Colorado Public Defender in Alamosa, Colorado.

Carol M. Hamm, *Special Counsel*, is a graduate of Binghamton University and St. John's University School of Law. She previously served as the Deputy Inspector General and the Deputy Special Inspector General for Fiduciary Appointments for the New York State Unified Court System. Ms. Hamm also served as a member of the advisory group for the Unified Court System's Ethics Helpline for non-judicial employees. Prior to joining the court system, she worked as a Special Counsel with the Office of the Special Commissioner of Investigation for the New York City School District and served as an Assistant District Attorney for the New York County District Attorney's Office.

Shruti Joshi, *Staff Attorney*, completed her Bachelor of Arts and Bachelor of Law degree from Symbiosis Law School in India and Masters in Intellectual Property Law from George Washington University Law School in Washington, D.C. Prior to joining the Commission staff, she worked at the Legal Aid Society of Northeastern New York in Albany where she represented low-income clients in foreclosure and housing cases. Shruti practiced in India as an in-house counsel for PepsiCo, Inc. before moving to the United States of America. She is dual-qualified, with license to practice in New York and India.

Adam B. Kahan, *Staff Attorney*, is a graduate of Duke University (summa cum laude) and University of Virginia School of Law, where he served as Articles Editor for the Virginia Journal of International Law. Prior to joining the Commission Staff, he was in private practice focusing on capital markets and private fund formation at Simpson Thacher & Bartlett in Manhattan.

Kathleen E. Klein, *Senior Attorney*, is a graduate of State University of New York College at Fredonia (cum laude) and Pace University School of Law where she was a Merit Scholarship recipient. Prior to joining the Commission Staff, she served as a Senior Assistant District Attorney with the Ulster County District Attorney's Office. She worked in private practice as a litigator, but began her career negotiating contracts for fractional aircraft ownership for CitationShares Sales, Inc. in Greenwich, Connecticut.

Cassie M. Kocher, *Senior Attorney*, is a graduate of Cornell University and the University of Louisville Brandeis School of Law. Prior to joining the Commission staff, she was an Assistant United States Attorney for the Western District of New York assigned to the Narcotics and Violent Crime Section. She also previously worked as an Assistant District Attorney in Monroe County where she was assigned to the Special Investigation Bureau and prosecuted felony drug and gun cases.

Mark Levine, *Deputy Administrator in Charge of the Commission's New York office*, is a graduate of the State University of New York at Buffalo and Brooklyn Law School. He previously served as Principal Law Clerk to Acting Supreme Court Justice Jill Konviser and Supreme Court Justice Phylis Skloot Bamberger, as an Assistant Attorney General in New York, as an Assistant District Attorney in Queens, and as law clerk to United States District Court Judge Jacob Mishler. Mr. Levine also practiced law with the law firms of Patterson, Belknap, Webb & Tyler, and Weil, Gotshal & Manges. Mr. Levine previously served as the President of the Association of Judicial Disciplinary Counsel.

Edward Lindner, *Deputy Counsel*, is a graduate of the University of Arizona and Cornell Law School, where he was a member of the Board of Editors of the Cornell International Law Journal. Prior to joining the Commission's staff, he was an Assistant Solicitor General in the Division of Appeals & Opinions for the New York State Attorney General. He has been a Board Member and volunteer for various community organizations, including Bikeatoga, Catholic Charities, The Children's Museum at Saratoga, the Saratoga Springs Public Library and the Saratoga Springs Preservation Foundation.

Jennifer L. Lowry, *Principal Attorney*, is a graduate of Barnard College (*magna cum laude*) and Fordham Law School, where she received the Archibald R. Murray Public Service Award and served as the Managing Editor of the Environmental Law Journal. Prior to joining the Commission, she served as Principal Law Clerk to Acting Supreme Court Justice Jill Konviser. She previously served as an Assistant District Attorney in New York County, assigned to the Trial Division, Sex Crimes and Domestic Violence Units, and the Appeals Bureau, and as an Assistant District Attorney in Westchester County, assigned to the Special Prosecutions and Local Courts and Grand Jury Divisions.

Vickie Ma, *Principal Attorney*, is a graduate of the University of Wisconsin at Madison and Albany Law School, where she was Associate Editor of the Law Review. Prior to joining the Commission staff, she served as an Assistant District Attorney in Kings County. She previously worked for the Commission from 2000 to 2006, when she left for a legal consultant position in private industry.

M. Kathleen Martin, *Senior Attorney*, is a graduate of Mount Holyoke College and Cornell Law School (*cum laude*). Prior to joining the Commission's staff, she was an attorney at the Eastman Kodak Company, where among other things she held positions as Legal Counsel to the Health Group, Director of Intellectual Property Transactions and Director of Corporate Management Strategy Deployment. She also served as Vice President and Senior Associate Counsel at Chase Manhattan Bank, and in private practice with the firm of Nixon, Hargrave, Devans & Doyle.

S. Peter Pedrotty, *Principal Attorney*, is a graduate of St. Michael's College (*cum laude*) and the Albany Law School of Union University (*magna cum laude*). Prior to joining the Commission staff, he served as an Appellate Court Attorney at the Appellate Division, Third Department, and was engaged in the private practice of law in Saratoga County and with the law firm of Clifford Chance US LLP in Manhattan.

John J. Postel, *Deputy Administrator in Charge of the Commission's Rochester office*, is a graduate of the University of Albany and the Albany Law School of Union University. He joined the Commission staff in 1980.

David Stromes, *Senior Litigation Counsel*, is a graduate of Brandeis University and Brooklyn Law School. Prior to joining the Commission's staff, he served for nearly 12 years as an Assistant District Attorney in the Appeals Division of the New York County District Attorney's Office. He currently teaches Appellate Advocacy and Criminal procedure as an adjunct professor at Albany Law School, having previously taught at Brooklyn Law School as well. David is on the Board of Directors for the Daughters of Sarah Foundation.

Pamela Tishman, *Principal Attorney*, is a graduate of Northwestern University and New York University School of Law. She was previously with the Commission from 2011 through 2019. She then joined the US Department of Labor, Employee Benefits Security Administration as a senior investigator. Prior to her first stint at the Commission, she served as a Senior Investigative Attorney in the Office of the Inspector General at the Metropolitan Transportation Authority. Ms. Tishman also served as an Assistant District Attorney in New York County, in both the Appeals and Trial Bureaus.

Celia A. Zahner, *Clerk of the Commission*, is a graduate of Colgate University and Harvard Law School. She previously served as Special Counsel to the Independent Investigations Officer and the Chief Investigator appointed pursuant to the Consent Order in *United States v International Brotherhood of Teamsters*. Ms. Zahner also served as a Staff Attorney in the Law Enforcement Bureau of the New York City Commission on Human Rights and as a Staff Attorney in the Criminal Defense Division of the Legal Aid Society.

APPENDIX C: REFEREES WHO SERVED IN 2025

Referee	City/Town	County
Mark S. Arisohn, Esq.	Tuckahoe	Westchester
Howard Benjamin, Esq.	New York	New York
Peter Bienstock, Esq.	New York	New York
Helene E. Blank, Esq.	Brooklyn	Kings
Honorable John Brunetti	Syracuse	Onondaga
A. Vincent Buzard, Esq.	Rochester	Monroe
Meagan E. Dean, Esq.	Syracuse	Onondaga
Daniel A. Drake, Esq.	Pittsford	Monroe
William T. Easton, Esq.	Rochester	Monroe
David M. Garber, Esq.	Syracuse	Onondaga
Thomas F. Gleason, Esq.	Albany	Albany
Ronald Goldstock, Esq.	Larchmont	Westchester
Gregory J. Huether, Esq.	Pittsford	Monroe
Michael J. Hutter, Esq.	Albany	Albany
Souren Israelyan, Esq.	New York	New York
Gregory S. Mills, Esq.	Clifton Park	Saratoga
Steven E. North, Esq.	New York	New York
Jane W. Parver, Esq.	New York	New York
Joshua Silber, Esq.	New York	New York
Honorable Robert E. Torres	Bronx	Bronx

APPENDIX D: THE COMMISSION'S POWERS, DUTIES AND HISTORY

Creation of the New York State Commission on Judicial Conduct

For decades prior to the creation of the Commission on Judicial Conduct, judges in New York State were subject to professional discipline by a patchwork of courts and procedures. The system, which relied on judges to discipline fellow judges, was ineffective. In the 100 years prior to the creation of the Commission, only 23 judges were disciplined by the patchwork system of *ad hoc* judicial disciplinary bodies. For example, an *ad hoc* Court on the Judiciary was convened only six times prior to 1974. There was no staff or even an office to receive and investigate complaints against judges.

Starting in 1974, the Legislature changed the judicial disciplinary system, creating a temporary commission with a full-time professional staff to investigate and prosecute cases of judicial misconduct. In 1976 and again in 1977, the electorate overwhelmingly endorsed and strengthened the new commission, making it permanent and expanding its powers by amending the State Constitution.

The Commission's Powers, Duties, Operations and History

The State Commission on Judicial Conduct is the disciplinary agency constitutionally designated to review complaints of judicial misconduct in New York State. The Commission's objective is to enforce the obligation of judges to observe high standards of conduct while safeguarding their right to decide cases independently. The Commission does not act as an appellate court. It does not review judicial decisions or alleged errors of law, nor does it issue advisory opinions, give legal advice or represent litigants. When appropriate, it refers complaints to other agencies

By offering a forum for citizens with conduct-related complaints, and by disciplining those judges who transgress ethical constraints, the Commission seeks to insure compliance with established standards of ethical judicial behavior, thereby promoting public confidence in the integrity and honor of the judiciary.

All 50 states and the District of Columbia have adopted a commission system to meet these goals.

In New York, a temporary commission created by the Legislature in 1974 began operations in January 1975. It was made permanent in September 1976 by a constitutional amendment. A second constitutional amendment, effective on April 1, 1978, created the present Commission with expanded membership and jurisdiction. (For clarity, the Commission, which operated from September 1976 through March 1978, will be referred to as the "former" Commission.)

Membership and Staff

The Commission is composed of 11 members serving four-year terms. Four members are appointed by the Governor, three by the Chief Judge of the Court of Appeals, and one by each of the four leaders of the Legislature. The Constitution requires that four members be judges, at least one be an attorney, and at least two be lay persons. The Commission elects one of its members to be chairperson and

appoints an Administrator and a Clerk. The Administrator is responsible for hiring staff and supervising staff activities subject to the Commission's direction and policies. The Commission's principal office is in New York City. Offices are also maintained in Albany and Rochester.

The following individuals have served on the Commission since its inception. Asterisks denote those members who chaired the Commission.

Hon. Rolando T. Acosta (2010-17)
Hon. Sylvia G. Ash (2016)
Hon. Fritz W. Alexander, II (1979-85)
Hon. Myriam J. Altman (1988-93)
Helaine M. Barnett (1990-96)
Herbert L. Bellamy, Sr. (1990-94)
*Joseph W. Belluck (2008-present)
*Henry T. Berger (1988-2004)
*John J. Bower (1982-90)
Hon. Evelyn L. Braun (1994-95)
David Bromberg (1975-88)
Jeremy Ann Brown (1997-2001)
Hon. Fernando M. Camacho (2021-present)
Stefano Cambareri (2024-present)
Hon. Richard J. Cardamone (1978-81)
Hon. Frances A. Ciardullo (2001-05)
Hon. Carmen Beauchamp Ciparick (1985-93)
E. Garrett Cleary (1981-96)
Stephen R. Coffey (1995-2011)
Joel Cohen (2010-18)
Jodie Corngold (2013-2023)
Howard Coughlin (1974-76)
Mary Ann Crotty (1994-98)
Dolores DelBello (1976-94)
Brian C. Doyle (2023-present)
Colleen C. DiPirro (2004-08)
Richard D. Emery (2004-17)
Hon. Herbert B. Evans (1978-79)
Hon. John A. Falk (2017-present)
*Raoul Lionel Felder (2003-08)
*William Fitzpatrick (1974-75)
*Lawrence S. Goldman (1990-2006)
Robin Chappelle Golston (2025-present)
Taa Grays (2017-present)
Hon. Louis M. Greenblott (1976-78)
Paul B. Harding (2006-2021)
Christina Hernandez (1999-2006)
Hon. James D. Hopkins (1974-76)

Elizabeth B. Hubbard (2008-2011)
Marvin E. Jacob (2006-09)
Hon. Daniel W. Joy (1998-2000)
Michael M. Kirsch (1974-82)
*Hon. Thomas A. Klonick (2005-17)
Hon. Jill Konviser (2006-10)
*Victor A. Kovner (1975-90)
William B. Lawless (1974-75)
Hon. Leslie G. Leach (2016-20)
Hon. Daniel F. Luciano (1995-2006)
William V. Maggipinto (1974-81)
Hon. Frederick M. Marshall (1996-2002)
Hon. Angela M. Mazzarelli (2017-22)
Hon. Ann T. Mikoll (1974-78)
Hon. Robert J. Miller (2018-2025)
Mary Holt Moore (2002-03)
Nina M. Moore (2009-13; 2023-present)
Hon. Peter H. Moulton (2025-present)
Hon. Juanita Bing Newton (1994-99)
Hon. William J. Ostrowski (1982-89)
Hon. Karen K. Peters (2000-12)
*Alan J. Pope (1997-2006)
Marvin Ray Raskin (2018-present)
*Lillemor T. Robb (1974-88)
Ronald J. Rosenberg (2020-2023)
Hon. Isaac Rubin (1979-90)
Hon. Terry Jane Ruderman (1999-2016)
*Hon. Eugene W. Salisbury (1989-2001)
Barry C. Sample (1994-97)
Graham B. Seiter (2021-2024)
Hon. Felice K. Shea (1978-88)
John J. Sheehy (1983-95)
Hon. Morton B. Silberman (1978)
Hon. Anil C. Singh (2023-2025)
Richard A. Stoloff (2011-19)
Hon. William C. Thompson (1990-98)
Carroll L. Wainwright, Jr. (1974-83)
Hon. David A. Weinstein (2012-18)
Akosua Garcia Yeboah (2016-2025)

The Commission's Authority

The Commission has the authority to receive and review written complaints of misconduct against judges, initiate complaints on its own motion, conduct investigations, file Formal Written Complaints and conduct formal hearings thereon, subpoena witnesses and documents, and make appropriate determinations as to dismissing complaints or disciplining judges within the state unified court

system. This authority is derived from Article 6, Section 22, of the Constitution of the State of New York, and Article 2-A of the Judiciary Law of the State of New York.

By provision of the State Constitution (Article 6, Section 22), the Commission:

shall receive, initiate, investigate and hear complaints with respect to the conduct, qualifications, fitness to perform or performance of official duties of any judge or justice of the unified court system...and may determine that a judge or justice be admonished, censured or removed from office for cause, including, but not limited to, misconduct in office, persistent failure to perform his duties, habitual intemperance, and conduct, on or off the bench, prejudicial to the administration of justice, or that a judge or justice be retired for mental or physical disability preventing the proper performance of his judicial duties.

The types of complaints that may be investigated by the Commission include improper demeanor, conflicts of interest, violations of defendants' or litigants' rights, intoxication, bias, prejudice, favoritism, gross neglect, corruption, certain prohibited political activity and other misconduct on or off the bench.

Standards of conduct are set forth primarily in the Rules Governing Judicial Conduct (originally promulgated by the Administrative Board of the Judicial Conference and subsequently adopted by the Chief Administrator of the Courts with the approval of the Court of Appeals) and the Code of Judicial Conduct (adopted by the New York State Bar Association).

If the Commission determines that disciplinary action is warranted, it may render a determination to impose one of four sanctions, subject to review by the Court of Appeals upon timely request by the respondent-judge. If review is not requested within 30 days of service of the determination upon the judge, the determination becomes final. The Commission may render determinations to:

- admonish a judge publicly;
- censure a judge publicly;
- remove a judge from office;
- retire a judge for disability.

In accordance with its rules, the Commission may also issue a confidential letter of dismissal and caution to a judge, despite a dismissal of the complaint, when it is determined that the circumstances so warrant. In some cases the Commission has issued such a letter after charges of misconduct have been sustained.

Procedures

The Commission meets several times a year. At its meetings, the Commission reviews each new complaint of misconduct and makes an initial decision whether to investigate or dismiss the complaint. It also reviews staff reports on ongoing matters, makes final determinations on completed

proceedings, considers motions and entertains oral arguments pertaining to cases in which judges have been served with formal charges, and conducts other Commission business.

No investigation may be commenced by staff without authorization by the Commission. The filing of formal charges also must be authorized by the Commission.

After the Commission authorizes an investigation, the Administrator assigns the complaint to a staff attorney, who works with investigative staff. If appropriate, witnesses are interviewed and court records are examined. The judge may be asked to respond in writing to the allegations. In some instances, the Commission requires the appearance of the judge to testify during the course of the investigation. The judge's testimony is under oath, and a Commission member or referee designated by the Commission must be present. Although such an "investigative appearance" is not a formal hearing, the judge is entitled to be represented by counsel. The judge may also submit evidentiary data and materials for the Commission's consideration.

If the Commission finds after an investigation that the circumstances so warrant, it will direct its Administrator to serve upon the judge a Formal Written Complaint containing specific charges of misconduct. The Formal Written Complaint institutes the formal disciplinary proceeding. After receiving the judge's answer, the Commission may, if it determines there are no disputed issues of fact, grant a motion for summary determination. It may also accept an agreed statement of facts submitted by the Administrator and the respondent-judge. Where there are factual disputes that make summary determination inappropriate or that are not resolved by an agreed statement of facts, the Commission will appoint a referee to conduct a formal hearing and report proposed findings of fact and conclusions of law. Referees are designated by the Commission from a panel of attorneys and former judges. Following the Commission's receipt of the referee's report, on a motion to confirm or disaffirm the report, both the administrator and the respondent may submit legal memoranda and present oral argument on issues of misconduct and sanction. The respondent-judge (in addition to his or her counsel) may appear and be heard at oral argument.

In deciding motions, considering proposed agreed statements of fact and making determinations with respect to misconduct and sanction, and in considering other matters pertaining to cases in which Formal Written Complaints have been served, the Commission deliberates in executive session, without the presence or assistance of its Administrator or regular staff. The Clerk of the Commission assists the Commission in executive session, but does not participate in either an investigative or adversarial capacity in any cases pending before the Commission.

The Commission may dismiss a complaint at any stage during the investigation or adjudication.

When the Commission determines that a judge should be admonished, censured, removed or retired, its written determination is forwarded to the Chief Judge of the Court of Appeals, who in turn serves it upon the respondent-judge. Upon completion of service, the Commission's determination and the record of its proceedings become public. (Prior to this point, by operation of the strict provisions in Article 2-A of the Judiciary Law, all proceedings and records are confidential.) The respondent-judge has 30 days to request full review of the Commission's determination by the Court of Appeals. The Court may accept or reject the Commission's findings of fact or conclusions of law, make new or different findings of fact or conclusions of law, accept or reject the determined sanction, or make a

different determination as to sanction. If no request for review is made within 30 days, the sanction determined by the Commission becomes effective.

Temporary State Commission on Judicial Conduct

The Temporary State Commission on Judicial Conduct was established in late 1974 and commenced operations in January 1975. The temporary Commission had the authority to investigate allegations of misconduct against judges in the state unified court system, make confidential suggestions and recommendations in the nature of admonitions to judges when appropriate and, in more serious cases, recommend that formal disciplinary proceedings be commenced in the appropriate court. All disciplinary proceedings in the Court on the Judiciary and most in the Appellate Division were public.

The temporary Commission was composed of two judges, five lawyers and two lay persons. It functioned through August 31, 1976, when it was succeeded by a permanent commission created by amendment to the State Constitution.

The temporary Commission received 724 complaints, dismissed 441 upon initial review and commenced 283 investigations during its tenure. It admonished 19 judges and initiated formal disciplinary proceedings against eight judges, in either the Appellate Division or the Court on the Judiciary. One of these judges was removed from office and one was censured. The remaining six matters were pending when the temporary Commission was superseded by its successor Commission. Five judges resigned while under investigation.

Former State Commission on Judicial Conduct

The temporary Commission was succeeded on September 1, 1976, by the State Commission on Judicial Conduct, established by a constitutional amendment overwhelmingly approved by the New York State electorate and supplemented by legislative enactment (Article 2-A of the Judiciary Law). The former Commission's tenure lasted through March 31, 1978, when it was replaced by the present Commission.

The former Commission was empowered to investigate allegations of misconduct against judges, impose certain disciplinary sanctions and, when appropriate, initiate formal disciplinary proceedings in the Court on the Judiciary, which, by the same constitutional amendment, had been given jurisdiction over all 3,500 judges in the unified court system. The sanctions that could be imposed by the former Commission were private admonition, public censure, suspension without pay for up to six months, and retirement for physical or mental disability. Censure, suspension and retirement actions could not be imposed until the judge had been afforded an opportunity for a full adversary hearing. These Commission sanctions were also subject to a *de novo* hearing in the Court on the Judiciary at the request of the judge.

The former Commission, like the temporary Commission, was composed of two judges, five lawyers and two lay persons, and its jurisdiction extended to judges within the state unified court system. The former Commission was authorized to continue all matters left pending by the temporary Commission.

The former Commission considered 1,418 complaints, dismissed 629 upon initial review, authorized 789 investigations and continued 162 investigations left pending by the temporary Commission.

During its tenure, the former Commission took action that resulted in the following:

- 15 judges were publicly censured;
- 40 judges were privately admonished;
- 17 judges were issued confidential letters of suggestion and recommendation.

The former Commission also initiated formal disciplinary proceedings in the Court on the Judiciary against 45 judges and continued six proceedings left pending by the temporary Commission. Those proceedings resulted in the following:

- 1 removal;
- 2 suspensions;
- 3 censures;
- 10 cases closed upon resignation of the judge;
- 2 cases closed upon expiration of the judge's term;
- 1 proceeding closed without discipline and with instruction by the Court on the Judiciary that the matter be deemed confidential.

The remaining 32 proceedings were pending when the former Commission expired. They were continued by the present Commission.

In addition to the ten judges who resigned after proceedings had been commenced in the Court on the Judiciary, 28 other judges resigned while under investigation by the former Commission.

Continuation from 1978 to 1980 of Formal Proceedings Commenced by the Temporary and Former Commissions

Thirty-two formal disciplinary proceedings which had been initiated in the Court on the Judiciary by either the temporary or former Commission were pending when the former Commission was superseded on April 1, 1978, and were continued without interruption by the present Commission.

The last five of these 32 proceedings were concluded in 1980, with the following results, reported in greater detail in the Commission's previous annual reports:

- 4 judges were removed from office;
- 1 judge was suspended without pay for six months;
- 2 judges were suspended without pay for four months;
- 21 judges were censured;
- 1 judge was directed to reform his conduct consistent with the Court's opinion;

- 1 judge was barred from holding future judicial office after he resigned; and
- 2 judges died before the matters were concluded.

The 1978 Constitutional Amendment

The present Commission was created by amendment to the State Constitution, effective April 1, 1978. The amendment created an 11-member Commission (superseding the nine-member former Commission), broadened the scope of the Commission's authority and streamlined the procedure for disciplining judges within the state unified court system. The Court on the Judiciary was abolished, pending completion of those cases that had already been commenced before it. All formal disciplinary hearings under the new amendment are conducted by the Commission.

Subsequently, the State Legislature amended Article 2-A of the Judiciary Law, the Commission's governing statute, to implement the new provisions of the constitutional amendment.

Summary of Complaints Considered since the Commission's Inception

Since January 1975, when the temporary Commission commenced operations, 76,076 complaints of judicial misconduct have been considered by the temporary, former and present Commissions. Of these, 65,843 were dismissed upon initial review or after a preliminary review and inquiry, and 10,215 investigations were authorized. Of the 10,215 investigations authorized, the following dispositions have been made through December 31, 2025:

- 1,259 complaints involving 932 judges resulted in disciplinary action (this does not include the 159 public stipulations in which judges agreed to vacate judicial office). (See details below and on the following page.)
- 2,030 complaints resulted in cautionary letters to the judge involved. The actual number of such letters totals 1,858, 94 of which were issued after formal charges had been sustained and determinations made that the judge had engaged in misconduct.
- 1,060 complaints involving 718 judges were closed upon resignation of the judge during investigation or in the course of disciplinary proceedings.
- 680 complaints were closed upon vacancy of office by the judge other than by resignation.
- 5,014 complaints were dismissed without action after investigation.
- 190 complaints are pending.

Of the 1,259 disciplinary matters against 932 judges as noted above, the following actions have been recorded since 1975 in matters initiated by the temporary, former or present Commission. (It should be noted that several complaints against a single judge may be disposed of in a single action. This accounts for the apparent discrepancy between the number of complaints and the number of judges acted upon.) These figures take into account the 102 decisions by the Court of Appeals, 16 of which modified a Commission determination.

- 183 judges were removed from office;
- 3 judges were suspended without pay for six months (under previous law);
- 2 judges were suspended without pay for four months (under previous law);
- 389 judges were censured publicly;
- 295 judges were admonished publicly;
- 59 judges were admonished confidentially by the temporary or former Commission; and
- 1 matter was dismissed by the Court of Appeals upon the judge's request for review.

Court of Appeals Reviews

Since 1978, the Court of Appeals, on request of the respondent-judge, has reviewed 102 determinations filed by the present Commission. Of these 102 matters:

- The Court accepted the Commission's sanctions in 86 cases (77 of which were removals, 6 were censures and 3 were admonitions);
- The Court increased the sanction from censure to removal in 2 cases;
- The Court reduced the sanction in 13 cases:
 - 9 removals were modified to censures;
 - 1 removal was modified to admonition;
 - 2 censures were modified to admonitions; and
 - 1 censure was rejected and the charges were dismissed.
- The Court remitted 1 matter to the Commission for further proceedings.

APPENDIX E: RULES GOVERNING JUDICIAL CONDUCT

22 NYCRR § 100 *et seq.*

Rules of the Chief Administrator of the Courts Governing Judicial Conduct

Preamble

Section 100.0 Terminology.

Section 100.1 A judge shall uphold the integrity and independence of the judiciary.

Section 100.2 A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

Section 100.3 A judge shall perform the duties of judicial office impartially and diligently.

Section 100.4 A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations.

Section 100.5 A judge or candidate for elective judicial office shall refrain from inappropriate political activity.

Section 100.6 Application of the rules of judicial conduct.

Preamble

The rules governing judicial conduct are rules of reason. They should be applied consistently with constitutional requirements, statutes, other court rules and decisional law and in the context of all relevant circumstances. The rules are to be construed so as not to impinge on the essential independence of judges in making judicial decisions.

The rules are designed to provide guidance to judges and candidates for elective judicial office and to provide a structure for regulating conduct through disciplinary agencies. They are not designed or intended as a basis for civil liability or criminal prosecution.

The text of the rules is intended to govern conduct of judges and candidates for elective judicial office and to be binding upon them. It is not intended, however, that every transgression will result in disciplinary action. Whether disciplinary action is appropriate, and the degree of discipline to be imposed, should be determined through a reasonable and reasoned application of

the text and should depend on such factors as the seriousness of the transgression, whether there is a pattern of improper activity and the effect of the improper activity on others or on the judicial system.

The rules are not intended as an exhaustive guide for conduct. Judges and judicial candidates also should be governed in their judicial and personal conduct by general ethical standards. The rules are intended, however, to state basic standards which should govern their conduct and to provide guidance to assist them in establishing and maintaining high standards of judicial and personal conduct.

Section 100.0 Terminology.

The following terms used in this Part are defined as follows:

(A) A "candidate" is a person seeking selection for or retention in public office by election. A person becomes a candidate for public office as soon as he or she makes a public announcement of candidacy, or authorizes solicitation or acceptance of contributions.

(B) "Court personnel" does not include the lawyers in a proceeding before a judge.

(C) The "degree of relationship" is calculated according to the civil law system. That is, where the judge and the party are in the same line of descent, degree is ascertained by ascending or descending from the judge to the party, counting a degree for each person, including the party but excluding the judge. Where the judge and the party are in different lines of descent, degree is ascertained by ascending from the judge to the common ancestor, and descending to the party, counting a degree for each person in both lines, including the common ancestor and the party but excluding the judge. The following persons are relatives within the fourth degree of relationship: great-grandparent, grandparent, parent, uncle, aunt, brother, sister, first cousin, child, grandchild, great-grandchild, nephew or niece. The sixth degree of relationship includes second cousins.

(D) "Economic interest" denotes ownership of a more than de minimis legal or equitable interest, or a relationship as officer, director, advisor or other active participant in the affairs of a party, except that

(1) ownership of an interest in a mutual or common investment fund that holds securities is not an economic interest in such securities unless the judge participates in the management of the fund or a proceeding pending or impending before the judge could substantially affect the value of the interest;

(2) service by a judge as an officer, director, advisor or other active participant in an educational, religious, charitable, cultural, fraternal or civic organization, or service by a judge's spouse or child as an officer, director, advisor or other active participant in any organization does not create an economic interest in securities held by that organization;

(3) a deposit in a financial institution, the proprietary interest of a policy holder in a mutual insurance company, of a depositor in a mutual savings association or of a member in a credit union, or a similar proprietary interest, is not an economic interest in the organization, unless a proceeding pending or impending before the judge could substantially affect the value of the interest;

(4) ownership of government securities is not an economic interest in the issuer unless a proceeding pending or impending before the judge could substantially affect the value of the securities.

(5) "De minimis" denotes an insignificant interest that could not raise reasonable questions as to a judge's impartiality.

(E) "Fiduciary" includes such relationships as executor, administrator, trustee, and guardian.

(F) "Knowingly", "knowledge", "known" or "knows" denotes actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances.

(G) "Law" denotes court rules as well as statutes, constitutional provisions and decisional law.

(H) "Member of the candidate's family" denotes a spouse, child, grandchild, parent, grandparent or other relative or person with whom the candidate maintains a close familial relationship.

(I) "Member of the judge's family" denotes a spouse, child, grandchild, parent, grandparent or other relative or person with whom the judge maintains a close familial relationship.

(J) "Member of the judge's family residing in the judge's household" denotes any relative of a judge by blood or marriage, or a person treated by a judge as a member of the judge's family, who resides in the judge's household.

(K) "Nonpublic information" denotes information that, by law, is not available to the public. Nonpublic information may include but is not limited to: information that is sealed by statute or court order, impounded or communicated in camera; and information offered in grand jury proceedings, presentencing reports, dependency cases or psychiatric reports.

(L) A "part-time judge", including an acting part-time judge, is a judge who serves repeatedly on a part-time basis by election or under a continuing appointment.

(M) "Political organization" denotes a political party, political club or other group, the principal purpose of which is to further the election or appointment of candidates to political office.

(N) "Public election" includes primary and general elections; it includes partisan elections, nonpartisan elections and retention elections.

(O) "Require". The rules prescribing that a judge "require" certain conduct of others, like all of the rules in this Part, are rules of reason. The use of the term "require" in that context means a judge is to exercise reasonable direction and control over the conduct of those persons subject to the judge's direction and control.

(P) "Rules"; citation. Unless otherwise made clear by the citation in the text, references to individual components of the rules are cited as follows:

"Part"-refers to Part 100.

"Section"-refers to a provision consisting of 100 followed by a decimal (100.1).

"Subdivision"-refers to a provision designated by a capital letter (A).

"Paragraph"-refers to a provision designated by an arabic numeral (1).

"Subparagraph"-refers to a provision designated by a lower-case letter (a).

(Q) "Window Period" denotes a period beginning nine months before a primary election, judicial nominating convention, party caucus or other party meeting for nominating candidates for the elective judicial office for which a judge or non-judge is an announced candidate, or for which a committee or other organization has publicly solicited or supported the judge's or non-judge's candidacy, and ending, if the judge or non-judge is a candidate in the general election for that office, six months after the general election, or if he or she is not a candidate in the general election, six months after the date of the primary election, convention, caucus or meeting.

(R) "Impartiality" denotes absence of bias or prejudice in favor of, or against, particular parties or classes of parties, as well as maintaining an open mind in considering issues that may come before the judge.

(S) An "independent" judiciary is one free of outside influences or control.

(T) "Integrity" denotes probity, fairness, honesty, uprightness and soundness of character. "Integrity" also includes a firm adherence to this Part or its standard of values.

(U) A "pending proceeding" is one that has begun but not yet reached its final disposition.

(V) An "impending proceeding" is one that is reasonably foreseeable but has not yet been commenced.

Historical Note

Sec. filed Feb. 1, 1996 eff. Jan. 1, 1996.

Amended (D) and (D)(5) on [Sept. 9, 2004](#).

Added (R) - (V) on [Feb. 14, 2006](#)

Section 100.1 A judge shall uphold the integrity and independence of the judiciary

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Part 100 are to be construed and applied to further that objective.

Historical Note

Sec. filed Aug. 1, 1972; renum. 111.1, new added by renum. and amd. 33.1, filed Feb. 2, 1982; repealed, new filed Feb. 1, 1996 eff. Jan. 1, 1996.

Section 100.2 A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

(A) A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

(B) A judge shall not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment.

(C) A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge. A judge shall not testify voluntarily as a character witness.

(D) A judge shall not hold membership in any organization that practices invidious discrimination on the basis of age, race, creed, color, sex, sexual orientation, gender identity, gender expression, religion, national origin, disability or marital status. This provision does not prohibit a judge from holding membership in an organization that is dedicated to the preservation of religious, ethnic, cultural or other values of legitimate common interest to its members.

Historical Note

Sec. filed Aug. 1, 1972; renum. 111.2, new added by renum. and amd. 33.2, filed Feb. 2, 1982; repealed, new filed Feb. 1, 1996 eff. Jan. 1, 1996.

Amended (D) on [Jun. 25, 2018](#)

Section 100.3 A judge shall perform the duties of judicial office impartially and diligently.

(A) **Judicial Duties in General.** The judicial duties of a judge take precedence over all the judge's other activities. The judge's judicial duties include all the duties of the judge's office prescribed by law. In the performance of these duties, the following standards apply.

(B) Adjudicative Responsibilities.

(1) A judge shall be faithful to the law and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor or fear of criticism.

(2) A judge shall require order and decorum in proceedings before the judge.

(3) A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control.

(4) A judge shall perform judicial duties without bias or prejudice against or in favor of any person. A judge in the performance of judicial duties shall not, by words or conduct, manifest bias or prejudice, including but not limited to bias or prejudice based upon age, race, creed, color, sex, sexual orientation, gender identity, gender expression, religion, national origin, disability, marital status or socioeconomic status, and shall require staff, court officials and others subject to the judge's direction and control to refrain from such words or conduct.

(5) A judge shall require lawyers in proceedings before the judge to refrain from manifesting, by words or conduct, bias or prejudice based upon age, race, creed, color, sex, sexual orientation, gender identity, gender expression, religion, national origin, disability, marital status or socioeconomic status, against parties, witnesses, counsel or others. This paragraph does not preclude legitimate advocacy when age, race, creed, color, sex, sexual orientation, religion, national origin, disability, marital status or socioeconomic status, or other similar factors are issues in the proceeding.

(6) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers concerning a pending or impending proceeding, except:

(a) Ex parte communications that are made for scheduling or administrative purposes and that do not affect a substantial right of any party are authorized, provided the judge reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication, and the judge, insofar as practical and appropriate, makes provision for prompt notification of other parties or their lawyers of the substance of the ex parte communication and allows an opportunity to respond.

(b) A judge may obtain the advice of a disinterested expert on the law applicable to a proceeding before the judge if the judge gives notice to the parties of the person consulted and a copy of such advice if the advice is given in writing and the substance of the advice if it is given orally, and affords the parties reasonable opportunity to respond.

(c) A judge may consult with court personnel whose function is to aid the judge in carrying out the judge's adjudicative responsibilities or with other judges.

(d) A judge, with the consent of the parties, may confer separately with the parties and their lawyers on agreed-upon matters.

(e) A judge may initiate or consider any ex parte communications when authorized by law to do so.

(7) A judge shall dispose of all judicial matters promptly, efficiently and fairly.

(8) A judge shall not make any public comment about a pending or impending proceeding in any court within the United States or its territories. The judge shall require similar abstention on the part of court personnel subject to the judge's direction and control. This paragraph does not prohibit judges from making public statements in the course of their official duties or from explaining for public information the procedures of the court. This paragraph does not apply to proceedings in which the judge is a litigant in a personal capacity.

(9) A judge shall not:

(a) make pledges or promises of conduct in office that are inconsistent with the impartial performance of the adjudicative duties of the office;

(b) with respect to cases, controversies or issues that are likely to come before the court, make commitments that are inconsistent with the impartial performance of the adjudicative duties of the office.

(10) A judge shall not commend or criticize jurors for their verdict other than in a court order or opinion in a proceeding, but may express appreciation to jurors for their service to the judicial system and the community.

(11) A judge shall not disclose or use, for any purpose unrelated to judicial duties, nonpublic information acquired in a judicial capacity.

(12) It is not a violation of this Rule for a judge to make reasonable efforts to facilitate the ability of unrepresented litigants to have their matters fairly heard.

(C) Administrative Responsibilities.

(1) A judge shall diligently discharge the judge's administrative responsibilities without bias or prejudice and maintain professional competence in judicial administration, and should cooperate with other judges and court officials in the administration of court business.

(2) A judge shall require staff, court officials and others subject to the judge's direction and control to observe the standards of fidelity and diligence that apply to the judge and to refrain from manifesting bias or prejudice in the performance of their official duties.

(3) A judge shall not make unnecessary appointments. A judge shall exercise the power of appointment impartially and on the basis of merit. A judge shall avoid nepotism and favoritism. A judge shall not approve compensation of appointees beyond the fair value of services rendered. A judge shall not appoint or vote for the appointment of any person as a member of the judge's staff or that of the court of which the judge is a member, or as an appointee in a judicial proceeding, who is a relative within the fourth degree of relationship of either the judge or the judge's spouse or the spouse of such a person. A judge shall refrain from recommending a relative within the fourth degree of relationship of either the judge or the judge's spouse or the spouse of such person for appointment or employment to another judge serving in the same court. A judge also shall comply with the requirements of Part 8 of the Rules of the Chief Judge (22 NYCRR Part 8) relating to the Appointment of relatives of judges. Nothing in this paragraph shall prohibit appointment of the spouse, domestic partner, or unrelated household member of the town or village justice, or other relative as clerk of the town or village court in which such justice sits, provided that the justice obtains the prior approval of the Chief Administrator of the Courts, which may be given upon a showing of good cause.

(D) Disciplinary Responsibilities.

(1) A judge who receives information indicating a substantial likelihood that another judge has committed a substantial violation of this Part shall take appropriate action.

(2) A judge who receives information indicating a substantial likelihood that a lawyer has committed a substantial violation of the Rules of Professional Conduct (22 NYCRR Part 1200) shall take appropriate action.

(3) Acts of a judge in the discharge of disciplinary responsibilities are part of a judge's judicial duties.

(E) Disqualification.

(1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where:

(a) (i) the judge has a personal bias or prejudice concerning a party or (ii) the judge has personal knowledge of disputed evidentiary facts concerning the proceeding;

(b) the judge knows that (i) the judge served as a lawyer in the matter in controversy, or (ii) a lawyer with whom the judge previously practiced law served during such association as a lawyer concerning the matter, or (iii) the judge has been a material witness concerning it;

(c) the judge knows that he or she, individually or as a fiduciary, or the judge's spouse or minor child residing in the judge's household has an economic interest in the subject matter in controversy or in a party to the proceeding or has any other interest that could be substantially affected by the proceeding;

(d) the judge knows that the judge or the judge's spouse, or a person known by the judge to be within the sixth degree of relationship to either of them, or the spouse of such a person:

(i) is a party to the proceeding;

(ii) is an officer, director or trustee of a party;

(iii) has an interest that could be substantially affected by the proceeding;

(e) The judge knows that the judge or the judge's spouse, or a person known by the judge to be within the fourth degree of relationship to either of them, or the spouse of such a person, is acting as a lawyer in the proceeding or is likely to be a material witness in the proceeding. Where the judge knows the relationship to be within the second degree, (i) the judge must disqualify him/herself without the possibility of remittal if such person personally appears in the courtroom during the proceeding or is likely to do so, but (ii) may permit remittal of disqualification provided such person remains permanently absent from the courtroom.

(f) the judge, while a judge or while a candidate for judicial office, has made a pledge or promise of conduct in office that is inconsistent with the impartial performance of the adjudicative duties of the office or has made a public statement not in the judge's adjudicative capacity that commits the judge with respect to

(i) an issue in the proceeding; or

(ii) the parties or controversy in the proceeding.

(g) notwithstanding the provisions of subparagraphs (c) and (d) above, if a judge would be disqualified because of the appearance or discovery, after the matter was assigned to the judge, that the judge individually or as fiduciary, the judge's spouse, or a minor child residing in his or her household has an economic interest in a party to the proceeding, disqualification is not required if the judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

(2) A judge shall keep informed about the judge's personal and fiduciary economic interests, and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse and minor children residing in the judge's household.

(F) Remittal of Disqualification. A judge disqualified by the terms of subdivision (E), except subparagraph (1)(a)(i), subparagraph (1)(b)(i) or (iii), or subparagraph (1)(d)(i) or subparagraph (1)(e)(i) of this section, may disclose on the record the basis of the judge's disqualification. If, following such disclosure of any basis for disqualification, the parties who have appeared and

not defaulted and their lawyers, without participation by the judge, all agree that the judge should not be disqualified, and the judge believes that he or she will be impartial and is willing to participate, the judge may participate in the proceeding. The agreement shall be incorporated in the record of the proceeding.

Amended (B)(9)-(11) & (E)(f) -(E)(g) [Feb. 14, 2006](#)

Amended (B)(9)-(11) & (E)(f) -(E)(g) [Feb. 14, 2006](#)

Amended (C)(3) on [May 6, 2014](#)

Added (B)(12) effective [Mar. 26, 2015](#)

Amended (B)(4) & (B)(5) on [Jun. 25, 2018](#)

Amended (E)(1)(e) & (F) on [Dec. 12, 2018](#) effective January 1, 2019

Amended (D)(2) on [May 7, 2019](#), effective May 6, 2019

Section 100.4 A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations

(A) **Extra-Judicial Activities in General.** A judge shall conduct all of the judge's extra-judicial activities so that they do not:

- (1) cast reasonable doubt on the judge's capacity to act impartially as a judge;
- (2) detract from the dignity of judicial office; or
- (3) interfere with the proper performance of judicial duties and are not incompatible with judicial office.

(B) **Avocational Activities.** A judge may speak, write, lecture, teach and participate in extra-judicial activities subject to the requirements of this Part.

(C) Governmental, Civic, or Charitable Activities.

(1) A full-time judge shall not appear at a public hearing before an executive or legislative body or official except on matters concerning the law, the legal system or the administration of justice or except when acting pro se in a matter involving the judge or the judge's interests.

(2)(a) A full-time judge shall not accept appointment to a governmental committee or commission or other governmental position that is concerned with issues of fact or policy in matters other than the improvement of the law, the legal system or the administration of justice. A judge may, however, represent a country, state or locality on ceremonial occasions or in connection with historical, educational or cultural activities.

(b) A judge shall not accept appointment or employment as a peace officer or police officer as those terms are defined in section 1.20 of the Criminal Procedure Law.

(3) A judge may be a member or serve as an officer, director, trustee or non-legal advisor of an organization or governmental agency devoted to the improvement of the law, the legal system or the administration of justice or of an educational, religious, charitable, cultural, fraternal or civic organization not conducted for profit, subject to the following limitations and the other requirements of this Part.

(a) A judge shall not serve as an officer, director, trustee or non-legal advisor if it is likely that the organization

(i) will be engaged in proceedings that ordinarily would come before the judge, or

(ii) if the judge is a full-time judge, will be engaged regularly in adversary proceedings in any court.

(b) A judge as an officer, director, trustee or non-legal advisor, or a member or otherwise:

(i) may assist such an organization in planning fund-raising and may participate in the management and investment of the organization's funds, but shall not personally participate in the solicitation of funds or other fund-raising activities;

(ii) may not be a speaker or the guest of honor at an organization's fund-raising events, but the judge may attend such events. Nothing in this subparagraph shall prohibit a judge from being a speaker or guest of honor at a court employee organization, bar association or law school function or from accepting at another organization's fund-raising event an unadvertised award ancillary to such event;

(iii) may make recommendations to public and private fund-granting organizations on projects and programs concerning the law, the legal system or the administration of justice; and

(iv) shall not use or permit the use of the prestige of judicial office for fund-raising or membership solicitation, but may be listed as an officer, director or trustee of such an organization. Use of an organization's regular letterhead for fund-raising or membership solicitation does not violate this provision, provided the letterhead lists only the judge's name and office or other position in the organization, and, if comparable designations are listed for other persons, the judge's judicial designation.

(D) Financial Activities.

(1) A judge shall not engage in financial and business dealings that:

(a) may reasonably be perceived to exploit the judge's judicial position;

(b) involve the judge with any business, organization or activity that ordinarily will come before the judge; or

(c) involve the judge in frequent transactions or continuing business relationships with those lawyers or other persons likely to come before the court on which the judge serves.

(2) A judge, subject to the requirements of this Part, may hold and manage investments of the judge and members of the judge's family, including real estate.

(3) A full-time judge shall not serve as an officer, director, manager, general partner, advisor, employee or other active participant of any business entity, except that:

(a) the foregoing restriction shall not be applicable to a judge who assumed judicial office prior to July 1, 1965, and maintained such position or activity continuously since that date; and

(b) a judge, subject to the requirements of this Part, may manage and participate in a business entity engaged solely in investment of the financial resources of the judge or members of the judge's family; and

(c) any person who may be appointed to fill a full-time judicial vacancy on an interim or temporary basis pending an election to fill such vacancy may apply to the Chief Administrator of the Courts for exemption from this paragraph during the period of such interim or temporary appointment.

(4) A judge shall manage the judge's investments and other financial interests to minimize the number of cases in which the judge is disqualified. As soon as the judge can do so without serious financial detriment, the judge shall divest himself or herself of investments and other financial interests that might require frequent disqualification.

(5) A judge shall not accept, and shall urge members of the judge's family residing in the judge's household not to accept, a gift, bequest, favor or loan from anyone except:

(a) a gift incident to a public testimonial, books, tapes and other resource materials supplied by publishers on a complimentary basis for official use, or an invitation to the judge and the judge's spouse or guest to attend a bar-related function or an activity devoted to the improvement of the law, the legal system or the administration of justice;

(b) a gift, award or benefit incident to the business, profession or other separate activity of a spouse or other family member of a judge residing in the judge's household, including gifts, awards and benefits for the use of both the spouse or other family member and the judge (as spouse or family member), provided the gift, award or benefit could not reasonably be perceived as intended to influence the judge in the performance of judicial duties;

(c) ordinary social hospitality;

(d) a gift from a relative or friend, for a special occasion such as a wedding, anniversary or birthday, if the gift is fairly commensurate with the occasion and the relationship;

(e) a gift, bequest, favor or loan from a relative or close personal friend whose appearance or interest in a case would in any event require disqualification under section 100.3(E);

(f) a loan from a lending institution in its regular course of business on the same terms generally available to persons who are not judges;

(g) a scholarship or fellowship awarded on the same terms and based on the same criteria applied to other applicants; or

(h) any other gift, bequest, favor or loan, only if: the donor is not a party or other person who has come or is likely to come or whose interests have come or are likely to come before the judge.

(E) Fiduciary Activities.

(1) A full-time judge shall not serve as executor, administrator or other personal representative, trustee, guardian, attorney in fact or other fiduciary, designated by an instrument executed after January 1, 1974, except for the estate, trust or person of a member of the judge's family, or, with the approval of the Chief Administrator of the Courts, a person not a member of the judge's family with whom the judge has maintained a longstanding personal relationship of trust and confidence, and then only if such services will not interfere with the proper performance of judicial duties.

(2) The same restrictions on financial activities that apply to a judge personally also apply to the judge while acting in a fiduciary capacity.

(3) Any person who may be appointed to fill a full-time judicial vacancy on an interim or temporary basis pending an election to fill such vacancy may apply to the Chief Administrator of the Courts for exemption from paragraphs (1) and (2) during the period of such interim or temporary appointment.

(F) Service as Arbitrator or Mediator. A full-time judge shall not act as an arbitrator or mediator or otherwise perform judicial functions in a private capacity unless expressly authorized by law.

(G) Practice of Law. A full-time judge shall not practice law. Notwithstanding this prohibition, a judge may act pro se and may, without compensation, give legal advice to a member of the judge's family.

(H) Compensation, Reimbursement and Reporting.

(1) *Compensation and Reimbursement.* A full-time judge may receive compensation and reimbursement of expenses for the extra-judicial activities permitted by this Part, if the source of such payments does not give the appearance of influencing the judge's performance of judicial duties or otherwise give the appearance of impropriety, subject to the following restrictions:

(a) Compensation shall not exceed a reasonable amount nor shall it exceed what a person who is not a judge would receive for the same activity.

(b) Expense reimbursement shall be limited to the actual cost of travel, food and lodging reasonably incurred by the judge and, where appropriate to the occasion, by the judge's spouse or guest. Any payment in excess of such an amount is compensation.

(c) No full-time judge shall solicit or receive compensation for extra-judicial activities performed for or on behalf of: (1) New York State, its political subdivisions or any office or agency thereof; (2) a school, college or university that is financially supported primarily by New York State or any of its political subdivisions, or any officially recognized body of students thereof, except that a judge may receive the ordinary compensation for a lecture or for teaching a regular course of study at any college or university if the teaching does not conflict with the proper performance of judicial duties; or (3) any private legal aid bureau or society designated to represent indigents in accordance with article 18-B of the County Law.

(I) **Financial Disclosure.** Disclosure of a judge's income, debts, investments or other assets is required only to the extent provided in this section and in section 100.3(F), or as required by Part 40 of the Rules of the Chief Judge (22 NYCRR Part 40), or as otherwise required by law.

Historical Note

Sec. filed Aug. 1, 1972; amd. filed Nov. 26, 1976; renum. 111.4, new added by renum. and amd. 33.4, filed Feb. 2, 1982; repealed, new filed Feb. 1, 1996; amds. filed: Feb. 27, 1996; Feb. 9, 1998 eff. Jan. 23, 1998. Amended (C)(3)(b)(ii).

Amended (D)(5)(h) and (H)(2) on [Dec. 30, 2022](#)

Section 100.5 A judge or candidate for elective judicial office shall refrain from inappropriate political activity.

(A) Incumbent Judges and Others Running for Public Election to Judicial Office.

(1) Neither a sitting judge nor a candidate for public election to judicial office shall directly or indirectly engage in any political activity except (i) as otherwise authorized by this section or by law, (ii) to vote and to identify himself or herself as a member of a political party, and (iii) on behalf of measures to improve the law, the legal system or the administration of justice. Prohibited political activity shall include:

(a) acting as a leader or holding an office in a political organization;

(b) except as provided in Section 100.5(A)(3), being a member of a political organization other than enrollment and membership in a political party;

(c) engaging in any partisan political activity, provided that nothing in this section shall prohibit a judge or candidate from participating in his or her own campaign for elective judicial office or shall restrict a non-judge holder of public office in the exercise of the functions of that office;

(d) participating in any political campaign for any office or permitting his or her name to be used in connection with any activity of a political organization;

(e) publicly endorsing or publicly opposing (other than by running against) another candidate for public office;

(f) making speeches on behalf of a political organization or another candidate;

(g) attending political gatherings;

(h) soliciting funds for, paying an assessment to, or making a contribution to a political organization or candidate; or

(i) purchasing tickets for politically sponsored dinners or other functions, including any such function for a non-political purpose.

(2) A judge or non-judge who is a candidate for public election to judicial office may participate in his or her own campaign for judicial office as provided in this section and may contribute to his or her own campaign as permitted under the Election Law. During the Window Period as defined in subdivision (Q) of section 100.0 of this Part, a judge or non-judge who is a candidate for public election to judicial office, except as prohibited by law, may:

(i) attend and speak to gatherings on his or her own behalf, provided that the candidate does not personally solicit contributions;

(ii) appear in newspaper, television and other media advertisements supporting his or her candidacy, and distribute pamphlets and other promotional campaign literature supporting his or her candidacy;

(iii) appear at gatherings, and in newspaper, television and other media advertisements with the candidates who make up the slate of which the judge or candidate is a part;

(iv) permit the candidate's name to be listed on election materials along with the names of other candidates for elective public office;

(v) purchase two tickets to, and attend, politically sponsored dinners and other functions, provided that the cost of the ticket to such dinner or other function shall not exceed the proportionate cost of the dinner or function. The cost of the ticket shall be deemed to constitute the proportionate cost of the dinner or function if the cost of the ticket is \$250 or less. A candidate may not pay more than \$250 for a ticket unless he or she obtains a statement from the sponsor of the dinner or function that the amount paid represents the proportionate cost of the dinner or function.

(3) A non-judge who is a candidate for public election to judicial office may also be a member of a political organization and continue to pay ordinary assessments and ordinary contributions to such organization.

(4) A judge or a non-judge who is a candidate for public election to judicial office:

(a) shall maintain the dignity appropriate to judicial office and act in a manner consistent with the impartiality, integrity and independence of the judiciary, and shall encourage members of the candidate's family to adhere to the same standards of political conduct in support of the candidate as apply to the candidate;

(b) shall prohibit employees and officials who serve at the pleasure of the candidate, and shall discourage other employees and officials subject to the candidate's direction and control, from doing on the candidate's behalf what the candidate is prohibited from doing under this Part;

(c) except to the extent permitted by Section 100.5(A)(5), shall not authorize or knowingly permit any person to do for the candidate what the candidate is prohibited from doing under this Part;

(d) shall not:

(i) make pledges or promises of conduct in office that are inconsistent with the impartial performance of the adjudicative duties of the office;

(ii) with respect to cases, controversies or issues that are likely to come before the court, make commitments that are inconsistent with the impartial performance of the adjudicative duties of the office;

(iii) knowingly make any false statement or misrepresent the identity, qualifications, current position or other fact concerning the candidate or an opponent; but

(e) may respond to personal attacks or attacks on the candidate's record as long as the response does not violate subparagraphs 100.5(A)(4)(a) and (d).

(f) shall complete a campaign ethics education program developed or approved by the Chief Administrator or his or her designee within 30 days after the candidate makes a public announcement of candidacy, files a designating petition with the Board of Elections, receives a nomination for judicial office, or authorizes solicitation or acceptance of contributions, whichever is earliest. Written proof of compliance must be filed with the Judicial Campaign Ethics Center within 14 days of completing the training, unless the candidate is granted a waiver of this requirement for good cause shown. This provision shall apply to all candidates for elective judicial office in the Unified Court System except for town and village justices.

(g) shall file with the Ethics Commission for the Unified Court System a financial disclosure statement containing the information and in the form set forth in the Annual Statement of Financial Disclosure adopted by the Chief Judge of the State of New York. Such statement shall be filed within 20 days following the date on which the judge or non-judge becomes such a candidate; provided, however, that the Ethics Commission for the Unified Court System may grant an additional period of time within which to file such statement in accordance with rules promulgated pursuant to section 40.1(i)(3) of the Rules of the Chief Judge of the State of New York (22 NYCRR). Notwithstanding the foregoing, compliance with this subparagraph shall not be necessary where a judge or non-judge already is or was required to file a financial disclosure statement for the preceding calendar year pursuant to Part 40 of the Rules of the Chief Judge. This requirement shall not apply to candidates for election to town and village courts.

(5) A judge or candidate for public election to judicial office shall not personally solicit or accept campaign contributions, but may establish committees of responsible persons to conduct campaigns for the candidate through media advertisements, brochures, mailings, candidate forums and other means not prohibited by law. Such committees may solicit and accept reasonable campaign contributions and support from the public, including lawyers, manage the expenditure of funds for the candidate's campaign and obtain public statements of support for his

or her candidacy. Such committees may solicit and accept such contributions and support only during the Window Period. A candidate shall not use or permit the use of campaign contributions for the private benefit of the candidate or others.

(6) A judge or a non-judge who is a candidate for public election to judicial office may not permit the use of campaign contributions or personal funds to pay for campaign-related goods or services for which fair value was not received.

(B) Judge as Candidate for Nonjudicial Office. A judge shall resign from judicial office upon becoming a candidate for elective nonjudicial office either in a primary or in a general election, except that the judge may continue to hold judicial office while being a candidate for election to or serving as a delegate in a state constitutional convention if the judge is otherwise permitted by law to do so.

(C) Judge's Staff. A judge shall prohibit members of the judge's staff who are the judge's personal appointees from engaging in the following political activity:

(1) holding an elective office in a political organization, except as a delegate to a judicial nominating convention or a member of a county committee other than the executive committee of a county committee;

(2) contributing, directly or indirectly, money or other valuable consideration in amounts exceeding \$500 in the aggregate during any calendar year to all political campaigns for political office, and other partisan political activity including, but not limited to, the purchasing of tickets to political functions, except that this \$500 limitation shall not apply to an appointee's contributions to his or her own campaign. Where an appointee is a candidate for judicial office, reference also shall be made to appropriate sections of the Election Law;

(3) personally soliciting funds in connection with a partisan political purpose, or personally selling tickets to or promoting a fund-raising activity of a political candidate, political party, or partisan political club; or

(4) political conduct prohibited by section 50.5 of the Rules of the Chief Judge (22 NYCRR 50.5).

Historical Note

Sec. filed Aug. 1, 1972; renum. 111.5, new added by renum. and amd. 33.5, filed Feb. 2, 1982; amds. filed: Dec. 21, 1983; May 8, 1985; March 2, 1989; April 11, 1989; Oct. 30, 1989; Oct. 31, 1990; repealed, new filed; amd. filed March 25, 1996 eff. March 21, 1996. Amended (A)(2)(v).

Amended 100.5 (A)(2)(v), (A)(4)(a), (A)(4)(d)(i)-(ii), (A)(4)(f), (A)(6), (A)(7) on [Feb. 14, 2006](#)

Added 100.5 (A)(4)(g) on [Sept. 1, 2006](#)

Amended 100.5 (A)(4)(g) on [Sept. 1, 2006](#)

Amended 100.5 (A)(4)(f) on [Oct. 24, 2007](#)

Deleted 100.5(A)(7) on [May 7, 2019](#), effective May 6, 2019

Amended 100.5 (A)(4)(f) on [January 13, 2020](#), effective January 31, 2020

Section 100.6 Application of the rules of judicial conduct.

(A) **General Application.** All judges in the unified court system and all other persons to whom by their terms these rules apply, e.g., candidates for elective judicial office, shall comply with these rules of judicial conduct, except as provided below. All other persons, including judicial hearing officers, who perform judicial functions within the judicial system shall comply with such rules in the performance of their judicial functions and otherwise shall so far as practical and appropriate use such rules as guides to their conduct.

(B) **Part-Time Judge.** A part-time judge:

(1) is not required to comply with sections 100.4(C)(1), 100.4(C)(2)(a), 100.4(C)(3)(a)(ii), 100.4(E)(1), 100.4(F), 100.4(G), and 100.4(H);

(2) shall not practice law in the court on which the judge serves, or in any other court in the county in which his or her court is located, before a judge who is permitted to practice law, and shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto;

(3) shall not permit his or her partners or associates to practice law in the court in which he or she is a judge, and shall not permit the practice of law in his or her court by the law partners or associates of another judge of the same court who is permitted to practice law, but may permit the practice of law in his or her court by the partners or associates of a judge of a court in another town, village or city who is permitted to practice law;

(4) may accept private employment or public employment in a federal, state or municipal department or agency, provided that such employment is not incompatible with judicial office and does not conflict or interfere with the proper performance of the judge's duties.

(5) Nothing in this rule shall further limit the practice of law by the partners or associates of a part-time judge in any court to which such part-time judge is temporarily assigned to serve pursuant to section 106(2) of the Uniform Justice Court Act or Section 107 of the Uniform City Court Act in front of another judge serving in that court before whom the partners or associates are permitted to appear absent such temporary assignment.

(C) **Administrative Law Judges.** The provisions of this Part are not applicable to administrative law judges unless adopted by the rules of the employing agency.

(D) **Time for Compliance.** A person to whom these rules become applicable shall comply immediately with all provisions of this Part, except that, with respect to sections 100.4(D)(3) and 100.4(E), such person may make application to the Chief Administrator for additional time to comply, in no event to exceed one year, which the Chief Administrator may grant for good cause shown.

(E) **Relationship to Code of Judicial Conduct.** To the extent that any provision of the Code of Judicial Conduct as adopted by the New York State Bar Association is inconsistent with any of these rules, these rules shall prevail.

Historical Note

Sec. filed Aug. 1, 1972; repealed, new added by renum. 100.7, filed Nov. 26, 1976; renum. 111.6, new added by renum. and amd. 33.6, filed Feb. 2, 1982; repealed, new filed Feb. 1, 1996 eff. Jan. 1, 1996.

Amended 100.6(E) [Feb. 14, 2006](#)

Added 100.6(B)5 on [Mar. 24, 2010](#)

**APPENDIX F:
DECISIONS RENDERED BY
THE COMMISSION IN 2025**

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

MITCHELL H. EDELSTEIN,

a Justice of the Long Lake Town Court,
Hamilton County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and S. Peter Pedrotty, Of
Counsel) for the Commission

Hon. Mitchell H. Edelstein, *pro se*

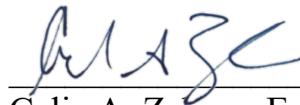
The matter having come before the Commission on June 12, 2025;
and the Commission having before it the Stipulation dated June 5, 2025; and Judge

Edelstein having tendered his resignation by letter dated May 30, 2025 effective June 13, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: June 12, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

MITCHELL H. EDELSTEIN,

STIPULATION

a Justice of the Long Lake Town Court,
Hamilton County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Mitchell H. Edelstein:

1. Judge Edelstein has been a Justice of the Long Lake Town Court, Hamilton County, since January 1, 2012. His current term expires on December 31, 2027. He is not an attorney.
2. In February 2025, the Commission apprised Judge Edelstein that it was investigating a complaint alleging (A) delays in depositing court-collected funds and in the disposition of certain cases, and (B) failure to disqualify from two traffic cases involving immediate family of professional acquaintances.
3. Judge Edelstein has tendered his letter of resignation, a copy of which is annexed as Exhibit 1, stating that he will vacate judicial office on June 13, 2025.

4. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

5. Judge Edelstein affirms that he will vacate his judicial office at the close of business on June 13, 2025, and he will neither seek nor accept judicial office at any time in the future.

6. Judge Edelstein understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission’s investigation of the complaint would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

7. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

8. Judge Edelstein waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon

being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 5/30/2025 

Honorable Mitchell H. Edelstein

Dated: 6/5/2025 

Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**Cathleen S. Cenci** and **S. Peter Pedrotty**,
Of Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

LUCAS H. FERRIN,

a Justice of the Conquest Town Court,
Cayuga County.

**DECISION
AND
ORDER**

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and David M. Duguay, Of
Counsel) for the Commission

Dennis P. Sedor, Esq. for Judge Ferrin

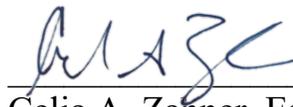
The matter having come before the Commission on June 12, 2025;
and the Commission having before it the Stipulation dated May 23, 2025; and

Judge Ferrin having tendered his resignation effective April 28, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: June 12, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

LUCAS H. FERRIN,

STIPULATION

a Justice of the Conquest Town Court,
Cayuga County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Lucas H. Ferrin, and his attorney, Dennis Paul Sedor:

1. Lucas H. Ferrin had been a Justice of the Conquest Town Court, Cayuga County, since January 1, 2024. He vacated judicial office on April 28, 2025. Judge Ferrin is not an attorney.
2. In April 2025, the Commission apprised Judge Ferrin, through his attorney, that it was investigating a complaint alleging that he was charged with driving while intoxicated and other related Vehicle and Traffic Law and Penal Law offenses, for conduct on October 26, 2024, in Mentz, New York.
3. On April 28, 2025, Judge Ferrin tendered a letter of resignation, effective immediately, as a condition of his plea to the offense of driving while intoxicated, an unclassified misdemeanor in violation of Vehicle and Traffic Law

(“VTL”) Section 1192.3. His plea satisfied related charges against him in the Mentz Town Court for VTL infractions alleging failure to keep right, in violation of VTL Section 1120A, and unsafe lane change, in violation of VTL Section 1128A, as well as for the Penal Law (“PL”) misdemeanor offense of obstructing governmental administration in the second degree, in violation of PL Section 195.05(1). A copy of his resignation letter is appended as Exhibit 1.

4. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

5. Judge Ferrin affirms that, having vacated his judicial office, he will neither seek nor accept judicial office at any time in the future.

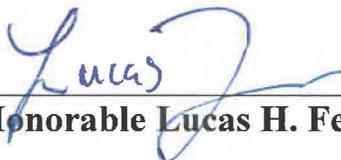
6. Judge Ferrin understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission’s investigation of the complaint would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

7. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation

that the matter be concluded, by the terms of this Stipulation, without further proceedings.

8. Judge Ferrin waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 05/14/2025



Honorable Lucas H. Ferrin

Dated: 05/14/2025



Dennis Paul Sedor
Attorney for Judge Ferrin

Dated: 05/23/2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(John J. Postel and David M. Duguay, Of
Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

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

DETERMINATION

PHILIP J. GENTILE,

a Justice of the Rossie Town Court,
St. Lawrence County.

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and S. Peter Pedrotty, Of
Counsel) for the Commission

Case & Leader, LLP (by Henry J. Leader) for respondent

Respondent, Philip J. Gentile, a Justice of the Rossie Town Court, St. Lawrence County, was served with a Formal Written Complaint (“Complaint”) dated March 3, 2025 containing two charges. Charge I of the Complaint alleged that from November 2022 to March 2024, while presiding over *People v Jesse R. Bender*, respondent engaged in prohibited *ex parte* communications, made rude and discourteous comments, and otherwise acted inappropriately, in that he:

- A. Spoke with the prosecutor, outside the presence of the defendant and his attorney, concerning (i) the defendant’s motion to modify an Order of Protection and (ii) the defendant’s reputation and criminal history;
- B. Initiated a conversation with the superintendent of the defendant’s son’s school, outside the presence of the defendant and the attorneys, concerning the merits of the defendant’s motion, which he later denied based in part upon information he learned during the conversation; and
- C. Engaged in an undignified, discourteous, and otherwise inappropriate exchange, on-the-record, with the defendant and the mother of the defendant’s son, when they came to court to pay a fine, during which Respondent *inter alia* used profanity, baselessly accused the mother of having “perjured” herself about her marital status, and discussed the evidence presented at the defendant’s jury trial as well as the evidence the judge thought should have been presented on the defendant’s behalf.

Charge II alleged that on January 18, 2023, between presiding over court proceedings but while the court’s audio recording system was running, respondent used profanity and baselessly insinuated to an attorney appearing before him that a town justice in another court, who had presided over a zoning ordinance violation filed against respondent, had been in a romantic affair with the zoning/code

enforcement officer who issued the violation.

On April 24, 2025, the Administrator, respondent's counsel and respondent entered into an Agreed Statement of Facts ("Agreed Statement") pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On May 1, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent has been a Justice of the Rossie Town Court, St. Lawrence County, since January 1, 2018. Respondent's current term expires on December 31, 2025. Respondent is not an attorney.

As to Charge I of the Formal Written Complaint

2. On August 7, 2022, Morristown Town Justice James T. Phillips, Jr., arraigned Jesse R. Bender on charges of Assault in the Third Degree, Disorderly Conduct, and [REDACTED]. The charges stemmed from an incident on July 4, 2022, in which Mr. Bender and April Price, the mother of his youngest son ("N.B."), were involved in a physical altercation with Arthur and Lori Howie on the property of the [REDACTED] School. At the arraignment, Judge Phillips issued a temporary Order of Protection, directing Mr. Bender to stay away from the Howies, including their places of employment.

3. At all times relevant herein, N.B. was a student at the [REDACTED]

[REDACTED] School, where Ms. Howie was an employee.

4. On September 2, 2022, *People v Jesse R. Bender* was transferred to the Rossie Town Court.

5. On November 16, 2022, Mr. Bender appeared with his attorney, Brad Riendeau, before respondent. Assistant District Attorney Dillon Bullard of St. Lawrence County appeared for the People. At the appearance, Mr. Riendeau made a motion to modify the Order of Protection issued by Judge Phillips on the grounds that it prevented Mr. Bender from going to his son's school. Respondent reserved judgment on the motion until November 23, 2022, to allow the parties an opportunity to reach an agreement regarding a modification.

6. Approximately five minutes after the *Bender* proceeding concluded, without Mr. Bender and Mr. Riendeau present, respondent engaged in a conversation with Mr. Bullard concerning the *Bender* case, during which:

- A. They debated whether Mr. Bender had a constitutional right to go to his son's school;
- B. They discussed (i) that Ms. Price had purportedly been charged with [REDACTED] in Morristown Town Court for entering school property after the school had issued her a notice directing her not to enter the school premises and (ii) whether Mr. Bender had received a similar notice from the school;
- C. Respondent told Mr. Bullard he should consider having the protected party or parties come into court and appear before him at the next appearance. When Mr. Bullard said he did not know how

Mr. Bender would react to that, stating, “So, I mean, he’s pretty -- he gets...”, respondent said, “Animated is the term,” referring to Mr. Bender;

- D. Mr. Bullard said (i) Mr. Bender and Ms. Price had approached him in a parking lot and asked him for things, and (ii) that they “push and push” and that “everybody in [his] office is aware of--Of dealing with him.” Respondent stated, “Yeah. I know the name just from living around here” and “I guess he has a long history of, you know, of that”; and
- E. Mr. Bullard said, “if [Ms. Price is] not supposed to come into school and [Mr. Bender is] on the road,¹ then somebody’s been able to pick up the child, so.”
7. Respondent did not disclose this conversation to Mr. Riendeau or Mr. Bender.
8. Between November 16, 2022, and November 23, 2022, without notice to and in the absence of Mr. Bender, Mr. Riendeau and Mr. Bullard, respondent telephoned and spoke to Douglas McQueer, the superintendent of the ██████████ ██████████ School District. Respondent (i) mentioned the Order of Protection against Mr. Bender in favor of Ms. Howie and Ms. Howie’s employment at the school, and (ii) inquired if the school had a policy covering such circumstances. Mr. McQueer stated, in sum or substance, that Mr. Bender was not permitted on the school property pursuant to the school district’s own directive to him.
9. On November 23, 2022, Mr. Bender, Mr. Riendeau and Mr. Bullard appeared before respondent. After Mr. Riendeau and Mr. Bullard informed

¹ Mr. Bender was employed as a commercial truck driver.

respondent that Mr. Bullard had emailed him a proposed modification to the Order of Protection, respondent stated, “The school itself has a policy on this. I was in contact with the school district and I’m waiting for . . . their policy and their report on this. They have a policy in place for this specific situation, it looks like.” Mr. Riendeau responded, “Your Honor, that may be true but that is outside of what properly this court should consider.” Respondent provided no further details at this appearance about whom he had contacted at the school district, what was discussed, or what the school district’s purported policy entailed. Nor did respondent provide the parties with an opportunity to respond to the information he learned during the communication with the superintendent. After apparently locating the email from Mr. Bullard with the proposed modification, respondent stated he would issue a decision on the motion by the following week.

10. By Order dated November 30, 2022, respondent denied Mr. Bender’s motion to modify the Order of Protection, writing as follows:

The Court has learned the [REDACTED] School District provides a telephone call service where the School will escort a student from the school building to a defendants’ vehicle parked at the school grounds perimeter to avoid contact between a defendant and protected party and to prevent any trespass. The Court finds this service is an acceptable solution to the first oral motion and finds the Defendants [*sic*] justification for relief from the Order of Protection for the second oral motion baseless and nonsensical.

11. On May 17, 2023, following a jury trial before respondent, Mr. Bender was found guilty of Assault in the Third Degree and Disorderly Conduct. The jury found him not guilty of [REDACTED].

12. On August 2, 2023, respondent sentenced Mr. Bender to six months in jail and imposed a fine and surcharge totaling \$455 on the Assault charge, and a one-year conditional discharge for the Disorderly Conduct charge. Notwithstanding that Mr. Bender was acquitted of the [REDACTED] charge, the Commitment Order signed by respondent erroneously indicated that he had been convicted of it.

13. On February 7, 2024, after he served his jail term, Mr. Bender appeared in court before respondent. He was accompanied by Ms. Price. During a discussion about Mr. Bender's outstanding fine and monthly expenses, respondent asked if he had a rent or mortgage payment. When Ms. Price stated that she owned their home, respondent asked if they were married and Ms. Price said, "No." Respondent then demanded that she answer whether they were legally married. When Ms. Price declined to answer, respondent said, "Are you not speaking because your previous statement was false?" Ms. Price – who was not under oath, had not testified under oath about her and Mr. Bender's marital status at any point during the pendency of *People v Bender* and was not under the court's jurisdiction – replied, in sum or substance, "I'm not the one here, I wasn't in court." When

respondent persisted, “Are you legally married or not?”, Mr. Bender interjected that they were legally married in the Commonwealth of Massachusetts. Respondent replied that meant they were legally married in New York State. Respondent then required Mr. Bender to enter into a payment plan whereby he agreed to pay at least \$25 per month to the court until the fine and surcharge were satisfied. Respondent gave Mr. Bender until March 6, 2024, to make his next fine payment. Near the end of the appearance, Ms. Price joined in Mr. Bender’s request to be provided with documentation showing that the records pertaining to a dismissed [REDACTED] charge against Mr. Bender had been sealed by the court pursuant to Section 160.50 of the Criminal Procedure Law. Respondent told Mr. Bender he was required to make a motion to receive such records, which Ms. Price disputed as unnecessary.

14. On March 6, 2024, Mr. Bender, who was accompanied by Ms. Price, appeared in court before respondent. At the outset, respondent accused Ms. Price of having “perjured” herself and “lied to the court” about her marital status to Mr. Bender.

15. Later in the appearance on March 6, after respondent agreed to provide Mr. Bender with documentation that the records pertaining to the [REDACTED] charge had been sealed, Mr. Bender also requested documentation showing that the records pertaining to the [REDACTED] charge had been ordered sealed. Mr.

Bender pointed out that respondent's Commitment Order incorrectly indicated that he had been convicted of ██████████, notwithstanding his acquittal of that charge, and asserted that the erroneous conviction was showing up in employer background checks and affecting his ability to gain employment. At one point during a lengthy and at times heated discussion about the court correcting the error, respondent said to Mr. Bender, "Well, yelling at me isn't good either, okay? That doesn't make me want to do shit for you, okay?"

16. At another point during the March 6 appearance, respondent engaged Mr. Bender in a discussion about the proof that was and was not presented at his jury trial. When Mr. Bender mentioned that Ms. Price's neck had been broken during the altercation with the Howies, respondent replied that no evidence of such an injury had been presented at the trial and questioned why Mr. Bender and Ms. Price had not presented any medical evidence or witnesses in support of it. With respect to calling medical experts as witnesses to authenticate medical documents, respondent stated, "Oh, shit. If you told-- if that was submitted, I would-- they would have been subpoenaed." When Ms. Price said the prosecution had copies of their medical evidence, respondent replied it was Mr. Riendeau's responsibility to have offered that evidence at the trial, not the prosecutor's. Respondent stated, "That trial was tough on you, I'll tell you. . . . [P]eople think . . . I'm an ass-- I'm an asshole for putting people in jail. And . . . you think I enjoy that . . . Well, I'll

tell you. If you think I enjoy that, you need to go back and get an education then, okay?”

As to Charge II of the Formal Written Complaint

17. By Information and Complaint dated September 9, 2021, the Theresa Town Zoning/Code Enforcement Officer, Terry McKeever, charged respondent with having violated a Town of Theresa zoning ordinance, related to the location at which he had parked a recreational vehicle.

18. On September 21, 2021, respondent appeared in the Theresa Town Court before Theresa Town Justice Rachel A. Roberts. Respondent was represented by Steven G. Ballan. Mr. McKeever was also present. Amid heated exchanges between Mr. Ballan and Mr. McKeever, Judge Roberts granted Mr. Ballan’s request for a 45-day adjournment. The case was subsequently transferred to the Philadelphia Town Court and, in December 2021, following a motion to dismiss by Mr. Ballan, and on consent of the legal representative of the Town of Theresa, the charge was dismissed.

19. On January 18, 2023, in the Rossie Town Court, in between presiding over court proceedings, respondent conversed with attorney John Hallett, who also practices law in the Theresa Town Court before Judge Roberts. The court’s audio recording system was running. After Mr. Hallett said he had resolved an unidentified zoning matter in the Theresa Town Court, respondent referenced his

own September 2021 appearance in the Theresa Town Court and, without evidence, said his experience led him to believe that Judge Roberts and Mr. McKeever “were tight” and “boyfriends and girlfriends [*sic*],” and that “it was kind of like . . . Kathleen Turner and William Hurt in *Body Heat* you know because they were so . . . close in the court that they were finishing each other’s sentences and stuff.”²

20. Later during the conversation, after saying one of his friends had received a similar zoning violation ticket from Mr. McKeever, respondent said, “You think they would learn, you know? I mean, you know, [Judge Roberts] got pounded pretty bad for what she did to me, you know? Fucking-- and they just continue on with their”

Additional Factors

21. Respondent has been cooperative with the Commission throughout this proceeding.

22. As to Charge I, respondent recognizes that, while he sentenced the defendant to jail for a term four months less than recommended by the prosecution, his comments created at least the appearance that he was less than impartial.

23. Respondent believed at the time of the *Bender* matter that the

² *Body Heat* is a 1981 film in which William Hurt’s character, a lawyer, begins a passionate affair with Kathleen Turner’s character, and they plot to murder the latter’s husband.

information he sought from the school superintendent was public information of which he could take judicial notice. He now recognizes that it is improper for a judge to seek or obtain such information concerning a pending matter on an *ex parte* basis. Respondent further acknowledges that he should not have discussed any aspect of the case with the prosecutor outside the presence of the defendant or his attorney, and that his interrogation of Ms. Price about her marital status was improper.

24. As to Charge II, respondent recognizes that his comments about another judge and the code officer were without basis, uttered out of pique and highly inappropriate.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.3(B)(2), 100.3(B)(3), 100.3(B)(6) and 100.4(A)(2) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I and II of the Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent’s misconduct is established.

Respondent’s conduct was inconsistent with his obligations to maintain high standards of conduct and to “act at all times in a manner that promotes public

confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules, with limited exceptions not applicable here, prohibit a judge from initiating, permitting or considering *ex parte* communications about a pending matter. (Rules, §100.3(B)(6)) In addition, the Rules require a judge to maintain “order and decorum in proceedings before the judge” and provide that a judge must “conduct all of the judge’s extra-judicial activities so that they do not . . . detract from the dignity of judicial office . . .” (Rules §§100.3(B)(2), 100.4(A)(2)) Respondent acknowledged that he violated the Rules when he engaged in *ex parte* communications concerning the *Bender* matter with the prosecutor and with the school district superintendent. In addition, respondent was undignified and discourteous to a litigant in the *Bender* matter. Respondent also improperly used profanity and made disparaging remarks to an attorney about a judge in another town during a break in court proceedings.

In the *Bender* matter, a few minutes after an appearance before respondent was concluded, and in the absence of Mr. Bender and his counsel, respondent engaged in an improper *ex parte* conversation with the prosecutor who had just appeared before him on the matter. In violation of the Rules, respondent inappropriately discussed issues relating to the case with the prosecutor. Respondent also initiated an *ex parte* communication with the superintendent of the school district where the defendant’s son attended school. During this *ex parte*

communication, respondent learned information regarding the defendant as well as the school district's policies. Respondent then relied upon that information to deny the defendant's motion to modify an Order of Protection.

It is well-settled that judges are prohibited from engaging in such *ex parte* communications regarding a pending matter. *See, Matter of Carter*, 2021 Ann Rep of NY Commn on Jud Conduct at 71 (judge initiated *ex parte* contact with a correctional facility for information after reading a defense motion to preclude recorded conversations made from the facility); *Matter of Arndt*, 2023 Ann Rep of NY Commn on Jud Conduct at 72 (judge engaged in an *ex parte* conversation with defense counsel and modified a negotiated plea bargain without notice to or consent of the prosecutor); *Matter of Valentino*, 2004 Ann Rep of NY Commn on Jud Conduct at 157 (judge had an improper *ex parte* conversation with a prosecutor not assigned to the case about the propriety of a defendant's arrest).

Compounding his misconduct, respondent failed to comply with his obligation to disclose his *ex parte* communications. Even "brief and unsolicited" *ex parte* communications must be disclosed to the parties. *Matter of Marshall*, 2008 Ann Rep of NY Commn on Jud Conduct at 161, 165, *aff'd*, 8 NY3d 741 (2007).

In additional misconduct, respondent failed to be dignified and courteous and to maintain decorum in his courtroom when he used profanity toward a

litigant. During one court appearance, respondent stated to a litigant, “That doesn’t make me want to do shit for you, okay?” Respondent also admitted that he improperly interrogated an individual about her marital status. *See, Matter of Going*, 1998 Ann Rep of NY Commn on Jud Conduct at 129 (“By his disparagement of a litigant from the bench, respondent . . . violated his obligation to be patient, dignified and courteous to all those who come before him.”); *Matter of McKeivitt*, 1997 Ann Rep of NY Commn on Jud Conduct at 106, 107 (“By his angry and profane remark concerning the sheriff, respondent violated his obligation to be patient, dignified and courteous in carrying out judicial duties.”).

Similarly, respondent detracted from the dignity of his judicial office when he used profanity and made highly inappropriate comments about a judge in another town. *See, Matter of Fiechter*, 2003 Ann Rep of NY Commn on Jud Conduct at 110, 113 (“By widely disseminating his letter to the Commission, which contained inaccurate, unsubstantiated allegations denigrating a fellow judge, respondent engaged in conduct that detracted from the dignity of judicial office”) In making these improper comments, respondent undermined public confidence in the integrity and impartiality of the judiciary.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that his conduct was improper and warrants public discipline. We trust that respondent has learned

from this experience and in the future will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.

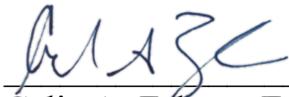
By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Professor Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: May 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

DAVID R. GREEN,

a Justice of the Colonie Town Court,
Albany County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and S. Peter Pedrotty, Of
Counsel) for the Commission

Hacker Murphy, LLP (James C. Knox) for Judge Green

The matter having come before the Commission on May 1, 2025; and
the Commission having before it the Stipulation dated April 4, 2025; and Judge

Green having tendered his resignation dated April 2, 2025 effective June 30, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Mr. Cambareri was not present.

Dated: May 1, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

DAVID R. GREEN,

STIPULATION

a Justice of the Colonie Town Court,
Albany County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable David R. Green and his attorney, James C. Knox, Esq., of Hacker Murphy LLP:

1. David R. Green was admitted to the practice of law in New York in 2002. He has been a Justice of the Colonie Town Court, Albany County, since March 29, 2021. His current term expires on December 31, 2025.
2. Town court justices serve on a part-time basis and, if admitted to the New York bar, are permitted to practice law, with certain limitations set forth in the Rules Governing Judicial Conduct. In addition to serving as a town justice, Judge Green is engaged in the private practice of law.
3. In January 2025, the Commission apprised Judge Green that it was investigating five complaints alleging that:

- A. As an attorney representing a petitioner landlord in Albany City Court, he behaved in an undignified and unprofessional manner toward the respondent and the respondent's attorney;
 - B. He appeared as an attorney in the Watervliet City Court (Albany County) before another part-time judge who was permitted to practice law, notwithstanding the prohibition on part-time/lawyer-judges appearing before each other in the counties where they serve;
 - C. His law office assistant prepared pleadings for another attorney who subsequently represented the petitioners – who were clients of Judge Green's – in three matters in Colonie Town Court;
 - D. While representing a landlord in Albany City Court, he was hostile and rude toward the unrepresented tenant; and
 - E. While presiding over proceedings in Colonie Town Court in March 2024, he (i) solicited assistant district attorneys appearing before him to help an individual obtain an internship in the District Attorney's office; (ii) engaged an unrepresented defendant in a substantive discussion about the merits of the case during a hearing to determine whether the defendant could proceed *pro se*; and (iii) made coercive and otherwise inappropriate comments to certain defendants, indicating he had pre-judged their guilt.
4. In March 2025, the Commission apprised Judge Green that it was investigating an additional complaint, alleging that he had engaged in partisan political activity, such as soliciting voters to change their political party affiliations.
5. Judge Green has tendered his letter of resignation, a copy of which is annexed as Exhibit 1, stating that he will vacate judicial office on June 30, 2025.
6. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so

determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

7. Judge Green affirms that he will vacate his judicial office at the close of business on June 30, 2025, and that he will neither seek nor accept judicial office at any time in the future.

8. Judge Green understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission’s investigation of the complaint would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

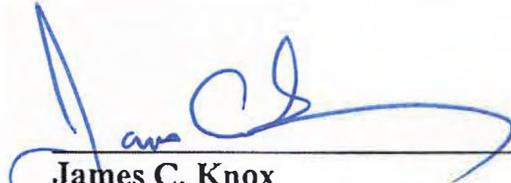
9. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

10. Judge Green waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission’s Decision and Order regarding this Stipulation will become public.

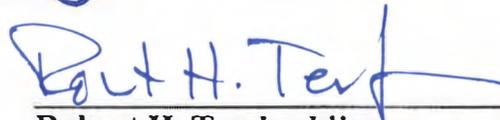
Dated: 4/2/25


Honorable David R. Green

Dated: 4/3/25


James C. Knox
Hacker Murphy LLP
Attorney for Judge Green

Dated: April 4, 2025


Robert H. Tembeckjian
Administrator & Counsel to the Commission
(Cathleen S. Cenci and S. Peter Pedrotty, Of
Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

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

WILLIAM ALAN HOHAUSER,

A Judge of the District Court,
Nassau County.

**DECISION
AND
ORDER**

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark Levine and Stella Gilliland, Of Counsel)
for the Commission

The Law Firm of Cesar de Castro, P.C. (Seth H. Agata) for respondent

The matter having come before the Commission on June 12, 2025;

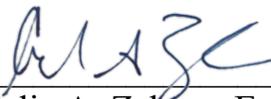
and the Commission having before it the Stipulation dated May 2, 2025; and

respondent having agreed to complete two online programs offered by the Office of Court Administration and respondent having advised the Chief Administrative Judge that he will resign from judicial office on December 31, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: June 12, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

WILLIAM ALAN HOHAUSER,

STIPULATION

a Judge of the District Court,
Nassau County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable William Alan Hohausser (“Respondent”) and his attorney Seth H. Agata, of The Law Firm of César de Castro, P.C.:

1. Respondent was admitted to the practice of law in New York in 1986. He has been a Judge of the District Court, Nassau County, since 2016.

Respondent’s current term expires on December 31, 2027.

2. Respondent was served with an Amended Formal Written Complaint dated March 13, 2025, alleging that (A) on numerous occasions between February 2023 and May 2024, he made offensive or otherwise inappropriate comments to various Nassau County Assistant District Attorneys and a court employee, and (B) he did so notwithstanding having been issued a Letter of Dismissal and Caution by the Commission in May 2022, *inter alia* for making inappropriate remarks to attorneys.

3. Respondent filed an Answer dated March 31, 2025.
4. Respondent will enroll in the online programs offered by the Office of Court Administration entitled “Maintaining Respect and Civility in the Workplace” and “Say What You Mean the Right Way.” Respondent commits to completing both programs before June 10, 2025.
5. In lieu of further proceedings, Respondent has notified the Chief Administrative Judge by the appended letter (Exhibit A) that he will resign from office on December 31, 2025. Respondent will submit the appropriate papers to the Office of Court Administration and the New York State and Local Retirement System in a timely manner as prescribed by law, to effect his retirement effective January 1, 2026, and relinquish judicial office on December 31, 2025.
6. In December 2023, after most of the events set forth in the Formal Written Complaint had occurred, the Office of Court Administration reassigned Respondent from a criminal part to a landlord-tenant part. Both Respondent and the Administrator recommend that, for the remainder of his tenure as a judge, Respondent not be returned to a criminal part.
7. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from

office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

8. Respondent affirms that he will vacate his judicial office at the close of business on December 31, 2025, and he will neither seek nor accept judicial office at any time in the future.

9. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission will be revived and the matter may proceed to a hearing before a referee, or the Commission may summarily determine that he should be removed from office pursuant to 22 NYCRR 7000.6(c).

10. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

11. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission’s Decision and Order regarding this Stipulation will become public.

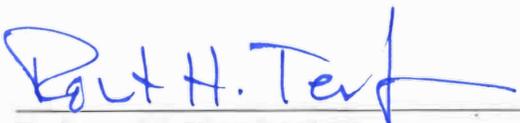
Dated: 5/2/2025


Honorable William A. Hohausen
Respondent

Dated:
5/2/25


Seth H. Agata
The Law Firm of César de Castro, P.C.
Attorney for Respondent

Dated: **May 2, 2025**


Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**Mark Levine and Stella Gilliland, Of Counsel**)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT A: RESPONDENT'S LETTER OF RESIGNATION

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

DONALD F. HULL,

a Justice of the Antwerp Town Court,
Jefferson County.

DETERMINATION

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and M. Kathleen Martin, Of
Counsel) for the Commission

Costello, Cooney & Fearon, PLLC (by Paul G. Ferrara) for
respondent

Respondent, Donald F. Hull, a Justice of the Antwerp Town Court, Jefferson

County, was served with a Formal Written Complaint (“Complaint”) dated July 8, 2025 containing one charge. The Complaint alleged that on October 18, 2022, while presiding over *Talfourd T. Wynne, II, v Melanie Lambert-McEathron and Alex McEathron*, a summary eviction proceeding in which one of the parties was of Mexican descent, respondent: (A) permitted his co-judge, Lucas J. Whitmore, to sit near the bench and repeatedly interject himself in the proceeding; and (B) made demeaning and otherwise disrespectful remarks about individuals of Mexican and Indian heritage.

On September 19, 2025, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On October 30, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent has been a Justice of the Antwerp Town Court, Jefferson County, since 1979. Respondent’s current term expires on December 31, 2025. He is not an attorney.
2. On October 18, 2022, in the Antwerp Town Court, respondent sat at

the bench and presided over *Talfourd T. Wynne, II, v Melanie Lambert-McEathron and Alex McEathron*, a summary proceeding for eviction. His co-judge, Lucas J. Whitmore, was seated near the bench in the area of the witness box.

3. Although Judge Whitmore was not assigned to the case and was not presiding, respondent permitted him to (A) engage in dialogue about the case with the tenant-respondents, (B) appear to make rulings, and (C) appear to give directions to respondent. Judge Whitmore *inter alia* asked questions and made statements about how long the tenant-respondents had been renting the apartment at issue, their claim that the apartment needed repairs, whether they would guarantee to pay the rent, their “constant tug of war” and “never-ending” issues with the landlord, the landlord’s “right to . . . proceed with the eviction”, the tenants’ issues with the Department of Housing and Urban Development, the rent his own brother-in-law paid in Philadelphia, and the possibility that the landlord would default on the mortgage if the tenants do not pay rent.

4. Respondent ruled in favor of the landlord-petitioner, ordering the tenant-respondents to vacate the leased premises within 30 days. He then discussed housing options with the tenant-respondents, during which he made the following remarks:

[The Department of Social Services] won’t put you on the streets. It’s illegal for them to do that. They have to put you up. If they can put Mexicans up in the Taj Mahal

-- .

5. The tenant-respondents promptly pointed out that Mr. McEathron and their daughter were of Mexican heritage, and they objected to respondent's comment about Mexicans and the Taj Mahal, *inter alia* calling it "racist." Both respondent and Judge Whitmore responded, with Judge Whitmore saying *inter alia* that respondent meant a "fancy hotel," and respondent saying *inter alia* that he was referring to "New York City" and "Mexicans right now who are flowing out of the border and they're going right from the border to hotels."

Additional Factors

6. Respondent has served as a judge for more than 46 years and has never been disciplined previously.

7. Respondent has been contrite and cooperative throughout the Commission's inquiry. He forthrightly acknowledged the impropriety of his comments during the summary proceeding on October 18, 2022.

8. Respondent also understands that it disrupted the order and decorum of the proceeding, undermined his independence as the presiding judge, and was unfair to the parties for him to permit a judicial colleague to interject himself and act as if there were two judges simultaneously presiding over the matter.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.2(B), 100.2(C), 100.3(B)(2), (3) and (4) of the Rules Governing Judicial Conduct

(“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charge I of the Formal Written Complaint is sustained insofar as it is consistent with the above findings and conclusions and respondent’s misconduct is established.

Judges are required to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules require that judges “be patient, dignified and courteous to litigants” and “shall perform judicial duties without bias or prejudice against or in favor of any person.” (Rules, §§100.3(B)(3) and (4)). Judges must maintain “order and decorum in proceedings before the judge” and are prohibited from permitting “others to convey the impression that they are in a special position to influence the judge.” (Rules, §§100.2(C) and 100.3(B)(2)). Respondent acknowledged that he violated these Rules when he allowed his co-judge to participate in the October 18, 2022 proceeding and when he made inappropriate remarks regarding individuals of Mexican and Indian heritage during the proceeding.

It is well-settled that judges must perform judicial duties without bias or the appearance of bias against any person. “[T]he perception of impartiality is as important as actual impartiality: Judges must conduct themselves ‘in such a way

that the public can perceive and continue to rely upon the impartiality of those who have been chosen to pass judgment on legal matters involving their lives, liberty and property’". *See, Matter of Duckman*, 92 NY2d 141, 153 (1998) (citations omitted); *Matter of Putorti*, 40 NY3d 359, 366 (2023) (“We stress that the ‘appearance of such impropriety is no less to be condemned than is the impropriety itself.’” (citations omitted)). Respondent’s remarks in the courtroom on October 18, 2022 were improper and he failed to perform his judicial duties without the appearance of bias. Through his actions, respondent undermined public confidence in the integrity and impartiality of the judiciary.

Furthermore, as respondent admitted, allowing his co-judge to participate in the proceeding disrupted the order and decorum of the proceeding and inappropriately made it appear that there were two judges presiding over the matter. By permitting his co-judge to interject in the proceeding, respondent also gave the appearance that his co-judge had undue influence over him. *See, Matter of Westcott*, 1998 Ann Rep of NY Commn on Jud Conduct at 167, 168.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that his conduct was improper and warrants public discipline. We trust that respondent has learned from this experience and in the future will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.

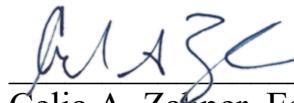
By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Professor Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: November 19, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

NICHELLE A. JOHNSON,

DETERMINATION

a Judge of the Mount Vernon City Court,
Westchester County.

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark Levine and Vickie Ma, Of
Counsel) for the Commission

Scalise & Hamilton, P.C. (by Deborah A. Scalise) for respondent

Respondent, Nichelle A. Johnson, a Judge of the Mount Vernon City Court, Westchester County, was served with a Formal Written Complaint (“Complaint”) dated May 29, 2025 containing three charges. Charge I of the Complaint alleged that in 2022 and 2023, respondent initiated and/or attempted to engage in *ex parte* and/or other improper communications regarding pending cases and failed to make appropriate disclosures. Charge II alleged that in 2023 and 2024, respondent attempted to grant special consideration in cases involving friends and/or acquaintances in order to secure favorable dispositions for them. Charge III alleged that on more than one occasion in 2023, respondent was impatient, undignified and discourteous while presiding over various criminal matters, and demonstrated bias and/or the appearance of bias against prosecutors.

On November 26, 2025, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On December 11, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent was admitted to the practice of law in New York in 1995. She has been a Judge of the Mount Vernon City Court, Westchester County, since

April 2016, when she was appointed to fill a vacancy. Respondent was elected in November 2016 for a term ending December 31, 2026.

As to Charge I of the Formal Written Complaint

The Horizon at Fleetwood v Shareeka Harewood

2. On July 17 and July 28, 2023, respondent presided over a landlord/tenant matter, *The Horizon at Fleetwood v Shareeka Harewood* (“*Horizon*”). The petitioner-landlord was represented by Kenneth B. Saltzman. The respondent-tenant appeared *pro se*.

3. On August 14, 2023, respondent’s colleague, Mount Vernon City Court Judge Peter St. George Davis, issued a final judgment awarding the landlord \$12,115 and a warrant of eviction due to the tenant’s failure to appear in court.¹ The warrant was stayed for 14 days.

4. On August 31, 2023, the tenant filed an Order to Show Cause seeking to vacate the warrant of eviction and dismissal of the petition. The return date was September 6, 2023.

5. On September 6, 2023, respondent presided over the *Horizon* matter. The tenant’s Order to Show Cause was held in abeyance, and the matter was adjourned to September 12, 2023.

¹ Since the judges of the court have a rotating schedule for when they sit, it is not unusual for a case adjourned during one term to be resumed before a different judge in the next term.

6. On September 12, 2023, respondent again presided over the *Horizon* matter. The case was called twice and the tenant appeared for the second call. Mr. Saltzman was also present. Respondent denied the tenant's Order to Show Cause and ordered her to pay one month's rent (\$1,995) by 5:00 PM that day in order to have the stay of the warrant of eviction extended to September 29, 2023.

7. On September 13, 2023, Mr. Saltzman electronically filed an Affirmation of Non-Compliance requesting that the marshal be advised to proceed with the eviction due to the tenant's failure to comply with the court's directive.

8. On September 13, 2023, while the case was pending, respondent learned that the tenant had failed to pay the \$1,995. Respondent called the tenant from chambers to ascertain whether the tenant understood that she was obligated to pay the landlord \$1,995 as directed by the court. Respondent further advised the tenant that she had until 5:00 PM to pay the landlord to avoid eviction, and that she should quickly bring a certified check for \$1,995 to court to pay the landlord. Respondent did not disclose this conversation to Mr. Saltzman or his client.

9. Subsequently, Mr. Saltzman learned that the court had called the tenant. Mr. Saltzman spoke to Lawrence Darden, Chief Clerk of the Mount Vernon City Court. Mr. Darden denied that anyone from the clerk's office had made such a call.

10. The following day, September 14, 2023, while Mr. Saltzman was in Portugal on vacation, respondent called him from chambers on his cell phone and spoke to him about her call with the tenant. Respondent told Mr. Saltzman, in words or substance, that she heard he was angry, and asked him why. Mr. Saltzman replied, in words or substance, that it was improper for the court to call a litigant to give legal advice. Respondent apologized to Mr. Saltzman for calling the tenant. Respondent also clarified that she thought the tenant, who was appearing *pro se*, may have been confused as to how to submit the payment, and respondent wanted to ensure that Mr. Saltzman's client got paid.

People v Shanna D. Lewis

11. On September 7, 2022, respondent presided over *People v Shanna D. Lewis*, a matter involving a defendant whose car had been impounded.

12. On September 23, 2022, the defendant, Ms. Lewis, was in the lobby of the Mount Vernon City Court courthouse, where Court Officer Lawanna Huber was stationed by the magnetometer at the security post. Officer Huber recognized Ms. Lewis from having seen her on previous visits to the courthouse. Officer Huber asked Ms. Lewis, who was visibly upset, what was wrong. Ms. Lewis told Officer Huber, in words or substance, that she did not understand what had occurred in court and that she was trying to get her car released from impoundment.

13. Officer Huber, who was friendly with respondent, texted respondent on her cell phone and asked respondent to call her.

14. Shortly thereafter, respondent called Officer Huber. Officer Huber told respondent, in words or substance, that Ms. Lewis could not get her car back and had no idea what she should do next.

15. Respondent explained what Ms. Lewis needed to do to get her car released. During this phone conversation, Ms. Lewis was standing next to Officer Huber. Respondent was unaware that Officer Huber had placed the call on speaker phone so that Ms. Lewis could hear respondent, which she learned sometime later. Respondent did not disclose this conversation because she did not believe that it had any material effect on the case.

16. At the time, Ms. Lewis's case was still pending.

17. Respondent subsequently presided over Ms. Lewis's matter on December 5, 2022, January 4, 2023, and January 10, 2023. At no time did respondent disclose to the parties her communication with Officer Huber.

People v J.A.

18. On August 30, 2023, respondent presided over the arraignment of a defendant, J.A., who was returned to court on a warrant that had been issued in 2020 pursuant to a felony complaint involving allegations of domestic violence, including rape. Assistant District Attorney ("ADA") Kerry McGrath appeared for

the prosecution, applied for an Order of Protection against the defendant, and recommended bail.

19. While ADA McGrath was making her application, respondent directed her to communicate with the victim to determine whether she was living with the defendant and was a cooperative witness. When respondent asked ADA McGrath whether she had a current phone number for the victim, the defendant spontaneously interjected and claimed that the victim had a new phone number, which he provided.

20. While in chambers during the lunch recess, outside the presence of the parties, respondent dialed the number the defendant provided, but no one answered.

21. When the proceedings resumed after the recess, respondent stated on the record, “Prompted by the Judge, we got into a discussion about the alleged victim here, and that’s where we ended to take a break to see if maybe they could make any contact. I don’t know if anybody was successful. I called the number, no success. Counselor McGrath, anything?” After ADA McGrath indicated that the victim was cooperative, respondent issued a temporary Order of Protection and set bail.

As to Charge II of the Formal Written Complaint

People v R.S.

22. R.S. is respondent's neighbor. At all relevant times, Ms. S was aware that respondent was a judge.

23. On October 9, 2023, Ms. S received a ticket pursuant to the Vehicle and Traffic Law for having a covered license plate on her car. The return date of the ticket was November 3, 2023.

24. Between October 9, 2023, and October 14, 2023, while Ms. S and respondent passed each other in the street while walking their dogs, Ms. S asked respondent if she could help her with her traffic ticket. Ms. S told respondent that she had received a ticket for having a license plate cover.

25. Respondent replied, in words or substance, that if Ms. S removed the license plate cover and gave her a photo as proof of its removal, she would bring the photo to court. Respondent explained that the ticket was for an equipment violation, which was not serious, and that the court customarily dismissed similar cases when the motorist sent in proof that the violation had been corrected.

26. On October 14, 2023, Ms. S sent respondent, via text message, a copy of her traffic ticket, a photo of her uncovered license plate, and the following message:

Gm Michelle [*sic*] it's R. . . [*sic*] G. . . [*sic*] mom. Thank you for handling this for me. Here is a picture of the ticket and I

also took a picture of the license plate because I took off the cover he gave me a ticket for [sic]

27. In response, respondent sent Ms. S the following text message: Got it.

Gonna look into [sic] next week. Will keep you posted.

28. On October 23, 2023, respondent sent Ms. S the following text

message:

Thanks R. . . for submitting the fact that the plate issue was fixed [sic] The officer will receive the information.

Ms. S then asked via text whether she had to pay the ticket. Respondent replied, “No.”

29. On the return date of the ticket, respondent sent the following text

message to Christine Belabe, a clerk at the Mount Vernon City Court:

Christine, this is the young lady who from October 12 gave us a letter and the fact that she fixed her plate by taking the cover off of it. I don't want it to go on the agenda because I feel terrible that she gave me the letter to bring so that we can consider it as a thing that she fixed and you know when they fix it as long as they show it gets dismissed so I'm coming in [sic] I do have her letter. I am printing out her picture...to attach but I'm running a little late and I just didn't want anything to be done, but I should be there by 9:30 but I just wanted to send this to you [sic] again [sic] she's a motorist that sending [sic] a letter or gave me a letter in the picture to show that she corrected the mistake and does [sic] she know I worked at the courts [sic] I was supposed to deliver it back in October OK but I'm on my way in in [sic].

30. Respondent then left the following handwritten letter, which she wrote and dated October 12, 2023, on Ms. Belabe's desk:

To whom it may concern:

I am R. . . S. . . . I was stopped and given a ticket (see attached) for a plate issue. The officer said I had a plate cover on the license that I did not know was a problem. I attach a picture showing I removed the plate cover. Can this be dismissed since I removed the plate. I cannot make it to court as I could not get [sic] day off. Please and thank you so much!

For R. . . S. . . .

31. Ms. S's traffic matter was heard by respondent's colleague, Mount Vernon City Court Judge Lyndon D. Williams. Judge Williams ordered Ms. S be certified as a scofflaw.

32. Later that day, pursuant to respondent's request, Ms. Belabe gave the handwritten letter and photo that she had received from respondent to Judge Williams, who subsequently dismissed Ms. S's ticket in court. Respondent did not speak to Judge Williams about Ms. S's matter.

People v Amadev Contracting Corporation

33. Respondent is acquainted with Brian Johnson, Corporation Counsel for the City of Mount Vernon, and Clinton Young, an officer of Amadev Contracting Corporation and a former Mayor of Mount Vernon.

34. On October 13, 2023, respondent's colleague, Mount Vernon City Court Judge Tamika A. Coverdale, presided over *People v Amadev Contracting Corporation* ("Amadev"), a matter involving the violation of a city ordinance.

Judge Coverdale issued a default judgment against the corporation in the amount of \$750.

35. Between October 13, 2023, and October 18, 2023, after a default judgment had been entered in *Amadev*, respondent engaged in a conversation with Mr. Young about the matter and *inter alia* urged him to call Mr. Johnson so the two of them could speak to one another about *Amadev*. Respondent learned from Mr. Young that he had cured the violation, such that a default judgment should not have been entered against him since the City's policy was to withdraw or dismiss such matters once the violation was rectified.

36. Thereafter, respondent called Mr. Johnson about the *Amadev* case. During their conversation, Mr. Johnson learned from respondent that the violation involved Mr. Young.

37. Mr. Johnson assigned Second Deputy Corporation Counsel Christine Lombert to investigate the matter. Respondent was not involved in the investigation and did not speak to Ms. Lombert about the matter. Respondent thereafter gave Ms. Belabe the following note, dated October 18, 2023, which was written in respondent's handwriting:

Christine:

* Amadev Contracting Corp.

CR-02351-23

Needs to be on for this Friday 10/20/23 to vacate judg. Was

issued in error per Corp. Counsel Brian Johnson. Please it's a 750.00 judg. must be vacated [*sic*]

Judge Johnson

The case was then put on respondent's calendar for October 20, 2023, at her direction.

38. On October 20, 2023, respondent presided over *Amadev* when the case was called. Ms. Lombert appeared for the prosecution and withdrew the case. No one appeared on behalf of the defendant.

As to Charge III of the Formal Written Complaint

People v R.H.

39. On August 21, 2023, respondent presided over the arraignment in *People v R.H.*, in which the defendant was charged with possessing a fake license plate.

40. At the arraignment, the defendant's attorney, Jean Robert-Auguste, asked for the release of his client's cell phone and car. When ADA David Lauscher started to respond, respondent interrupted him and yelled at length, stating, *inter alia*, in sum and substance:

- A. That the company impounding the vehicle was making thousands of dollars keeping the defendant's car, which was a "God damn racket," and that the defendant "should get the damn things today."

- B. “God damn it,” she (respondent) was going to call the police commissioner because she was not tolerating fees being charged to people who “don’t have the money damn it.”
- C. That the people impounding the car “are nasty as hell,” “nasty damn it,” and she (respondent) was not going to be a party to that.
- D. The District Attorney’s Office will not release the phone and car because they “don’t give a damn about what the Judge says,” and, “guess what,” she (respondent) was going to do it her way, “damn it.”
- E. “Who the hell does the Judge think she is to tell us what to do? That’s how I perceive it. I don’t give a damn.”
- F. “Who the hell are we unless we can make a demand for something? You can’t tell us we don’t have to listen. You don’t know. You are just a black Judge sitting up here in a black court and I don’t have to listen to you.”

41. When ADA Lauscher stated that he had “never been spoken to like that” and sought to apologize to respondent if she felt that he had been disrespectful, respondent explained that her statements were not directed at him “in particular,” that he should not “take it personally,” and she was “not saying that’s what you did,” but instead her comments were directed at the District Attorney’s Office because respondent “always . . . ha[s] this issue with the phone and the car.” Respondent stated, “I am telling you I take it personally because sometimes I feel like people are like, we are not going to do what she says.”

People v G.F.

42. On January 30, 2023, respondent presided over *People v G.F.* The defendant's attorney, David H. Hawkins, recounted that the court had previously indicated that if the victim was not in court, the matter should be dismissed.

43. Respondent asked ADA Stephanie Baehr whether she was ready to proceed with a non-jury trial. ADA Baehr replied she was not ready and requested a four-week adjournment. Respondent responded, in sum and substance, that she was going to dismiss and seal the case.

44. ADA Baehr began a response by stating, "Your Honor, respectfully," but respondent interrupted her and yelled, referring to an unrelated matter in which ADA Baehr had appeared before respondent, as follows:

RESPONDENT: Over objection, you can object, that's all I want to hear. You object, object, okay.

ADA BAEHR: Objection for the record --

RESPONDENT: I said the last time, it's on the record, Counsel Baehr, don't challenge me on it --

ADA BAEHR: Okay, I'm not.

RESPONDENT: -- like you did the last time when I had a decision here.

ADA BAEHR: Yes, Judge.

RESPONDENT: And nobody ever objects in a public forum to a judge's decision. You got a problem with it, you appeal It.

ADA BAEHR: Understood, Judge.

RESPONDENT: You don't tell the Judge, I object. Okay, please, it was disrespectful, and I haven't forgotten it. I didn't do that, when I was a lawyer, I'd never do it. Judge, yes, Ma'am, just note my objection for the record on stuff, but not on a decision. You don't do that to a judge. You have a problem, appeal It [sic]. Go back in your office and say, that idiot, whatever you want to do, but it's not in Court, you do it there and you appeal it, if that's what you feel.

Additional Factors

45. Respondent has cooperated with the Commission throughout this matter. She candidly acknowledged the impropriety of her conduct and pledged to take extra care to honor all of her ethical obligations. She notes that she did not derive any personal benefit from her conduct.

46. Respondent has no prior disciplinary history with the Commission.

47. To provide context rather than to excuse her conduct, respondent avers – and Commission counsel has no reason to dispute – that in or around the summer and fall of 2023, she was experiencing significant professional stress, including issues she experienced in the workplace with respect to needed repairs to the building where the court was located, lack of sufficient staffing, and deaths of participants in the drug court part. Respondent recognizes that she should have sought assistance to manage these stressors, realizing now that these stressors adversely impacted her behavior in court.

48. Respondent enrolled in and attended the online programs offered by the Office of Court Administration entitled, “Creating a Respectful Workplace,” “Promoting Respectful Court Environments Judicial UCS,” “Communication and Professional Behavior for Supervisors – Judges,” and “Working and Collaborating With Different Communication Styles.” She also attended and completed a five-part program offered by the University of California Berkeley Law School entitled, “Cultivating Healing and Health in the Judiciary.”

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.2(B), 100.2(C), 100.3(B)(1), 100.3(B)(3), 100.3(B)(4) and 100.3(B)(6) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I, II and III of the Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent’s misconduct is established.

Respondent’s conduct was inconsistent with her obligations to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules, with limited exceptions not applicable here, prohibit a judge

from initiating, permitting or considering *ex parte* communications about a pending matter. (Rules, §100.3(B)(6)) In addition, the Rules provide that, “[a] judge shall not lend the prestige of judicial office to advance the private interests of the judge or others. . .” and shall not allow social relationships to influence the judge’s judicial conduct. (Rules, §§100.2(B) and (C)) Judges must be “patient, dignified and courteous” to attorneys and must “perform judicial duties without bias or prejudice against or in favor of any person.” (Rules, §§100.3(B)(3) and (4)) Respondent acknowledged that she violated the Rules when she engaged in or attempted to engage in *ex parte* communications in three matters. Respondent also asserted her judicial office for the benefit of others and improperly allowed her social relationships to influence her judicial actions in the *People v R.S.* and *Amadev* matters. In addition, respondent violated the Rules when she was discourteous to prosecutors and gave at least the appearance that she was biased against them.

In the *Horizon* matter, respondent called a litigant from her chambers to determine whether the tenant understood that she had to pay the landlord and to advise what the tenant had to do to avoid eviction. Respondent did not disclose this conversation to the landlord or landlord’s counsel until after counsel made inquiries to the clerk’s office regarding the court’s contact with the tenant. It is well-settled that judges are prohibited from engaging in such *ex parte*

communications regarding a pending matter. *See, Matter of Gentile*, 2026 Ann Rep of NY Commn on Jud Conduct at ___ (judge engaged in *ex parte* conversation with prosecutor and also called school superintendent for the district where a defendant’s son attended school);² *Matter of Carter*, 2021 Ann Rep of NY Commn on Jud Conduct at 71 (judge initiated *ex parte* contact with a correctional facility for information after reading a defense motion to preclude recorded conversations made from the facility); *Matter of Arndt*, 2023 Ann Rep of NY Commn on Jud Conduct at 72, 88 (“after the defendant left the courtroom, respondent gave *ex parte* advice to the plaintiff and stated how he planned to rule.”). By her conduct, respondent undermined public confidence in the integrity and impartiality of the judiciary.

The ethical rules require judges to observe high standards of conduct both on and off the bench and prohibit judges from lending the prestige of judicial office to advance the interests of another. *Matter of Lonschein*, 50 NY2d 569, 571-572 (1980) (“no Judge should ever allow personal relationships to color his conduct or lend the prestige of his office to advance the private interests of others. . . . Judges must assiduously avoid those contacts which might create even the appearance of impropriety.”); *Matter of Leavitt*, 2024 Ann Rep of NY Commn on Jud Conduct at

² The *Gentile* determination is available at: <https://cjc.ny.gov/Determinations/G/Gentile.Philip.J.2025.05.30.DET.pdf>

120, 124-125 (“when respondent contacted his co-judge regarding his mail carrier’s parking violation matter pending before his co-judge, respondent violated the Rules and brought reproach upon the judiciary.”) Here, respondent violated the Rules when she allowed her relationships with her neighbor in the *People v R.S.* matter and her acquaintances in the *Amadev* matter to influence her judicial actions and used her judicial status to benefit others.

Judges must be patient and courteous when interacting with attorneys and others who appear before them and must perform judicial duties without bias or the appearance of bias against any person. In a matter involving demonstrated bias against prosecutors, the Court of Appeals held, “the perception of impartiality is as important as actual impartiality: Judges must conduct themselves ‘in such a way that the public can perceive and continue to rely upon the impartiality of those who have been chosen to pass judgment on legal matters involving their lives, liberty and property’”. *Matter of Duckman*, 92 NY2d 141, 153 (1998) (citations omitted); *Matter of Semaj*, 2026 Ann Rep of NY Commn on Jud Conduct at ___ (judge was “impatient and discourteous toward assistant district attorneys who appeared before her which created at least the appearance of bias against them.”)³ When respondent was discourteous and yelled at prosecutors, she undermined public

³ The *Semaj* determination is available at: <https://cjc.ny.gov/Determinations/S/Semaj.Naita.A.2025.05.30.DET.pdf>

confidence in the impartiality of the judiciary and gave at least the appearance of bias against prosecutors.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that her conduct was improper and warrants public discipline. We also note that respondent has no prior disciplinary history with the Commission, has pledged to take extra care to abide by her ethical obligations and completed five pertinent programs offered by the Office of Court Administration and the University of California Berkeley Law School. We trust that respondent has learned from this experience and in the future will act in strict accordance with her obligation to abide by all the Rules Governing Judicial Conduct.

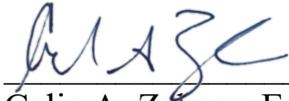
By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Ms. Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission
on Judicial Conduct.

Dated: December 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

REID L. JOHNSON,

a Justice of the Ellington Town Court,
Chautauqua County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and Cassie M. Kocher, Of
Counsel) for the Commission

Honorable Reid L. Johnson, *pro se*

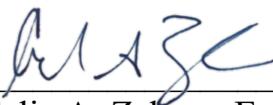
The matter having come before the Commission on October 30, 2025;
and the Commission having before it the Stipulation dated September 29, 2025;

and Judge Johnson having tendered his resignation by letter dated September 12, 2025, effective October 3, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: October 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

REID L. JOHNSON,

STIPULATION

a Justice of the Ellington Town Court,
Chautauqua County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Reid L. Johnson:

1. Judge Johnson has been a Justice of the Ellington Town Court, Chautauqua County, since January 1, 2024. His term expires on December 31, 2027. Judge Johnson is not an attorney.
2. In July 2025, the Commission apprised Judge Johnson that it was investigating a complaint alleging that he had been charged with alcohol-related driving offenses on September 13, 2024, pursuant to Sections 1192(2-a) and 1192(3) of the New York State Vehicle and Traffic Law (“VTL”), and he had identified himself as a judge when arrested.
3. On December 23, 2024, Judge Johnson pleaded guilty to violating VTL Section 1192(1), a violation-level offense, in satisfaction of all charges. On June

23, 2025, he was sentenced to a \$500 fine, a \$420 surcharge, and other mandatory sentencing terms.

4. Judge Johnson has tendered his resignation by letter dated September 12, 2025, a copy of which is appended as Exhibit 1, stating that he will vacate judicial office on October 3, 2025.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, Section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

6. Judge Johnson affirms that, having vacated his judicial office, he will neither seek nor accept judicial office at any time in the future.

7. Judge Johnson understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission’s investigation of the complaint would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation

that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Judge Johnson waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

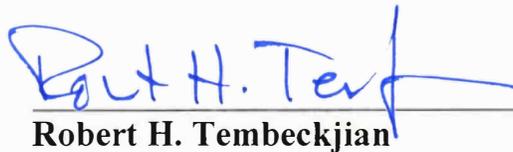
Dated:

9/16/25



Honorable Reid L. Johnson

Dated: September 29, 2025



Robert H. Tembeckjian

Administrator & Counsel to the Commission
(John J. Postel and Cassie M. Kocher, Of
Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

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

COREY E. KLEIN,

a Judge of the Long Beach City Court,
Nassau County.

DETERMINATION

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark Levine and Melissa DiPalo, Of
Counsel) for the Commission

Scalise & Hamilton, P.C. (by Deborah A. Scalise) for respondent

Respondent, Corey E. Klein, a Judge of the Long Beach City Court, Nassau County, was served with a Formal Written Complaint (“Complaint”) dated February 20, 2025 containing two charges. Charge I of the Complaint alleged that on October 25, 2022, respondent contacted the City of Long Beach Police Department and attempted to influence officers to stop the placement of a mechanical boot on the vehicle of a professional acquaintance. Charge II alleged that on April 11, 2024, at a public meeting of a local School District’s Board of Education (“Board of Education”), respondent referenced his judicial office, repeatedly shouted and/or raised his voice and otherwise acted in a discourteous manner in an effort to challenge the Board of Education’s policy for selecting class valedictorians and to have his son named as a valedictorian.

On April 24, 2025, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On May 1, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent was admitted to the practice of law in New York in 1995. He has been a Judge of the Long Beach City Court, Nassau County, since January

1, 2015. Respondent's current term expires on December 31, 2034.

As to Charge I of the Formal Written Complaint

2. Respondent has been professionally acquainted with Ingrid Dodd, who works in public relations, since in or around 2013.

3. On October 20, 2022, respondent sent a text message to Ms. Dodd asking her to call him because he needed advice. The next day, respondent spoke with Ms. Dodd on the telephone about fundraising strategies to help his son construct an adaptable surfboard for disabled children.

4. On October 24, 2022, respondent sent a text message to Ms. Dodd asking if she was available to meet with him and his son that day. Ms. Dodd was unavailable, but they tentatively arranged for the three of them to meet the following weekend.

5. On October 25, 2022, at 10:24 AM, respondent was in his car when Ms. Dodd sent him the following text message: "I'm getting a boot on my car – I got tickets near the board walk doing news segments – never paid them[.] I can pay now." Respondent replied, "Where are you[?]" and Ms. Dodd responded, "[I]'m at pod spa[.]"

6. Approximately two minutes later, respondent called the cell phone of Special Police Officer ("SPO") Ingrid Rushing, who at the time was assigned to the Traffic Bureau of the Long Beach Police Department ("LBPD"), located on

the first floor of Long Beach City Hall. She had previously worked as a clerk in the Long Beach City Court, located on the second floor of Long Beach City Hall, handling parking tickets.

7. When SPO Rushing answered her cell phone, respondent immediately said, in words or substance, “Stop the boot,” and that SPOs were “booting the car right now.” SPO Rushing walked to the desk of SPO Jamie Price while on the phone with respondent. She told SPO Price, in words or substance, that respondent said to stop booting the vehicle and that the vehicle’s owner was coming to court. SPO Rushing showed SPO Price that her cell phone displayed respondent’s name. SPO Price told SPO Rushing that she could not stop the boot because an event number had already been created and that respondent should call the desk. SPO Rushing then relayed this information to respondent.

8. While respondent was on the phone with SPO Rushing, he received a text message from Ms. Dodd containing a video of a boot being placed on a black Mini Cooper. She then texted respondent, “[I] asked them to please give me 5 minutes to make a call[.] They are such assholes.”

9. At 10:28 AM, respondent called the sergeant’s desk phone line, which was answered by Dispatcher George Colberg. Respondent asked the dispatcher if a car was being booted and told him, in words or substance, to “hold on with that boot.” Respondent then stated, in words or substance, that there were four tickets

on the desk and that they are being taken care of. The dispatcher transferred the call to the sergeant on duty, Joseph Wiemann.

10. Sergeant Wiemann answered the transferred call, and respondent immediately said, in words or substance, “Don’t boot the car.” Sergeant Wiemann asked, “[W]hat car?” and respondent replied, “[T]he specials are there now.” Sergeant Wiemann asked respondent if the car was a black Mini Cooper, and respondent responded affirmatively. Respondent then said, in words or substance, “[T]he tickets are on the desk, and they are being taken care of.”

11. Based on respondent’s statements, Sergeant Wiemann believed that respondent was acting in judicial capacity when he said not to boot the vehicle, and that respondent was at the Long Beach City Court preparing to adjudicate the vehicle’s unpaid tickets at the time of his call. As a result, Sergeant Wiemann told respondent that they were not booting the vehicle and instructed the dispatcher to notify the SPOs not to boot the vehicle.

12. Respondent was not at the Long Beach City Court at the time of his conversation with Sergeant Wiemann. Ms. Dodd did not have cases on the court’s calendar on October 25, 2022, in connection with any of her outstanding and/or unpaid tickets. Only after officers started the process of placing a boot on Ms. Dodd’s vehicle did she communicate to respondent that she would pay the outstanding and/or unpaid tickets and that she could “pay now.”

13. During his phone call with Sergeant Wiemann, respondent sent a text message to Ms. Dodd stating, “They are not booting [] [i]t[.] What’s your license plate number[?]” Ms. Dodd responded with her license plate number and said that she thought she owed “[\$]500 in tickets[.]” Respondent then replied, “Ok. Just come into Court[.]” Around the same time, respondent called Ms. Dodd on her cell phone and told her that they were not booting her vehicle.

14. At 10:31 AM, SPO Rushing sent a text message to respondent stating, “They are not booting. Sorry about that[.] You know I always have your back[.]” Respondent replied, “No worries[.]”

15. The dispatcher notified the SPOs on the scene that “Judge Klein called. Do not boot it.” The boot was then removed from Ms. Dodd’s vehicle.

16. Later that afternoon, at 2:15 PM, Ms. Dodd appeared at the Long Beach City Court and paid the \$465 she owed on four outstanding tickets: one for No and/or Expired Inspection, one Parking in a No Parking Zone, and two for Expired License Plates. She did not pay any boot-related fees.

17. Ms. Dodd did not appear before respondent or in court on October 25, 2022. She paid off her tickets at the Clerk’s Office.

As to Charge II of the Formal Written Complaint

18. On April 11, 2024, respondent attended a public meeting of the School District’s Board of Education to challenge (A) the high school’s process for

selecting the school's valedictorians, and (B) the school administration's determination not to name his son as a valedictorian. Superintendent Henry Grishman, School District Attorney Christopher M. Powers, Board President Jill Citron, other Board members, and spectators were among those who were present. Respondent and Mr. Powers had never met or been introduced prior to this meeting.

19. The Board of Education meeting was made publicly available on the School District's website on YouTube.

20. At the start of the portion of the meeting at which the public may be heard, the President of the Board of Education read a statement, which included the following guideline for addressing the Board: "As always, public discussion on matters relating to staff and students at which their reputation, privacy or right to due process or those of others could in some way be violated is prohibited."

21. Respondent spoke about his son, a minor, during the public comment portion of the meeting entitled "Opportunity to Be Heard," stating that he attended the meeting "to discuss the implications of this Board's policies as it relates to COVID and the selection of the valedictorian," and that the Board's policies conflict "to the impact of one person and one person only this year, my son," who was "not selected as a valedictorian because of this Board's policies." Respondent

and his son had previously appealed Mr. Grishman's decision denying the son's request to be named a valedictorian.

22. The video of the meeting depicts Superintendent Grishman looking in the direction of Mr. Powers during respondent's statement and uttering an indecipherable comment, which respondent heard as "Stop him." At that point respondent remarked, "Now Mr. Grishman, you don't have to give him any tips, okay. Please, okay, give me the credit for that."

23. Respondent continued his statement, saying that his son "got an A+ in every single class except back in eighth grade." At that point, Mr. Grishman interjected and asked, "Mr. Powers, are we okay having this conversation?" Respondent said in a raised voice, "Of course you are" and "You know what, Mr. Grishman, don't try to outlawyer me with the law. Don't try to outlawyer me with the law."

24. Respondent insisted that he be allowed to finish what he wanted to say before Mr. Grishman consulted with Mr. Powers. Respondent referred to "the Open Meetings Government Law" and stated, "Don't try to outlawyer me. I'm going to continue."

25. As Mr. Powers attempted to explain that there was "a process that must be respected," respondent interrupted and said, "No there's not a process" and referred to Mr. Powers as "Counsel." Mr. Powers attempted to speak and

respondent spoke over him, again referring to him as “Counsel,” at which point respondent’s microphone was turned off for approximately 30 seconds.

26. Respondent continued speaking and gesticulating while his microphone was off, as the video depicts. Respondent, whose voice is partially audible during this portion of the video recording, said in words or substance, “You can refer to me, Counsel, as judge.”

27. Immediately thereafter, respondent’s microphone was turned back on, and respondent remarked, “If you are going to try to be a lawyer, then refer to me by my title as well, okay. Thank you.”

28. Mr. Powers responded, “Sir, I did not know you were a judge. I am respecting you.” Respondent interjected, stating, in a loud voice, “Counsel. Counsel. Counsel. Let me finish.”

29. Mr. Powers replied, “No, sir. What I’m trying –,” at which point respondent said, “Counsel, don’t put yourself into a perilous position where you are going to give bad legal advice,” then continued to insist that he be allowed to finish his statement.

30. Mr. Powers attempted to explain to respondent that the Board meeting was not the proper forum to appeal the determination by school administration, but respondent continued to speak over Mr. Powers and shouted, “Don’t preempt me,” “You can’t preempt me,” and “I’m gonna stay here.”

31. In response, Mr. Powers said “This is not the forum,” but respondent interjected and insisted, “It is the forum.”

32. As Mr. Powers attempted to speak, respondent repeated, “It is the forum.” Mr. Powers again referred to the appeal process, but respondent interjected, saying, “No, it’s not an appeal process.”

33. As Mr. Powers attempted to continue, respondent interjected again and said, “I’m gonna stay up here now and I’m going to continue speaking.”

34. When Mr. Powers deferred to Board President Jill Citron as to whether the Board would consider respondent’s statement, respondent said, “You’re the President of the School Board. You’re not going to let me speak?” Ms. Citron advised respondent that he “should just listen to what Mr. Powers has to say because –,” at which point respondent interrupted and shouted, *inter alia*, “Let me speak,” “I don’t need to listen to your lawyer, I know the law,” and “Don’t try to out law me. That’s ridiculous.”

35. Respondent continued making his statement and Mr. Powers interjected and again attempted to explain the appeal process. Respondent shouted, “Thank you, Thank you, Counselor.” Mr. Powers responded, “Excuse me, Sir. Judge. Your Honor. Please. I am respecting you. I would ask that you respect me as well. Here is my recommendation to the Board,” yet respondent shouted over him, “Make your recommendation after I speak.”

36. Mr. Powers continued to attempt to explain the appeal process while respondent continued to interject and referred to Mr. Powers as “Counselor” and “Counsel.” Mr. Powers stated, “Your Honor. We are not in court at this point.”

37. Respondent resumed addressing the school Board and made the following statements to Mr. Grishman and the Board about Mr. Powers:

- A. “And if I can have your attention, I’m sorry that your attorney needed to go at me. Okay. When all I wanted to do was come up here and politely address, okay, one simple question. Okay.”
- B. “The fact that I’d have the audacity, okay, because it’s the end of my kid’s career, to come up here and question a decision that you made, okay, so you try to sic your pit bull attorney on me. It’s beyond reproach that you don’t do something like that, okay.”

38. After he finished addressing the Board, respondent expressed contrition for his conduct toward Mr. Powers, stating, “Counsel, I just want to say I know you’re doing your job. I’ve sat in your chair for many years. I hold the most respect for you, okay, you’re doing your job well, okay. Unfortunately, I was going to get my say and so please don’t take any notion that your attorney didn’t try to shut me up quickly. Thank you very much.”

Additional Factors

39. Respondent has been fully cooperative with the Commission during its inquiry into this matter.

40. As to Charge I, respondent recognizes that he improperly intervened on Ms. Dodd's behalf and, on these facts, appeared to be using his judicial office to obtain special treatment from police for Ms. Dodd, whose assistance he sought with fundraising strategies for his son's surfboard project. He avers that was not his intention but, on reflection, realizes that his conduct undermined public confidence in the judiciary, even though Ms. Dodd did not meet with respondent's child or help with fundraising strategies.

41. Although respondent had concerns about local policies and practices concerning the booting of automobiles, he recognizes that those concerns in no way justified his attempt to stop the police department's booting of a scofflaw's car, and that his doing so undermined his judicial role as an impartial arbiter of cases and made him an active participant in a pending controversy.

42. As to Charge II, respondent recognizes that although he was appearing in a non-judicial capacity as a father and a member of the public, it was improper for him to invoke his judicial office at a public school board meeting, and his conduct toward the school district attorney was discourteous. Respondent acknowledges that he allowed his emotions to influence his conduct and acknowledges his failure to promote the high standards of conduct required of judges both on and off the bench.

43. Respondent has no prior disciplinary history with the Commission.

44. With respect to both charges, respondent apologizes for his behavior and commits to avoiding such conduct in the future.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.2(B), 100.2(C) and 100.4(A)(2) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I and II of the Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent’s misconduct is established.

Respondent’s conduct was inconsistent with his obligations to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules require that “[a] judge shall not lend the prestige of judicial office to advance the private interests of the judge or others . . .” and provide that judges must “conduct all of the judge’s extra-judicial activities so that they do not . . . detract from the dignity of judicial office . . .” (Rules §§100.2(C) and 100.4(A)(2)) Respondent violated these Rules when he intervened with the City of Long Beach Police Department to prevent a mechanical boot being placed on the vehicle of one of his professional acquaintances. Respondent also violated the

Rules when he asserted his judicial office at a public meeting of the Board of Education and behaved in a discourteous manner during the meeting.

“Members of the judiciary should be acutely aware that any action they take, whether on or off the bench, must be measured against exacting standards of scrutiny to the end that public perception of the integrity of the judiciary will be preserved.” *Matter of Lonschein*, 50 NY2d 569, 572 (1980) (citation omitted); *Matter of Hurley*, 2008 Ann Rep of NY Commn on Jud Conduct at 141, 143-144 (the judge’s “gratuitous reference to his judicial status could be interpreted as an implicit request for special treatment. . .”) Here, respondent twice improperly interjected his judicial status into private matters, once to obtain special treatment from the City of Long Beach Police Department for a professional acquaintance and again in an attempt to further his personal interests. At the public Board of Education meeting, he created the appearance that he expected special treatment and deference due to his judicial position. Respondent’s actions were unbecoming a judge and he violated his ethical obligations.

It is well-settled that judges are held to a higher standard of conduct than the general public. “There is no question that judges are accountable for their conduct ‘at all times’, including in conversations off the bench. . . Because judges carry the esteemed office with them wherever they go, they must always consider how members of the public . . . will perceive their actions and statements.” *Matter of*

Senzer, 35 NY3d 216, 220 (2020) (citations omitted) “Standards of conduct on a plane much higher than for those of society as a whole, must be observed by judicial officers so that the integrity and independence of the judiciary will be preserved. A Judge must conduct his everyday affairs in a manner beyond reproach.” *Matter of Kuehnel*, 49 NY2d 465, 469 (1980). In addition to asserting his judicial office, respondent exhibited poor judgment during the public meeting of the Board of Education when he shouted at the Board President and the attorney for the school district, repeatedly interrupted, and refused to stop talking about his personal situation despite being advised that the public meeting was not the appropriate forum. Respondent’s discourteous conduct brought reproach upon the judiciary and undermined public confidence in the impartiality and integrity of the judiciary.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that his conduct was improper and warrants public discipline. We trust that respondent has learned from this experience and in the future will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.

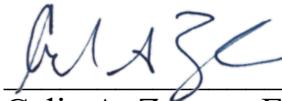
By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Professor Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: May 29, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

JULIE M. KUCK,

a Justice of the Lindley Town Court,
Steuben County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and Cassie M. Kocher, Of
Counsel) for the Commission

Honorable Julie M. Kuck, *pro se*

The matter having come before the Commission on January 30, 2025;
and the Commission having before it the Stipulation dated December 30, 2024; and

Judge Kuck having tendered her resignation dated December 23, 2024 effective January 10, 2025; and having affirmed that having vacated her judicial office, she will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: January 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

JULIE M. KUCK,

STIPULATION

a Justice of the Lindley Town Court,
Steuben County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Julie M. Kuck:

1. Judge Kuck has been a Justice of the Lindley Town Court, Steuben County, since April 10, 2017. Her current term expires on December 31, 2025. She is not an attorney.
2. In November 2024, the Commission apprised Judge Kuck that it was investigating a complaint alleging that, on June 14, 2024, she was charged with alcohol-related violations of Sections 1192(2-a)(b), 1192(2) and 1192(3) of the New York State Vehicle and Traffic Law, which included a felony.
3. On October 7, 2024, Judge Kuck pleaded guilty to Driving While Intoxicated in violation of New York State Vehicle and Traffic Law Section 1192(3), a misdemeanor, in satisfaction of all charges.

4. Judge Kuck has tendered her resignation by letter dated December 23, 2024, a copy of which is annexed as Exhibit 1, stating that she will vacate judicial office as of January 10, 2025.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

6. Judge Kuck affirms that, having vacated her judicial office, she will neither seek nor accept judicial office at any time in the future.

7. Judge Kuck understands that, should she abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission’s investigation of the complaint would be revived, she would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

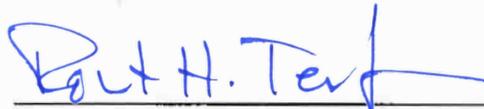
9. Judge Kuck waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 12/23/24



Honorable Julie M. Kuck

Dated: December 30, 2024



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(John J. Postel and Cassie M. Kocher, Of
Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

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

MELISSA A. LOEHR,

a Judge of the County Court,
Westchester County.

DETERMINATION

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (Mark Levine, Brenda Correa and Stella
Gilliland, Of Counsel) for the Commission

Michael S. Ross for respondent

Respondent, Melissa A. Loehr, a Judge of the County Court, Westchester

County, was served with an Amended Formal Written Complaint (“Complaint”) dated August 8, 2024 containing two charges. Charge I alleged that on March 16, 2018, respondent presided over and dismissed a traffic ticket issued to Ashley Johnson, the daughter of her co-judge at the time, Peekskill City Court Judge Reginald J. Johnson, without disclosing that Ms. Johnson was or had been a friend of her daughter. Charge II alleged that on January 13, 2017, respondent called the Cortlandt Town Court and spoke with the deputy court clerk about a traffic case in which her daughter, Zwana Loehr, was the defendant. During the conversation respondent identified herself by name and said, “I don’t know if you know, I’m the judge in Peekskill.” Respondent filed an Answer dated September 23, 2024.

On February 6, 2025, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be admonished and waiving further submissions and oral argument.

On March 13, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent was admitted to the practice of law in New York in 2002. She has been a Judge of the County Court, Westchester County, since 2020. Her

term expires December 31, 2029. Respondent previously served as a Judge of the Peekskill City Court, Westchester County, from January 1, 2017, to December 31, 2019.

As to Charge I of the Formal Written Complaint

2. At all times relevant to the matters herein, respondent and Reginald J. Johnson were judges of the Peekskill City Court.

3. Zwana Loehr is respondent's daughter, and Ashley Johnson is Judge Johnson's daughter. Zwana Loehr and Ashley Johnson had been friends during middle school and high school, having been classmates, and having spent time at each other's houses.

4. On April 6, 2017, Ashley Johnson was charged with speeding by a New York State Trooper in Peekskill.

5. On March 16, 2018, respondent presided in Peekskill City Court over a scheduled appearance regarding the *Ashley Johnson* ticket. Ingrid E. O'Sullivan, the Peekskill City Prosecutor, appeared for the prosecution. Ms. Johnson appeared without counsel. Court records indicate this was the only date on which the case was called.

6. Respondent did not make any disclosures on the record about her daughter's relationship with Ashley Johnson, nor did she disclose that Ms. Johnson was the daughter of her co-judge, Reginald J. Johnson. After a very brief colloquy

with City Prosecutor O'Sullivan, respondent dismissed the charge.

As to Charge II of the Formal Written Complaint

7. On December 6, 2015, respondent's daughter, Zwana Loehr, received a traffic ticket for a stop sign violation in the Town of Cortlandt.

8. On January 13, 2017, after having missed several appearance dates, Zwana Loehr appeared in Cortlandt Town Court and was ordered to post bail.

9. Shortly thereafter, Zwana Loehr called respondent from the Cortlandt courthouse and asked for help with bail. Respondent then called the courthouse for the purpose of arranging bail for her daughter. When Deputy Court Clerk Maria Pereira answered the phone, respondent said she was Melissa Loehr and that she was calling about her daughter's traffic case. During the conversation, respondent stated, "I don't know if you know, I'm the judge in Peekskill."

10. On March 16, 2017, Zwana Loehr pleaded guilty to Vehicle and Traffic Law Section 1201(a), a parking violation, and was fined \$100.

Additional Factors

11. Respondent avers that she and Judge Johnson never communicated with each other about the speeding ticket issued to Ms. Johnson, and there is no evidence to the contrary. Nevertheless, respondent acknowledges that she should not have presided over the matter, or that she should have disclosed Ms. Johnson's relationship to her co-judge and friendship with her daughter, even if at the time

that friendship had waned. Respondent recognizes that the failure to make appropriate disclosures suggested favoritism based on personal relationships.

12. Respondent further acknowledges that, despite her understandable parental interest in helping her daughter post bail in connection with the traffic ticket issued to her in Cortlandt, it was entirely irrelevant and inappropriate to mention her status as a judge when discussing the matter with a representative of the Cortlandt Town Court.

13. Respondent commits herself to a more rigorous adherence to her ethical obligations in the future.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.2(B), 100.2(C), 100.3(B)(1), 100.3(B)(4) and 100.3(E)(1) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I and II of the Amended Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent’s misconduct is established.

Respondent acted in a manner that was inconsistent with her obligations to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”

(Rules, §§100.1, 100.2(A)) Section 100.3(E)(1) of the Rules provides: “[a] judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned” The Rules further require that “[a] judge shall not lend the prestige of judicial office to advance the private interests of the judge or others” (Rules §100.2(C)) When respondent presided over the ticket issued to her co-judge’s daughter, who had also been friends with respondent’s daughter, without disqualifying herself or making any disclosure of the relationships, she violated her ethical duties. In addition, when respondent told the Cortlandt Town Court deputy court clerk that she was a judge when discussing bail for respondent’s daughter, respondent improperly invoked her judicial office.

Instead of disqualifying herself from the case involving her co-judge’s daughter, who had also been a friend of respondent’s daughter, or disclosing the relationships, respondent dismissed the matter. Given respondent’s relationship to the defendant in the *Johnson* matter, her impartiality could reasonably be questioned. *See, Matter of Doyle*, 23 NY3d 656 (2014) (improper for judge to preside over matters involving the judge’s longtime friend and personal attorney); *Matter of Ridsdale*, 2012 Ann Rep of NY Commn on Jud Conduct at 148 (improper for judge to preside over matter in which the complaining witness was his co-judge and the defendant was his co-judge’s son); *Matter of O’Donnell*, 2010 Ann Rep of NY Commn on Jud Conduct at 201 (improper to preside over a matter

in which the defendant was a friend of the judge's daughter). By presiding over the *Johnson* matter, respondent created the appearance of special consideration based on her personal relationships and she undermined public confidence in the integrity and impartiality of the judiciary.

Furthermore, by invoking her judicial office when communicating with Cortlandt Town Court staff regarding bail for her daughter, respondent brought reproach upon the judiciary and violated her ethical obligations. "The absence of a specific request for favorable treatment or special consideration is irrelevant, and petitioner's 'paternal instincts' do not justify a departure from the standards expected of the judiciary . . ." *Matter of Edwards*, 67 NY2d 153, 155 (1986) (citation omitted); *See, Matter of Ramirez*, 2018 Ann Rep of NY Commn on Jud Conduct at 232, 245 (citation omitted) ("While respondent's judgment may have been clouded by a 'sincere, albeit misguided, desire' to help her son and friend, that does 'not justify a departure from the standards expected of the judiciary' since her communications could be perceived as backed by her judicial power and prestige . . .") Respondent's gratuitous reference to her judicial office created at least the appearance that she was inappropriately seeking special treatment for her daughter.

In accepting the jointly recommended sanction of admonition, we have taken into consideration that respondent has acknowledged that her conduct was

improper and warrants public discipline. We trust that respondent has learned from this experience and in the future will act in strict accordance with her obligation to abide by all the Rules Governing Judicial Conduct.

By reason of the foregoing, the Commission determines that the appropriate disposition is admonition.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Professor Moore, Mr. Raskin, Judge Singh and Ms. Yeboah concur.

Judge Miller was not present.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: March 28, 2025



Celia A. Zalmer, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

GEORGE J. MEYERS,

a Justice of the New Windsor Town Court,
Orange County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark H. Levine and Denise Buckley, Of
Counsel) for the Commission

O'Connell and Aronowitz (Stephen R. Coffey) for respondent

The matter having come before the Commission on September 18,
2025; and the Commission having before it the Stipulation dated September 4,

2025; and Judge Meyers having tendered his resignation by letter dated September 1, 2025 effective December 31, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: September 18, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

GEORGE J. MEYERS,

STIPULATION

a Justice of the New Windsor Town Court,
Orange County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable George J. Meyers (“Respondent”) and his attorney Stephen R. Coffey, Esq., of O’Connell & Aronowitz:

1. Respondent has been a Justice of the New Windsor Town Court, Orange County, since 2018. His current term expires on December 31, 2026. Respondent is not an attorney.

2. Respondent was served with a Formal Written Complaint dated January 6, 2025, alleging *inter alia* that he:

- A. Made discourteous, and/or otherwise inappropriate comments to and/or about court personnel; and
- B. Engaged in retaliatory conduct toward court staff, another judge and town officials with whom he had disagreements.

3. Respondent denies each of the foregoing allegations, as set forth in his Answer filed March 3, 2025.

4. Respondent has tendered his letter of resignation to the Town of New Windsor and the Chief Administrative Judge stating that he will vacate judicial office on December 31, 2025. A copy of Respondent's resignation letter is annexed as Exhibit A.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office "shall be ineligible to hold other judicial office."

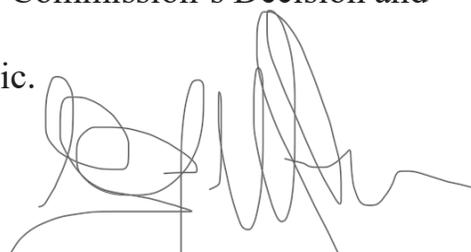
6. Respondent affirms that he will vacate his judicial office at the close of business on December 31, 2025, and he will neither seek nor accept judicial office at any time in the future.

7. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission will be revived and the matter may proceed to a hearing before a referee, or the Commission may summarily determine that he should be removed from office pursuant to 22 NYCRR 7000.6(c).

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

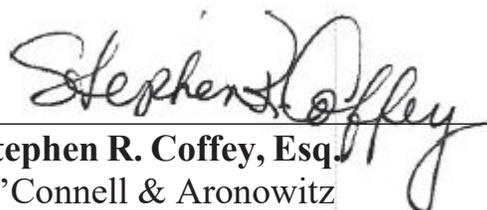
9. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 09/01/2025



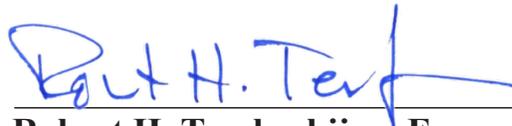
Honorable George J. Meyers
Respondent

Dated: 09/03/2025



Stephen R. Coffey, Esq.
O'Connell & Aronowitz
Attorney for Respondent

Dated: September 4, 2025



Robert H. Tembeckjian, Esq.
Administrator & Counsel to the Commission
(**Mark H. Levine & Denise Buckley**
Of Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT A: RESPONDENT'S LETTER OF RESIGNATION

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

ROBERT J. MULLER,

a Justice of the Supreme Court,
Fourth Judicial District, Warren County.

DETERMINATION

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and S. Peter Pedrotty, Of
Counsel) for the Commission

Anderson, Moschetti and Taffany, PLLC (Peter J. Moschetti, Jr.) for
respondent

Respondent, Robert J. Muller, a Justice of the Supreme Court, Fourth

Judicial District, Warren County, was served with a Formal Written Complaint (“Complaint”) dated September 30, 2024 containing three charges. Charge I of the Complaint alleged that from September 2022 to January 2024, when the Appellate Division remanded the matter to a different judge, respondent presided over and failed to disclose or disqualify himself from the personal injury case of *Minckler and Howell v Estate of Thomas Shelly, III, D’Ella, Inc., D’Ella Honda of Glens Falls, and D’Ella Automotive, Inc.* (hereinafter *Minckler*), notwithstanding that the law firm representing the D’Ella defendants – Bartlett, Pontiff, Stewart & Rhodes (“Bartlett Pontiff”) – held a fundraiser in support of respondent’s candidacy in 2022 for re-election, and one of the partners in that firm was a member of respondent’s re-election committee. In addition, respondent withheld Opinion SC2022-048 dated October 12, 2022 from the Judicial Campaign Ethics Subcommittee of the Advisory Committee on Judicial Ethics until after his re-election and he declined to recuse himself from the *Minckler* case. Charge II alleged that from May 2022 to November 8, 2022, respondent failed to disqualify himself, subject to remittal, from numerous cases involving attorneys from four law firms that were engaged in fundraising for respondent’s 2022 judicial campaign, contrary to a number of previously published Advisory Opinions and notwithstanding the October 12, 2022 Opinion issued to respondent. Charge III alleged that from December 2022 to January 2024, respondent failed to disqualify

himself, subject to remittal, from three cases in which his 2022 judicial campaign committee Finance Chair and Finance Co-Chair appeared as attorneys, notwithstanding that multiple previously published Advisory Opinions stated that during a judge's campaign and for a period of two years following the election, the judge was required to disqualify himself, subject to remittal, in any case involving attorneys who held leadership positions in the judge's campaign. Respondent filed a Verified Answer dated November 18, 2024.

On February 10, 2025, the Administrator, respondent's counsel and respondent entered into an Agreed Statement of Facts ("Agreed Statement") pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On March 13, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent was admitted to the practice of law in New York in 1979. He has been a Justice of the Supreme Court, Fourth Judicial District, Warren County, since January 1, 2009. Although respondent's current term expires on December 31, 2036, he turns 70 years of age in 2025 and therefore must retire on December 31, 2025, unless he seeks certification to serve an additional two years,

pursuant to Article VI, Section 25(b) of the Constitution of the State of New York, and Section 115 of the Judiciary Law.

As to Charge I of the Formal Written Complaint

2. In November 2020, *Minckler v D’Ella*, a personal injury case in Supreme Court, Warren County, was assigned to respondent, who kept the assignment until January 2024. Attorney Christopher P. Flint of the law firm Cooper Erving & Savage represented the plaintiffs. Attorney Kenneth L. Bobrow of the law firm Felt Evans represented the Estate of Thomas E. Shelly, III, and Attorney Malcolm B. O’Hara, a principal at the law firm Bartlett, Pontiff, Stewart & Rhodes, represented the *D’Ella* defendants.

3. In December 2021, respondent publicly announced his candidacy for re-election as Supreme Court Justice for the Fourth Judicial District, Warren County, in the 2022 election cycle.

4. In August 2022, respondent secured nominations from the Democratic and Conservative political parties and, among other things, formed the Committee to Re-Elect Robert J. Muller Supreme Court Justice and established a campaign website.

5. In September and October 2022, respondent’s campaign website listed Malcolm B. O’Hara as a member of his campaign committee and as one of several dozen attorneys who had endorsed respondent’s candidacy.

6. In September and October 2022, respondent's campaign website posted an invitation to a fundraiser for respondent's campaign hosted by Bartlett Pontiff at the Queensbury Hotel in Glens Falls on October 6, 2022.

7. In late September 2022, the *Minckler* plaintiffs learned of Mr. O'Hara's and Bartlett Pontiff's involvement in respondent's re-election campaign from a source other than respondent. Respondent had not disclosed to the parties in *Minckler* the involvement of either Mr. O'Hara or Bartlett Pontiff in his re-election campaign.

8. On October 3, 2022, during a phone conference in connection with the *Minckler* case, Mr. Flint requested on behalf of the plaintiffs that respondent recuse himself based on the involvement of Mr. O'Hara and Bartlett Pontiff in his re-election campaign. Respondent instructed Mr. Flint to make his request in writing, on notice to defense counsel.

9. On October 4, 2022, Mr. Flint emailed a letter requesting respondent's recusal to respondent, with a copy to defense counsel, based on "Attorney O'Hara and the Bartlett Pontiff firm's direct fundraising involvement" in respondent's re-election campaign.

10. By email dated October 4, 2022, Mr. O'Hara said he disagreed with Mr. Flint's request, but disclosed that he was a member of respondent's campaign

committee and that he planned to write a letter on respondent's behalf to a local newspaper.

11. On October 6, 2022, during a video conference with the attorneys in the *Minckler* case, respondent declined to recuse himself.

12. On October 6, 2022, at respondent's direction, his Principal Law Clerk, Jennifer Purcell Jeram, (A) advised the attorneys in *Minckler* via email that respondent had sought an Opinion from the Judicial Campaign Ethics Center¹ ("JCEC") "relative to the issue of his recusal in this matter," and (B) asked Mr. Flint to hold any motion practice in abeyance pending receipt of an Opinion from JCEC, which respondent would "promptly" share with all counsel.

13. On October 6, 2022, Bartlett Pontiff held the fundraiser for respondent's re-election campaign at the Queensbury Hotel. Respondent and Mr. O'Hara were in attendance.

14. On October 7, 2022, respondent sought advice from JCEC via telephone and email regarding Mr. Flint's recusal request.

15. On October 12, 2022, respondent received Opinion SC2022-048 from the Judicial Campaign Ethics Subcommittee, which advised respondent *inter alia* that he was "disqualified, subject to remittal, from presiding over matters involving

¹ The Judicial Campaign Ethics Center and the Judicial Campaign Ethics Subcommittee are affiliated with the Unified Court System's Advisory Committee on Judicial Ethics.

defense counsel and his law firm, including partners and associates, *during the course of [his] judicial campaign*” (emphasis in original). Respondent did not share the Opinion with the parties or attorneys in the *Minckler* matter at that time.

16. In mid-October 2022, multiple local newspapers published a letter by Mr. O’Hara endorsing respondent’s re-election campaign.

17. On October 14, 2022, in connection with the *Minckler* case, Mr. O’Hara filed a motion to strike the plaintiffs’ Note of Issue, which had been filed on September 21, 2022, and, alternatively, requested an extension of time to conduct an independent medical examination of the plaintiff.

18. By email dated October 20, 2022, Mr. Flint asked respondent to hold Mr. O’Hara’s motion in abeyance pending the outcome of respondent’s decision regarding recusal. Respondent did not respond to Mr. Flint’s request.

19. On November 8, 2022, respondent was re-elected to judicial office.

20. By letter dated November 16, 2022, respondent provided the attorneys in the *Minckler* case with a copy of Opinion SC2022-048 and wrote, “I accept the subcommittee’s guidance and decline the request for recusal.”

21. On November 23, 2022, the plaintiffs filed a formal motion for respondent’s recusal from the *Minckler* case.

22. By Order dated January 4, 2023, respondent denied the plaintiffs’ recusal motion.

23. The plaintiffs appealed respondent's denial of the recusal motion to the Appellate Division, Third Department, which by Memorandum and Order dated January 4, 2024, found that respondent abused his discretion in denying the motion for recusal and *inter alia* criticized him for (A) not disclosing Mr. O'Hara's and Bartlett Pontiff's involvement in his re-election campaign, (B) disregarding the advice of Opinion SC2022-048 by not disqualifying himself after receiving it, and (C) failing to disclose the Opinion until a month later, after he had been re-elected to judicial office. The Appellate Division remanded the case to another judge.

As to Charge II of the Formal Written Complaint

24. In December 2021, respondent publicly announced his candidacy for re-election as Supreme Court Justice for the Fourth Judicial District, Warren County, in the 2022 election cycle.

25. On May 12, 2022, the law firms of E. Stewart Jones Hacker Murphy and Maguire Cardona co-hosted a fundraiser for respondent's judicial campaign at the Fort Orange Club in Albany, New York.

26. On July 28, 2022, the law firm of McPhillips, Fitzgerald & Cullum hosted a fundraiser for respondent's judicial campaign at the Fort William Henry Conference Center, in Lake George, New York.

27. On October 6, 2022, Bartlett Pontiff hosted a fundraiser for respondent's campaign at the Queensbury Hotel, in Queensbury, New York.

28. On October 12, 2022, respondent received Opinion SC2022-048 from the Judicial Campaign Ethics Subcommittee of the Advisory Committee on Judicial Ethics, *inter alia* advising him that during his campaign, he was disqualified, subject to remittal, from presiding over matters involving counsel and a law firm that had hosted fundraisers for him.

29. On November 8, 2022, respondent was re-elected to judicial office.

30. From May 2022 to November 8, 2022, Respondent failed to disqualify himself, subject to remittal, from cases involving attorneys from the law firms of (A) E. Stewart Jones Hacker Murphy, (B) Maguire Cardona, (C) McPhillips, Fitzgerald & Cullum, and (D) Bartlett Pontiff, notwithstanding that each law firm was engaged in fundraising activity in support of respondent's re-election campaign.

As to Charge III of the Formal Written Complaint

31. In December 2021, respondent publicly announced his candidacy for re-election as Supreme Court Justice for the Fourth Judicial District, Warren County, in the 2022 election cycle.

32. John J. Carusone, Jr., Esq., and Dennis J. Tarantino, Esq., held the positions of Finance Chair and Finance Co-Chair, respectively, on respondent's campaign committee for re-election to judicial office.

33. On October 12, 2022, respondent received Opinion SC2022-048 from the Judicial Campaign Ethics Subcommittee of the Advisory Committee on Judicial Ethics, *inter alia* advising him that during his campaign, he was disqualified, subject to remittal, from presiding over matters involving appearances by counsel who are active in his campaign. Opinion SC2022-048 also cited Advisory Opinions 03-64, 09-245 and 12-164, which each held *inter alia* that a judge must recuse, subject to remittal, in any case involving attorneys who held leadership positions in the judge’s campaign, such as “campaign manager, campaign coordinator, finance chair or treasurer,” during the campaign and for two years beyond the date of the election.

34. On November 8, 2022, respondent was re-elected to judicial office.

35. From December 21, 2022, to August 24, 2023, respondent failed to disqualify himself, subject to remittal, from *Cerilli v Town of Easton*, in which Mr. Carusone represented the plaintiff.

36. From June 6, 2023, to August 21, 2023, respondent failed to disqualify himself, subject to remittal, from *City of Glens Falls v List of Delinquent Taxes 2021*, in which Mr. Tarantino represented the plaintiff.

37. From July 27, 2023, to January 4, 2024, respondent failed to disqualify himself, subject to remittal, from *101 Fiddlers Elbow Road, LLC v Town of Greenwich et al.*, in which Mr. Carusone represented the plaintiff.

Additional Factors

38. Respondent has stipulated that he will retire from judicial office on December 31, 2025, and will not seek certification to continue judicial service.

39. Respondent has been cooperative with the Commission throughout this proceeding. For example, in response to a Commission inquiry on March 27, 2024, about his failure to recuse in *Minckler* and whether he had presided over any other matters involving Bartlett Pontiff during his candidacy, respondent identified such cases and volunteered information not previously known to the Commission about fundraisers held for him by the other law firms identified herein.

40. Respondent acknowledges and regrets that he did not promptly disclose Opinion SC2022-048 to the attorneys and parties in *Minckler*. He claims to have interpreted the Opinion in such a way as to allow him to avoid recusal if he took no judicial action in the case between his receipt of the Opinion and the date of the election on November 8, 2022. Respondent now concedes this interpretation was erroneous and self-serving, in that it avoided public disclosure of the facts herein while he was a candidate for reelection.

41. Respondent acknowledges that, in addition to *Minckler*, Opinion SC2022-048 should have prompted him to disqualify himself immediately, subject to remittal, from all matters listed on Schedule 1 attached to the Agreed Statement of Facts.

42. Respondent acknowledges that it was improper for him to have presided over cases involving his campaign Finance Chair and Finance Co-Chair within two years of his campaign, and that the Opinions cited in Opinion SC2022-048 should have put him on notice that he was required to recuse himself from such cases, subject to remittal.

43. Following receipt of the Commission's inquiry dated March 27, 2024, respondent wrote to the attorneys involved in each matter identified in Charges I and II, disclosed the respective involvement of the law firm and/or attorneys during his 2022 judicial campaign, and offered to recuse himself at the request of a party. In one matter, respondent promptly recused himself at a party's request. No other parties requested respondent's recusal.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.3(E)(1) and 100.3(F) of the Rules Governing Judicial Conduct ("Rules") and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I, II and III of the Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent's misconduct is established.

Respondent acted in a manner that was inconsistent with his obligations to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) Section 100.3(E)(1) of the Rules provides: “[a] judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned” Respondent violated his ethical obligations when he failed to disqualify or disclose that the law firm representing defendants in the *Minckler* matter hosted a fundraiser for his re-election campaign and defense counsel was a member of respondent’s campaign committee. Moreover, respondent improperly withheld Opinion SC2022-048 from counsel in the *Minckler* matter and declined to recuse himself. Similarly, respondent failed to disqualify or disclose that, during his campaign, law firms that hosted a fundraiser for his campaign represented a party in several matters pending before him. In addition, within two years of the conclusion of his campaign, respondent failed to disqualify or disclose that the Finance Chair and Finance Co-Chair of his judicial re-election campaign appeared before him in three matters.

It is well-settled that disqualification is appropriate if a judge’s impartiality could reasonably be questioned. *See, Matter of Fabrizio*, 65 NY2d 275 (1985) (judge failed to disqualify or disclose in a small claims matter in which the defendant was his dentist); *Matter of Kraker*, 2023 Ann Rep of NY Commn on Jud

Conduct at 190 (judge failed to disqualify or disclose that a plaintiff in a pending matter was a customer of judge’s business). In *Matter of Doyle*, 23 NY3d 656 (2014), the judge, *inter alia*, did not disqualify or disclose when an attorney appearing before her had a leadership role in the judge’s election campaign. The Court held, “. . . a judge’s obligation to disqualify herself based on the appearance of impropriety has long been in place . . .” *Id.* at 660. Respondent’s multiple failures to disqualify or disclose created at least the appearance of impropriety and brought reproach upon the judiciary.

Compounding respondent’s misconduct, he withheld the October 12, 2022 Opinion from counsel in the *Minckler* matter until after his re-election. Respondent did this despite directing his principal law clerk to advise the parties in *Minckler* that such opinion would be “promptly” shared with counsel. In reviewing respondent’s failure to recuse, the Appellate Division, Third Department stated, “As judges need to avoid even the appearance of impropriety, Justice Muller should have disclosed the JCEC letter upon receipt and recused from the matter as soon as possible . . .” *Minckler v D’Ella, Inc.*, 223 AD3d 980, 982 (3rd Dept 2024) (citations omitted) Respondent has acknowledged that Opinion SC2022-048 should have prompted him to immediately disqualify himself, subject to remittal, from *Minckler* and the 39 pending matters in which a host or co-host of a fundraiser for his campaign represented a party. Respondent’s inattention to his

ethical obligations undermined public confidence in the integrity and impartiality of the judiciary.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent will retire from judicial office on December 31, 2025 and has acknowledged that his conduct was improper and warrants public discipline. We trust that respondent has learned from this experience and that during his remaining time on the bench he will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.

By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Professor Moore, Mr. Raskin, Judge Singh and Ms. Yeboah concur.

Judge Miller was not present.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: March 28, 2025



Celia A. Zalmer, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

LOUIS L. NOCK,

a Judge of the New York City Civil Court,
New York County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark Levine, Melissa DiPalo and Vickie Ma,
Of Counsel) for the Commission

Malcolm S. Taub, LLC (Malcolm S. Taub) for respondent

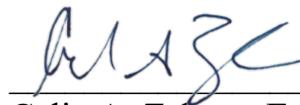
The matter having come before the Commission on September 18,
2025; and the Commission having before it the Stipulation dated August 14, 2025;

and Judge Nock having tendered his resignation by letter dated August 11, 2025 effective September 2, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matters are concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: September 18, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

LOUIS L. NOCK,

STIPULATION

a Judge of the New York City Civil Court,
New York County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Louis L. Nock (“Respondent”) and his attorney Malcolm S. Taub, Esq. of Malcolm S. Taub LLP:

1. Respondent was admitted to the practice of law in New York in 1992. He has been a Judge of the New York City Civil Court, New York County, since January 1, 2015. Respondent’s current term expires on December 31, 2034.
2. Respondent was served with Formal Written Complaints in July 2024, January 2025 and May 2025, alleging *inter alia* that (A) he often acted in a rude, demeaning and otherwise unprofessional manner toward court staff, and (B) he threatened to file attorney grievance complaints against Commission staff and the witnesses against him, and a criminal complaint against another witness against him, unless the charges against him were dismissed.

3. Respondent filed two motions to dismiss the charges against him, which the Commission denied. Respondent also filed Verified Answers to the Formal Written Complaints denying the allegations of misconduct.

4. Respondent was also advised that the Commission was investigating whether *inter alia* (A) he was rendering legal services to clients in other states, notwithstanding the rule prohibiting full-time judges from practicing law, and (B) he was lending the prestige of judicial office to advance his private interests by using a personal email account that explicitly incorporated his judicial title: “justicelounock@....”

5. The Commission has not rendered substantive determinations or decisions as to the pending Formal Written Complaints or the new investigations.

6. In lieu of further proceedings, Respondent has agreed to resign from judicial office, effective September 2, 2025. His resignation letter to the Chief Administrative Judge is appended as Exhibit A.

7. Respondent affirms that he will vacate his judicial office by the close of business on September 2, 2025, and that he will neither seek nor accept judicial office at any time in the future.

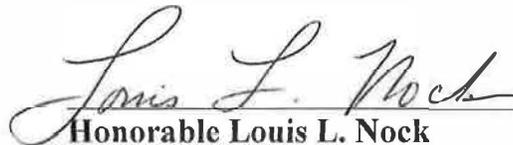
8. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission will be revived and the matter may proceed to

a hearing before a referee, or the Commission may summarily determine that he should be removed from office pursuant to 22 NYCRR 7000.6(c).

9. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

10. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: *August 14, 2025*



Honorable Louis L. Nock
Respondent

Dated: *August 14, 2025*



Malcolm S. Taub, Esq.
Malcolm S. Taub LLP
Attorney for Respondent

Dated: August 14, 2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**Mark Levine, Melissa DiPalo** and
Vickie Ma, Of Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT A: RESPONDENT'S LETTER OF RESIGNATION

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

BONNIE L. ORDEN,

a Justice of the Greenburgh Town Court,
Westchester County.

**DECISION
AND
ORDER**

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (Mark Levine and Stella Gilliland, Of Counsel)
for the Commission

Scalise & Hamilton, P.C. (Deborah A. Scalise) for Judge Orden

The matter having come before the Commission on March 13,
2025; and the Commission having before it the Stipulation dated March 7, 2025;

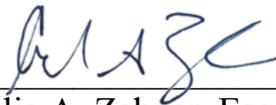
and Judge Orden having tendered her resignation dated March 7, 2025 effective May 31, 2025; and having affirmed that upon vacating her judicial office, she will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Judge Miller was not present.

Dated: March 13, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

BONNIE L. ORDEN,

STIPULATION

a Justice of the Greenburgh Town Court,
Westchester County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Bonnie L. Orden and her attorney, Deborah A. Scalise, of Scalise & Hamilton, P.C.:

1. Bonnie L. Orden was admitted to the practice of law in New York in 1982. She has been a Justice of the Greenburgh Town Court, Westchester County, since June 28, 2017, first having been appointed and twice elected. Her current term expires on December 31, 2025.

2. In January 2025, the Commission apprised Judge Orden that it was investigating a complaint alleging that she had developed a medical condition which interfered with her ability to fully perform select judicial duties.

3. The Commission interviewed witnesses, reviewed documents and records regarding the complaint, and reviewed documents submitted by Judge Orden. To date, the Commission's investigation into the foregoing allegations

was ongoing, and the Commission has not yet rendered any substantive determinations concerning the complaint.

4. This Stipulation obviates further investigation.

5. Judge Orden has no prior disciplinary history with the Commission and avers she has no disciplinary history as an attorney.

6. Judge Orden previously indicated she would retire at the end of her current term on December 31, 2025, and was not seeking re-election for a term commencing on January 1, 2026.

7. Judge Orden has expedited her voluntary retirement by tendering her letter of resignation, a copy of which is annexed as Exhibit 1, stating that she will vacate judicial office at the close of business on May 31, 2025.

8. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

9. Judge Orden affirms that she will vacate her judicial office at the close of business on May 31, 2025, and she will neither seek nor accept judicial office at any time in the future.

10. Judge Orden understands that, should she abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the

Commission's investigation of the complaint would be revived, she could be served with a Formal Written Complaint on authorization of the Commission, and the matter could proceed to a hearing before a referee.

11. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

12. Judge Orden waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated:

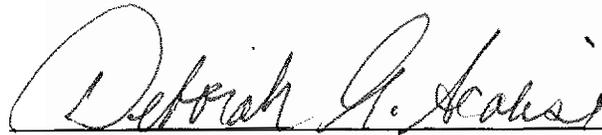
March 7, 2025



Honorable Bonnie L. Orden

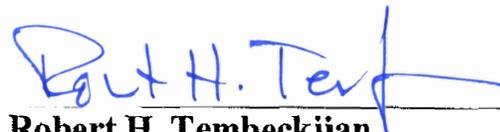
Dated:

3/7/25



Deborah A. Scalise
Scalise & Hamilton P.C.
Attorney for Judge Orden

Dated: March 7, 2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**Mark Levine & Stella Gilliland**, Of Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

IAN E. PENDERS,

a Justice of the Clarkson Town Court,
Monroe County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and Cassie M. Kocher, Of
Counsel) for the Commission

Honorable Ian E. Penders, *pro se*

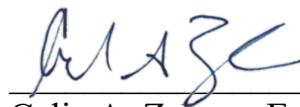
The matter having come before the Commission on October 30, 2025;
and the Commission having before it the Stipulation dated October 27, 2025; and

Judge Penders having tendered his resignation by letter dated October 22, 2025 effective October 30, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: October 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

IAN E. PENDERS,

STIPULATION

a Justice of the Clarkson Town Court,
Monroe County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Ian E. Penders:

1. Judge Penders was admitted to the practice of law in New York in 2014. He has been a Justice of the Clarkson Town Court, Monroe County, since November 7, 2017. His current term expires on December 31, 2025.
2. In August 2025, the Commission commenced investigation of a complaint alleging that on or about June 20, 2025, when stopped by police on two separate occasions and charged with a misdemeanor and a violation under the Vehicle and Traffic Law (“VTL”),¹ Judge Penders invoked his judicial office in order to avoid being issued tickets. In September 2025, the Commission apprised Judge Penders of the investigation.

¹ Aggravated unlicensed operation of a motor vehicle in the third degree, under VTL §511-1A, and unlicensed operation of a motor vehicle, under VTL §509-1.

3. On August 15, 2025, Judge Penders pled guilty to violating VTL §509-1, a violation, in satisfaction of all the charges. He paid a fine and surcharge totaling \$100.

4. Judge Penders has tendered his resignation by letter dated October 22, 2025, a copy of which is attached as Exhibit 1, stating that he will vacate judicial office on or before October 30, 2025.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

6. Judge Penders affirms that he will vacate his judicial office by the close of business on October 30, 2025, and he will neither seek nor accept judicial office at any time in the future.

7. Judge Penders understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission’s investigation of the complaint would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Judge Penders waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated:



Honorable Ian E. Penders

Dated: October 27, 2025



Robert H. Tembeckjian

Administrator & Counsel to the Commission
(**John J. Postel** and **Cassie M. Kocher**, Of
Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

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

MICHAEL H. PLASS,

DETERMINATION

a Justice of the Hyde Park Town Court,
Dutchess County.

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark Levine, Eric Arnone and David Stromes
Of Counsel) for the Commission

Leventhal, Mullaney & Blinkoff, LLP (by Steven G. Leventhal) for
respondent

Respondent, Michael H. Plass, a Justice of the Hyde Park Town Court, Dutchess County, was served with a Formal Written Complaint (“Complaint”) dated July 15, 2024, containing one charge. The Complaint alleged that during respondent’s 2023 campaign for judicial office, he designed and distributed a campaign mailer that, *inter alia*, “‘pledge[d]’ to (A) ‘Keep drug dealers off our streets and out of our hotels,’ (B) ‘Incarcerate offenders and protect victims of domestic violence,’ and (C) ‘Assure repeat offenders are sentenced to the full extent of the law.’ In doing so, Respondent conveyed at least the appearance that he would be biased in favor of law enforcement rather than decide each matter on its own merits.” Respondent filed an Answer dated July 29, 2024.

By Order dated January 10, 2025, the Commission designated Steven E. North, Esq. as referee to hear and report proposed findings of fact and conclusions of law. A hearing was held on March 24 and 25, 2025 at the Commission’s New York City office. The referee filed a report dated July 30, 2025 which sustained the charge in the Complaint.

The parties submitted briefs to the Commission with respect to the referee’s report and the issue of sanction. Commission counsel and respondent each argued that the referee’s findings and conclusions be confirmed in part and disaffirmed in part. Commission counsel recommended the sanction of removal. Respondent acknowledged that he engaged in misconduct and argued that admonition was the

appropriate sanction. The Commission heard oral argument on September 18, 2025 and thereafter considered the record of the proceedings and made the following findings of fact.

1. Respondent has been a Justice of the Hyde Park Town Court, Dutchess County, since January 1, 2024. His term expires on December 31, 2027. He is not an attorney.

2. During the relevant time period, the Town of Hyde Park had two elected part-time Town Justices who served four-year terms. The Town Court has jurisdiction over such matters as preliminary hearings in felony matters, misdemeanor cases, Vehicle and Traffic Law (“VTL”) violations, small claims matters, summary eviction proceedings and zoning and ordinance violations.

3. One Hyde Park Town Justice must be on-call and within a two-hour distance from the courthouse on a 24-hour, seven days a week basis to handle, *inter alia*, arraignments, requests for orders of protection and search warrant applications.

4. Respondent is a native of Hyde Park, New York and graduated from the local high school in 1985. He has no further formal education. For approximately 35 years, respondent has been employed at his family’s limousine business.

5. Respondent became a part-time police officer in 2004. He resigned from the Hyde Park Police Department in approximately 2022.

6. In 2023, respondent began an election campaign for Town Justice in Hyde Park. He had never previously run for election to any public office.

7. In October 2023, respondent used a web-based program on his laptop computer to design a mailer in support of his campaign. Respondent's mailer contained, *inter alia*, the following statements:

As a Hyde Park Police Officer, I have seen first hand the problems Hyde Park Faces.

As your Town Justice, I pledge to:

- * Keep drug dealers off our streets and out of our hotels.
- * Incarcerate offenders and protect victims of domestic violence
- * Assure repeat offenders are sentenced to the full extent of the law

The mailer also contained the statement, "Together we can make a change in the safety of our community."

8. According to respondent, he created his mailer by looking at other election campaign mailers for non-judicial office. Respondent testified that at the time he distributed the mailer, he was unaware that there were specific rules that governed elections for judicial office, he made no effort to determine if such rules existed and he was unaware that the language in his mailer violated judicial ethics rules. He also acknowledged that his lack of such knowledge was no defense to his misconduct.

9. Respondent arranged for 3,000 copies of the mailer to be distributed to the Hyde Park community in furtherance of his election campaign.

10. In October 2023, shortly after the distribution of the mailer, respondent learned of an article on the front page of the local newspaper, the *Mid Hudson News*, which indicated that respondent had breached judicial campaign ethics.

11. After reading the article, respondent contacted the Commission and inquired whether a complaint had been filed against him. He was informed that there was no pending complaint. Based upon that information, at that time, respondent believed that the article was a ploy by a political adversary.

12. After learning of the *Mid Hudson News* article, respondent also produced and distributed a new mailer that did not contain any pledges. Respondent testified that he spent \$7,000 to send the new mailer without pledges to the same individuals who had been sent the original mailer.

13. In November 2023, respondent was elected as one of the two part-time Hyde Park Town Justices for a four-year term commencing January 1, 2024. Jean McArthur, who had served as a Hyde Park Town Justice since 2016, was re-elected for another four-year term. Incumbent Justice Joseph Petito was not re-elected.

14. Shortly after being elected, respondent attended a “Taking the Bench” course presented by the Office of Court Administration. Respondent testified that during an ethics presentation, the issue of improper pledges and promises came up.

According to respondent, he approached the lecturer during a break and told her, “I think I did this and what should I do?” Respondent was advised to send a copy of his mailer to the Advisory Committee on Judicial Ethics (“ACJE”).

15. In December 2023, while still at the “Taking the Bench” program, respondent sent his mailer to the ACJE seeking an opinion regarding the content of the mailer.

16. The ACJE reviewed the mailer and issued Advisory Opinion 23-158 dated December 14, 2023. By letter dated January 8, 2024, the advisory opinion was sent to respondent.

17. In its opinion and based on the evidence presented to it by respondent, the Advisory Committee noted that “[t]he present inquiry appears to be a matter of first impression for us” and “. . . conclude[d] that the inquirer's impartiality ‘might reasonably be questioned’ in all criminal cases and in all Vehicle and Traffic Law matters based on the apparent promises he/she made about incarceration and maximum sentencing.” The Advisory Committee opined, “We conclude the inquiring judge is disqualified during his/her entire judicial term from: (1) all criminal cases; (2) cases in any court involving allegations of domestic violence; (3) all Vehicle and Traffic Law matters; and (4) cases in any court involving purported drug dealers. Disqualification on this ground is not subject to remittal.”

18. After receiving Advisory Opinion 23-158, by letter dated January 15, 2024, respondent asked that the Advisory Committee reconsider its recommendation regarding disqualifications during his entire judicial term. The advisory opinion was not modified.

19. Since taking the bench, respondent has followed the guidance in Advisory Opinion 23-158 and has refrained from handling criminal cases, cases involving allegations of domestic violence, cases involving alleged drug dealers and VTL matters, with one exception described below.

20. For eight years prior to respondent's election, Justice McArthur and respondent's predecessor, Justice Petito, were the two Hyde Park Town Justices. During that period, the two Justices divided the caseload and shared the on-call coverage equally between them.

21. In 2024, Justice McArthur handled approximately 2,091 cases, and respondent handled approximately 171 cases.

22. Since respondent took the bench, Justice McArthur has been handling criminal cases, VTL cases, domestic violence and drug matters. She has also handled all the on-call responsibilities.¹

¹ Justice McArthur is significantly and adversely impacted by having to be on-call and physically available 24 hours, seven days a week, 365 days a year without being able to divide that responsibility with respondent.

23. Respondent has presided over civil matters including zoning issues, landlord-tenant matters and small claims. Respondent has also handled the administrative duties of the court, including the payroll and the court budget.

24. The referee found the hearing evidence reflected that, other than Justice McArthur's on-call responsibilities, the workload between respondent and Justice McArthur was "not excessively unbalanced."

25. According to respondent, there was a backlog of 180 VTL mailed-in tickets that had accumulated for five months from April to August 2024. In these matters, the individuals had pled guilty by mail to a plea offered by the town special prosecutor and were awaiting the imposition of a fine. The unresolved tickets resulted in complaints from individuals who needed final dispositions to, *inter alia*, complete job applications or join the military.

26. In order to address the complaints, respondent spent approximately three hours at home one day determining the sentences for these 180 VTL tickets by assessing the fines on the tickets using *Magill's Vehicle & Traffic Law Manual for Local Courts* as a guide and signing the tickets with the adjudication information. The individuals had already pled guilty by mail and respondent had no personal dealings with them. None appeared before him in court.

27. Respondent acknowledged that the language in his mailer was inappropriate and has apologized and expressed regret for his conduct.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.5(A)(4)(a), 100.5(A)(4)(d)(i) and 100.5(A)(4)(d)(ii) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause pursuant to Article VI, Section 22, subdivision (a) of the Constitution and Section 44, subdivision 1 of the Judiciary Law. Charge I of the Formal Written Complaint is sustained insofar as it is consistent with the above findings and conclusions and respondent’s misconduct is established.

Judges and judicial candidates are obligated to “respect and comply with the law” and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary” and must observe high standards of conduct “so that the integrity and independence of the judiciary will be preserved.” (Rules, §§100.1 and 100.2(A))² Sections 100.5(A)(4)(d)(i) and (ii) of the Rules provide: “A judge or a non-judge who is a candidate for public election to judicial office: . . shall not: (i) make pledges or promises of conduct in office that are

² Contrary to respondent’s argument, Sections 100.1 and 100.2(A) of the Rules apply to conduct by candidates for judicial office such as respondent. *See, Matter of Watson*, 2003 Ann Rep of NY Commn on Jud Conduct at 190, 195 (“As a candidate for judicial office, respondent had as much of an obligation as a sitting judge to know the applicable rules pertaining to elections and to ensure that his campaign statements were consistent with the standards articulated in the rules and in numerous Commission determinations.”) *aff’d in relevant part*, 100 NY2d 290 (2003); *Matter of Chan*, 2010 Ann Rep of NY Commn on Jud Conduct at 124, 127 (“Judicial candidates are held to higher standards of conduct than candidates for non-judicial office, and the campaign activities of judicial candidates are significantly circumscribed in order to maintain public confidence in the integrity and impartiality of the judicial system.”)

inconsistent with the impartial performance of the adjudicative duties of the office; (ii) with respect to cases, controversies or issues that are likely to come before the court, make commitments that are inconsistent with the impartial performance of the adjudicative duties of the office . . .” Respondent acknowledged that he violated the Rules by creating and distributing a campaign mailer in which he made improper pledges regarding certain matters.

It is well-settled that judicial candidates are prohibited from making pledges or promises as to their actions if elected. “Campaign statements that single out a particular class of litigants for special treatment are inconsistent with judicial impartiality and the appearance of impartiality, which are essential to the role of a judge.” *Matter of McGrath*, 2011 Ann Rep of NY Commn on Jud Conduct at 120, 123. In *Matter of Watson*, 100 NY2d 290 (2003), the judge made repeated campaign statements that he would “work with the police”, that “the city must establish a reputation for zero tolerance” and “deter criminals before they come into the city.” *Id.* at 296-297. The Court held, “Petitioner's statements were not isolated or spontaneous remarks but were repeated throughout his campaign, both in campaign materials he generated and in his written statements to the media. When viewed as a whole, petitioner's campaign effectively promised that, if elected, he would aid law enforcement rather than apply the law neutrally and impartially in criminal cases.” *Id.* at 299. Here, respondent created and

distributed a mailer which, as he acknowledged, gave the impression that he would be biased in favor of law enforcement.

In determining the appropriate sanction, we note that this matter involved a single incident of campaign misconduct involving one mailer. Furthermore, respondent took immediate remedial action when he created and distributed a new mailer, which did not contain any pledges, to the individuals who had received the improper mailer.

After being elected and prior to taking the bench, respondent self-reported his conduct to a lecturer on judicial ethics and followed her recommendation to seek an advisory opinion from the Advisory Committee on Judicial Ethics. After receiving the advisory opinion, respondent decided to follow the broad disqualification recommendations contained in that opinion.³

In deciding the sanction in *Watson*, the Court of Appeals noted that the judge was an inexperienced judicial candidate. *Id.* at 303. Respondent was also an inexperienced judicial candidate. Furthermore, from the outset of the matter before the Commission, respondent acknowledged that he violated his ethical obligations.⁴ In his appearance before us, respondent expressed sincere remorse

³ Judiciary Law §212(2)(1)(iv) provides: “Actions of any judge or justice of the uniform court system taken in accordance with findings or recommendations contained in an advisory opinion issued by the panel shall be presumed proper for the purposes of any subsequent investigation by the state commission on judicial conduct.”

⁴ We do not find respondent’s handling of the 180 VTL matters to be an aggravating factor as

for his misconduct. We trust that respondent has learned from this experience and in the future will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.

By reason of the foregoing, the Commission determines that the appropriate disposition is admonition.

The Commission recognizes the Advisory Committee's advisory opinion on this matter. The Commission acknowledges respondent's diligent adherence to the recommendations in the opinion and his efforts to as equitably as possible manage the work of the Hyde Park Town Court's legal and administrative matters with his co-judge.

Our consideration of this matter is based upon a review of the full record which included a two-day evidentiary hearing at which respondent testified and was cross-examined, as well as oral argument before the Commission during which respondent made a statement and was questioned by Commission members. The record shows that the current situation is unworkable, particularly given the significant on-call responsibilities of respondent's co-judge. During his testimony, respondent committed to being fair and impartial.

Based on a review of the full matter, the Commission determines that

Commission Counsel argued. Respondent had no improper motive in handling the mailed-in VTL matters and no personal connection or interaction with the individuals who pled guilty by mail. When he acted regarding these VTL matters, respondent appears to have been trying to address complaints from community members about the backlog.

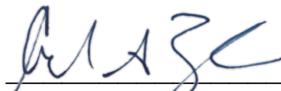
respondent may now preside over the full range of cases before the Hyde Park Town Court. Respondent, consistent with the rules on recusals, shall recuse on those cases where, in his discretion, it is appropriate.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Ms. Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: December 11, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

DANIEL L. SEIDEN,

a Judge of the Binghamton City Court,
Broome County.

DETERMINATION

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and S. Peter Pedrotty, Of
Counsel) for the Commission

Hon. Daniel L. Seiden, *pro se*

Respondent, Daniel L. Seiden, a Judge of the Binghamton City Court,

Broome County, was served with a Formal Written Complaint (“Complaint”) dated February 4, 2025 containing one charge. The Complaint alleged that from April 2023 to February 2025, respondent failed to be dignified and courteous with court staff and senior court officials, failed to cooperate with other judges and court officials in the administration of court business, and otherwise contributed to a hostile work environment at the Binghamton City Court, in that he:

- A. Raised his voice to the chief clerk and deputy chief clerk and made rude and discourteous comments to them, such as “Stay out of my shorts”;
- B. Made discourteous comments about the Administrative Judge for the Sixth Judicial District and the Office of Court Administration, in connection with the court’s implementation of a new criminal case-tracking system;
- C. Made gratuitous and disparaging comments about the chief clerk and his administrative judge in subsequent emails about the court’s transition to a paperless filing system to which respondent objected;
- D. Failed to abide by Administrative Judge Eugene D. Faughnan’s directive that respondent address all issues concerning the clerk’s office and administrative policies with him rather than the chief clerk or her staff; and
- E. Sent an email to multiple senior court officials about his reassignment to another court, in which he made discourteous and insubordinate remarks to them, including *inter alia* that their “arrogance is breathtaking,” they were “utterly out of control and intoxicated by power and privilege,” and they used “administrative sleight of hand,” which he found “[s]ickening.”

On February 26, 2025, the Administrator and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On March 13, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent was admitted to the practice of law in New York in 1991. He has been a Judge of the Binghamton City Court, Broome County, since June 2008. Although respondent’s current term expires on December 31, 2034, he will turn 70 years of age in 2028 and therefore must retire on December 31, 2028.

As to Charge I of the Formal Written Complaint

Respondent’s Conduct in Connection with the Binghamton City Court’s Implementation of a New Form for Tracking Criminal Case Activity

2. At all times relevant to the material facts herein, Jennifer Katz was the Chief Clerk of the Binghamton City Court and Marta Foster was the Deputy Chief Clerk of the court. Both clerks were employees of the Office of Court Administration (“OCA”), and the Binghamton City Court judges had no authority to hire, fire or supervise the clerks. Supreme Court Justice Eugene D. Faughnan was respondent’s Administrative Judge.

3. Throughout 2023, respondent's co-judges were Binghamton City Court Judges William C. Pelella and Sophie A. Bergman. Judge Bergman, who was appointed to the office in January 2023, was succeeded on January 1, 2024, by Debra J. Gelson, who had been elected in November 2023.

4. In January and February 2023, Judge Bergman was trained by a judge of the Cortland City Court, which used a "check-the-box" style form to track the procedural history of criminal cases.

5. In March 2023, after Judge Bergman began her judicial duties at Binghamton City Court, the court's judges and staff – including respondent, Judges Pelella and Bergman, Chief Clerk Katz and Deputy Chief Clerk Foster – started discussing the idea of replacing the court's longstanding system for tracking activities in criminal cases. Specifically, they discussed replacing the existing "tri-fold" system with a "check-the-box" style form such as the one used at Cortland City Court, ahead of the transition to an anticipated paperless filing system. Respondent opposed the change and, on one or more occasions, expressed his opposition to it to Ms. Katz and/or Ms. Foster.

6. On April 25, 2023, after blank copies of the new form were placed in open criminal files, respondent went to Ms. Katz's office while wearing his judicial robes, closed the door behind him, and loudly and angrily criticized the transition to the new form to Ms. Katz and Ms. Foster. Respondent blamed

Judge Bergman, in part, for the court’s implementation of the new form, saying she was too new to the court to implement a new system and questioning whether she should be a judge if she could not understand the established tri-fold system.

7. On April 26, 2023, Ms. Katz and Ms. Foster went to respondent’s office to discuss his concerns about the new form. During that meeting, respondent at times raised his voice and spoke in an agitated manner, stating, *inter alia*, that:

- A. He was “deeply and bitterly offended” that the court would replace the tri-fold system, which the court had been using effectively for the preceding 40 years, with what was, in his opinion, a slower and more complicated system, and which was proposed by a judge who had been on the bench for less than four months;
- B. Sixth Judicial District Administrative Judge Faughnan was a former Republican Election Commissioner who was “an extremely political person and who was primarily motivated by politics”;
- C. The change in forms was a political maneuver to help the career of Judge Bergman – a Republican appointed by a Republican Mayor;
- D. He “hate[s]” OCA;
- E. Ms. Katz was the reason the court lost “good staff,” and she was incompetent at training her staff;
- F. Any changes proposed by Ms. Katz were a *fait accompli*, regardless of respondent’s opinion of such proposals;

-
- G. He asked Ms. Katz to “just keep it together for the next 20 months”;
- H. The change was an “offensive intrusion” by administrative staff into his province on the bench and a “change for the sake of change”; and
- I. The clerks should, “Stay out of my shorts.”
8. On April 27, 2023, Ms. Katz sent respondent an email about what had transpired at the previous day’s meeting. Later that day, respondent replied, making *inter alia* the following statements via email:
- A. “As with many other matters, you decided where you were going with this and then pretended to seek my input”;
- B. “It seems to me that if the staff were properly trained on how to ‘read’ a trifold this form and its many collateral consequences would not be necessary. So train them”;
- C. “This IS change just for the sake of change, which will only make my life on the bench more difficult”;
- D. “If you, Marta and the other clerks were actually trained inside the courtroom and knew what we do in there, and knew how to do it yourselves, we would have no need for a ‘form’ that simply regurgitates information and creates confusion and delay on the bench”;
- E. “This issue is much bigger than a new form. You have crossed a line when your administrative prerogatives invade the courtroom work that I do ON THE BENCH. You still do not really get this place, Jen. Please stay away from my benchwork and stay in your own lane”; and
- F. “Do what you want . . . you will anyway.”

9. On May 3, 2023, Administrative Judge Faughnan met with respondent about his conduct toward Ms. Katz and Ms. Foster at the April 26 meeting and his concerns about the form.

10. On May 4, 2023, respondent sent Administrative Judge Faughnan his summary of what occurred at the meeting. The next day, Administrative Judge Faughnan wrote back to “reiterate all of [his] thoughts,” including advising respondent, *inter alia*:

- A. “The Clerks, Court Officers, Resource Coordinators, Court Attorneys in City Court etc. do not work for the judges. They are administrative staff who answer to me and [District Executive] Porter [Kirkwood]”; and
- B. “If there is a problem with any of the above staff, those issues should be brought to me to resolve, not addressed by Judges. A heated or aggressive exchange can only lead to conflict which can give rise to complaints to the CJC or IG.”¹

Later that day, respondent replied by thanking Administrative Judge Faughnan for clarifying matters.

11. As of the date of the Formal Written Complaint, respondent had not apologized to Ms. Katz or Ms. Foster for any of his statements at the meeting on April 26, 2023.

¹ “CJC” refers to the Commission on Judicial Conduct, and “IG” refers to the Inspector General for the Unified Court System.

Respondent's Conduct in Connection with the Court's Transition to a Paperless Filing System

12. By memo dated December 8, 2023, to all three Binghamton City Court Judges, Administrative Judge Faughnan announced that, in order to be “less reliant on paper files” and to “improve[] and standardize[] processes for court staff,” the court was going to start implementing a new web-based filing system called “New York Bench.”²

13. Respondent was opposed to using New York Bench. On February 29, 2024, respondent sent an email to Administrative Judge Faughnan, Ms. Katz and Ms. Foster, in which he copied his co-judges and multiple members of court staff, expressing his concerns about the court's transition to New York Bench. Respondent concluded by stating, “When I am on the bench, I will be asking the clerks to always give me whatever physical file exists. I hope that they will do so.”

14. Later the same day, Administrative Judge Faughnan wrote back stating, *inter alia*, “As I have explained in the past, decisions about how the clerks perform their jobs and how matters come to you are not within your purview. The court officers and clerk staff do not work for you; they work with you. Decisions regarding the use of NY Bench or any other aspect of the court

² New York Bench is also referred to herein as “NY Bench” and “NYB.”

staff are administrative and as such are within my purview. . . . The file you choose to keep in your chambers is your prerogative. What the clerks will do in preparing cases and imputing data is my determination. Perhaps some day you will be the administrative judge and make these determinations. Until then, the City Courts of the 6th Judicial District will use NY Bench and the clerks and court assistants will perform their work consistent with the use of that platform. No special arrangements will be made for any judge.”

15. On March 25, 2024, respondent left a copy of an article by Chief Administrative Judge Joseph A. Zayas, published in the *New York Law Journal*, entitled “A New Collaborative Approach to Leadership at the Unified Court System” on the desk of Ms. Katz and handwrote on the first page, “I hope that you and Judge Faughnan are aware of the new philosophy explored in this article. Thank you.” Additionally, respondent highlighted and bracketed certain passages, throughout the article.

16. On March 28, 2024, respondent sent an email to Ms. Katz in which he wrote that Elmira City Court Judge Steven Forrest had called him to say that the Elmira City Court was not using New York Bench, which respondent stated was contrary to a prior statement from Administrative Judge Faughnan that all city courts within the Sixth Judicial District were using the system. Respondent wrote, “it is information and encounters like this that give me so little faith in the

current administration of the court system here. It is discouraging and sometimes downright scary.” After noting that he had just learned that he could not use New York Bench and Microsoft Teams simultaneously on a single computer screen, respondent wrote, “If you tell me to just use a second screen I think that I might very well faint. So add this to my growing list of complaints about NYB. Jen, this is truly madness. Using NYB under our current structure, or perhaps any structure in this particular court, is judicial malpractice.”

17. On May 21, 2024, respondent sent Ms. Katz an email “to document ongoing issues” with New York Bench, in which he concluded, “Finally, I have sat with your directive to the clerks to not make copies of critical documents that I require for PTCs and VOP conferences.³ There can be no legitimate or objective reason to direct a clerk not to make limited and reasonable copies of critical documents for a judge where necessary. I have little doubt that this last overstep by you was made at the direction of Judge Faughnan as over the years it has been my impression that almost all of your actions here are made with his blessing and his stamp.”

18. Later that day, Ms. Katz responded to respondent, attempting to address his concerns. Ms. Katz noted that any policies she instituted were to further the goals of the New York State Unified Court System, as directed by the

³ “PTCs” refers to pre-trial conferences. “VOP” refers to violation of probation.

district office. She continued, “I have noticed that you have sent me many emails recently that include statements indicating that I am setting policies with Judge Faughnan with the purpose of sabotaging your ability to conduct work. These emails are disparaging in nature, come across as confrontational, and make me uncomfortable. I would appreciate it if you could please refrain from including commentary of that nature in the future.” Later that day, respondent replied, “Your words not mine. It is not possible for you or anyone else to defend directing a secretary to a judge not to print prior PTC notes or PSIs for the judge’s review prior to those conferences.⁴ Saying that you will review that policy ‘later this summer’ says it all. And please, don’t try to create the false impression that I have just started using NYB and so I am just not up to speed. That is not true. I have been using the program for several months now along with physical files. Your response proves exactly why it is not possible or productive for me to engage you (or God forbid Judge Faughnan).”

19. On June 26, 2024, respondent sent Ms. Katz an email to address some “immediate concerns.” In the email, respondent asked Ms. Katz’s permission to allow him to take handwritten notes during code cases and to have the clerks input his notes into New York Bench. Respondent added, “Whatever.

⁴ “PSIs” refers to pre-sentence investigation reports.

I hope that these simple and reasonable requests will not require an act of God to accomplish or result in a harangue from your boss.”

Respondent’s Emails to Senior Court Officials About When He Will Be Returned to Binghamton City Court

20. By letter dated July 23, 2024, Deputy Chief Administrative Judge James P. Murphy notified respondent that the Unified Court System’s Office of the Managing Inspector General for Bias Matters had completed an investigation of a complaint against respondent concerning his conduct at the April 26, 2023, meeting with Ms. Katz and Ms. Foster and found that the allegations of the complaint were substantiated.

21. By Administrative Order dated July 23, 2024, Deputy Chief Administrative Judge Murphy removed respondent from all judicial duties in the Binghamton City Court. By Assignment Order dated July 23, 2024, Administrative Judge Faughnan reassigned respondent to Cortland City Court, indefinitely.

22. By letter dated August 14, 2024, respondent appealed from the July 23, 2024, administrative orders. By letter dated September 10, 2024, First Deputy Chief Administrative Judge Norman St. George notified respondent that his appeal was denied.

23. On October 3, 2024, respondent sent an email to Chief Administrative Judge Zayas, Chief Judge Rowan D. Wilson, Deputy Chief

Administrative Judge Murphy and Administrative Judge Faughnan, in which he *inter alia* noted that almost 90 days had passed since his reassignment to Cortland City Court, suggested that a reassignment exceeding 90 days might violate Section 107 of the Uniform City Court Act, and requested to be notified when he would be allowed to return to Binghamton City Court.

24. On October 11, 2024, Deputy Chief Administrative Judge Murphy responded “on behalf of [Chief Administrative Judge Zayas and] the leadership team” that he had reviewed the matter and concurred with First Deputy Chief Administrative Judge St. George’s conclusion that respondent’s reassignment was appropriate and that it would continue pending further administrative action and the conclusion of an investigation by the Commission.

25. On October 15, 2024, respondent sent an email reply to Deputy Chief Administrative Judge Murphy, Administrative Judge Faughnan, Chief Administrative Judge Zayas and Chief Judge Wilson, in which he wrote, *inter alia*:

- A. “The game that you are playing, using an administrative trick to de facto remove me from my elected position for your own nefarious purposes, is a dangerous one: trying to get in the back door what you will probably never get through the front door, all the while depriving the citizens of Binghamton of their elected official while brazenly violating several state statutes: UCCA Sec. 2104(d), UCCA Sec. 107 and, yes, Penal Law Sec. 195-Official Misconduct. You should take a hard look at these laws. They are laws. You are not above the law”;

- B. “Surely you must realize that no matter how hard you try that position will not hold. Then again, the arrogance is breathtaking”;
- C. “The answer is that you have nothing in your hand except administrative sleight of hand. Sickening”; and
- D. “You and OCA are utterly out of control and intoxicated by power and privilege.”

Additional Factors

26. Respondent has been cooperative and contrite with the Commission throughout this proceeding.

27. Respondent recognizes that, notwithstanding his frustration with new administrative protocols implemented by the courts, and his preference for existing systems that were being replaced, it was inappropriate for him to be rude or otherwise discourteous toward his colleagues in discussions about the protocols or his reassignment to another courthouse. Respondent apologizes to Ms. Katz, Ms. Foster, Judge Faughnan, Judge Bergman, Chief Judge Wilson, Chief Administrative Judge Zayas, and Deputy Chief Administrative Judge Murphy, for his unprofessional remarks to and/or about them. He appreciates that an apology to them at the time would have been appropriate.

28. Respondent avers that, in saying “Stay out of my shorts” to Ms. Katz and Ms. Foster, he meant “stay out of my business as a judge.”

29. Respondent commits himself anew to observing the high standards

of behavior required of all judges, and he pledges to work collegially with court staff, fellow judges and court system officials.

30. On February 25, 2025, respondent voluntarily completed the online programs offered by the Office of Court Administration entitled on “Maintaining Respect and Civility in the Workplace” and “Say What You Mean the Right Way.”

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.3(B)(3), and 100.3(C)(1) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charge I of the Formal Written Complaint is sustained insofar as it is consistent with the above findings and conclusions and respondent’s misconduct is established.

The Rules require judges to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules also require that judges “be patient, dignified and courteous” to those “with whom the judge deals in an official capacity. . .” and “cooperate with other judges and court officials in the administration of court business.” (Rules, §§100.3(B)(3),

100.3(C)(1)) Respondent acknowledged that he violated the Rules when he was discourteous and made inappropriate comments to the chief clerk and deputy chief clerk and disparaged court officials. Furthermore, respondent did not comply with the directive of his Administrative Judge to address any issues concerning administrative policies to the Administrative Judge and not directly with court staff.

Judges must be courteous and dignified when interacting with court staff and others. *See, Matter of Pineda-Kirwan*, 2021 Ann Rep of NY Commn on Jud Conduct at 282, 296 (“Respondent’s pattern of intemperate and abusive behavior was improper and severely undermined confidence in the judiciary.”); *Matter of Simon*, 2017 Ann Rep of NY Commn on Jud Conduct at 221, 252, *aff’d*, 28 NY3d 35 (2016) (“ . . . respondent abused his judicial position in order to bully, harass, threaten and intimidate his court staff, his co-judge and other village officials and employees with whom he dealt in an official capacity.”).

Respondent breached his ethical obligations when he failed to be patient and courteous to court staff and senior court officials. For example, on April 25, 2023, while wearing his judicial robes, respondent went to the chief clerk’s office, closed the door and loudly and angrily criticized the transition to a new form in criminal cases. The next day when the chief clerk and the deputy chief clerk went to respondent’s office to discuss his concerns about the new form, respondent at times

raised his voice and made inappropriate statements including telling them to “stay out of my shorts” which statement respondent has acknowledged was improper.

Moreover, respondent made disparaging statements to court staff and about court administrators including telling the chief clerk and the deputy chief clerk that he “hate[s]” OCA. Respondent also wrote to multiple senior court officials that their “arrogance is breathtaking” and “you and OCA are utterly out of control and intoxicated by power and privilege.” Compounding his misconduct, respondent failed to abide by his Administrative Judge’s directive regarding how to address any issues regarding court staff and administrative procedures.

Respondent’s disparagement of court officials and his failure to comply with his Administrative Judge’s instructions violated the Rules and contributed to a difficult work environment. *See, Matter of Kehn*, 2025 Ann Rep of NY Commn on Jud Conduct at 202, 214 (“By writing emails that were derogatory toward the chief clerk and sharing them with the deputy chief clerk, respondent acted in manner unbecoming a judge and undermined the authority of the chief clerk.”); *Matter of Going*, 97 NY2d 121, 126 (2001) (judge was “uncooperative with administrators, and showed a lack of respect for their repeated attempts to address problems he helped create.”)

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that his conduct was

improper and warrants public discipline, that he has committed to working collegially with court staff, fellow judges and court system officials and that he voluntarily completed programs offered by the Office of Court Administration regarding appropriate workplace communication.

By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

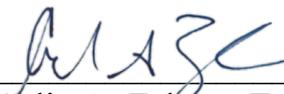
Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Professor Moore, Mr. Raskin, Judge Singh and Ms. Yeboah concur.

Judge Miller was not present.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: March 28, 2025



Celia A. Zalmer, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

NAITA A. SEMAJ,

DETERMINATION

a Justice of the Supreme Court,
 12th Judicial District, Bronx County.

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
 Taa Grays, Esq., Vice Chair
 Honorable Fernando M. Camacho
 Stefano Cambareri, Esq.
 Brian C. Doyle, Esq.
 Honorable John A. Falk
 Robin Chappelle Golston
 Honorable Robert J. Miller
 Nina M. Moore, Ph.D.
 Honorable Peter H. Moulton
 Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Mark Levine and Eric Arnone, Of
 Counsel) for the Commission

Hon. Naita A. Semaj, *pro se*

Respondent, Naita A. Semaj, a Judge of the Supreme Court, 12th Judicial

District, Bronx County, was served with a Formal Written Complaint (“Complaint”) dated January 21, 2025 containing one charge. The Complaint alleged that “On numerous occasions from on or about March 23, 2022, through on or about April 3, 2023, while presiding over various matters, Respondent was and/or appeared to be impatient, undignified, discourteous and otherwise disrespectful toward and biased against assistant district attorneys (ADAs), in that she (A) spoke to prosecutors in an impatient and discourteous manner, (B) advocated for the defense, (C) failed to afford prosecutors the opportunity to be heard, (D) mischaracterized and assailed certain policies of the Bronx District Attorney’s Office (DA’s Office), (E) unjustifiably ejected ADAs from her courtroom on at least three occasions” Respondent filed an Answer dated February 18, 2025.

On April 21, 2025, the Administrator and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On May 1, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent was admitted to the practice of law in New York in 2006. She has been a Justice of the Supreme Court, 12th Judicial District, Bronx County, since January 1, 2022, having previously served as a Judge of the New York City Civil Court, Bronx County, from January 1, 2019, to December 31, 2021. Respondent's term expires on December 31, 2035.

People v S [REDACTED] S [REDACTED]

2. On April 1, 2022, respondent presided over a calendar appearance in a criminal matter, *People v S [REDACTED] S [REDACTED]*, which was scheduled for possible disposition on consent. The defendant was charged *inter alia* with two counts of Attempted Murder in the Second Degree, Assault and Reckless Endangerment, and related weapons charges, for allegedly chasing and shooting at two individuals after they accosted him inside a store, wounding and hospitalizing at least one of them. He faced a maximum sentence of 25 years in prison if sentenced as an adult, but a significantly shorter period of incarceration if adjudicated as a youthful offender.¹

3. Walter Fields represented the defendant. ADA Joshua Couce and his Deputy Bureau Chief, ADA Ilya Kharkover, appeared on behalf of the People. The People were recommending a sentence of seven years imprisonment on a plea

¹ The defendant was eligible for youthful offender status because he was 17 years old at the time of the crime, though he was 18 years old at the time of this appearance.

to the top count in full satisfaction of the charges. ADA Kharkover was present because respondent had requested the attendance of a supervisor to justify the prosecution's sentencing recommendation.

4. At the beginning of the proceeding, respondent asked the ADAs to "help" her "understand" the sentence they were recommending. ADA Kharkover stated that the case was "very strong" and explained that it involved the attempted murder of an individual who was running away from the defendant at the time of the shooting.

5. In response, respondent referred to a video of the events preceding the incident and described it as showing two people who "come into the store as Mr. S [REDACTED]'s in the store . . . with their hands in their pocket, clearly, as if they have something," "immediately approach Mr. S [REDACTED]; take whatever is in their pocket out" and one of them "starts looking like he's trying to stab Mr. S [REDACTED] in the side."

6. Respondent continued to ask ADA Kharkover, "help me understand," sarcastically remarked, "So you're so concerned about violence," and asked if ADA Kharkover had seen "that part in the video" where two people "came into the store with weapons" and "[a]ttempted to immediately start stabbing Mr. S [REDACTED]."

7. ADA Kharkover replied that the defendant chased and shot at the two individuals after they no longer posed a threat to him, stating, "Yes, Judge, but

what about when they flee and he shoots after them; is anybody stabbing him then?”

8. Respondent then remarked, “Are you serious right now?”

9. When ADA Kharkover tried to clarify his point, respondent cut him off, stating “Why is it okay that somebody gets to walk into a store, corner somebody and try to stab them? Because, basically, the message your office sends, every single day, is that it’s okay to do whatever you want to do as long as you don’t have a gun.”

10. ADA Kharkover attempted to respond, but respondent cut him off again and stated, “Don’t come in here and ask me is that okay? None of it’s okay,” and “None of it’s okay. But I’m the one who realizes that; you don’t.”

11. Respondent again questioned the recommendation of the DA’s Office, remarked that “everything started with the two individuals who, clearly, came into the store looking for a problem” and then said, “They found it. Did they not?” Respondent also asked ADA Kharkover, “Did you guys pursue those two individuals?”

12. ADA Kharkover responded he was “trying to find out the answer” and reminded respondent that he was not the ADA assigned to this case, to which respondent replied, “Well, you should know the answer” and incorrectly asserted that because ADA Kharkover had “something to do” with the offer, he should have

“ma[d]e it [his] business to have all the information.” Respondent added, “So don’t sit here and tell me ‘I’m trying to find out.’ This is not the point in the game where you investigate and figure it all out; you should know that on the front end.”

13. ADA Kharkover attempted to explain that he did not have all of the information respondent requested because he had been pulled from a meeting when respondent summoned him to court, at which point respondent immediately called the case without giving ADA Kharkover an opportunity to confer with ADA Couce. Respondent sarcastically said, “I wouldn’t let you speak to him outside? Oh, I’m so sorry . . . I’m so sorry . . . So I’m going to need you to help me understand, without having to inquire, because, again, you should already have the information.”

14. ADA Kharkover then said the defendant had no legal right to shoot at the two individuals, even if they were the initial aggressors, because once they fled they no longer posed a threat to him, to which respondent replied: “So help me understand what gave them the right to try to stab him? Because, clearly, your office is basically saying that’s cool; no worries there; that’s, totally, fine; they didn’t have a gun.”

15. Respondent accused the DA’s office of drafting the felony complaint “with every intent of making it look as if” the defendant was “the only person who was doing something wrong . . . when that is, absolutely, not the case.”

16. In response, ADA Kharkover noted that the grand jury was shown the video evidence.

17. Respondent continued to question the DA's recommendation of "seven years jail," for a defendant who "chas[ed] down the person who, quite frankly, tried to kill him."

18. ADA Kharkover then asked whether the defendant would be interested in a plea agreement with a reduction of the proposed prison sentence to five years:

ADA KHARKOVER: If he just displayed the firearm, I, totally, agree with Your Honor, this would be a different offer. But, for what it's worth, is the defendant interested in five years?"

DEFENSE COUNSEL: Was that addressed to me?

RESPONDENT: You're not going to answer that. What you are going to do is step out of my courtroom.

ADA KHARKOVER: Absolutely.

RESPONDENT: Have a great day. Thank you. Because you are clearly, clearly a waste of everything.

ADA KHARKOVER: Clearly.

RESPONDENT: That makes no sense.

ADA KHARKOVER: Clearly.

RESPONDENT: And do not return.

ADA KHARKOVER: Clearly. Clearly.

19. ADA Kharkover then exited the courtroom, and respondent stated:

Well, at best, the position of their office is disingenuous and completely inappropriate. To step foot in here and pretend that there's been a full consideration of the facts and circumstances and at the end of it that's how you got to seven years jail is nonsense. It is complete nonsense. I am disgusted. That is, absolutely insane. His attitude -- he need not ever step foot in this part again. Ever step foot in this part again. As a matter of fact, I'm going to ask you to ask the chief to come speak to me about him because that's not how this works. This is not a back-and-forth discussion. We're not talking on the block. He didn't even know if it was a bodega or a phone store. He doesn't have facts straight. No."

20. After ADA Kharkover's departure, respondent continued to criticize the DA's Office by addressing ADA Couce, who remained:

This whole position that your office is taking that you want to grandstand: Lock them all up. Anybody that has a gun, lock them all up. The problem is everybody else who's doing all these other horrible things; who's randomly attacking people in the street; just because they don't have a gun you're, basically, giving all those people a free pass and that sends a horrible message. And if you don't realize that you need to really think about why you're here and why you're even bothering to show up at work because it shouldn't be just about putting people who have a gun in jail because the two guys who walked into this phone store were going in there to hurt him (indicating). You cannot tell me they were going in there to do anything besides trying to kill him (indicating). But no one gives a damn about that. And when I say no one I mean the People; your office; or the NYPD because no one cares. Instead, you filed these complaints where it just looks as if he's literally, standing around causing a problem and pulling out a gun.

21. Respondent then accused the DA's Office of acting in "100 percent bad faith," both in drafting the criminal complaint and recommending seven years

in prison, and she criticized the DA's Office's for giving a "free pass" to the person whom the defendant shot. Respondent characterized the actions of the DA's Office as "complete nonsense."

22. When ADA Couce pointed out that the victim was hospitalized for his injuries and could be charged with, at most, a Class B Misdemeanor for attempted assault, respondent said, "But it's still a crime. . . . Somebody has very clearly committed an unprovoked, violent, crime, on camera, and, seemingly, the only reason why there's no criminal case against them and why nobody cares about where they were is because they didn't use a gun while doing it. As somebody who lives in the Bronx, that is, absolutely, disgusting and disturbing because the message is so I can walk outside and somebody could beat me down but, you know, if they don't have a gun nobody might even care to arrest them. That is a problem. That is a problem."

23. Respondent accused the Bronx DA's Office of "turn[ing] a blind eye to other crime", of having the "audacity to come in here with a straight face and then try to talk to me like I'm an idiot and I don't get it. On what planet?", and of "choos[ing] to see things through a certain lens and once you've decided who the bad guy is then that's the lens you stick with."

24. At the conclusion of the appearance, respondent stated that she was "not inclined to continue to have [the case] hang over [the defendant's] head" and

that she would be inclined to adjourn the case for three or six months if she “thought that there was any possibility that [the Bronx DA’s] office would wake up and realize the nonsense that is coming from that side of the courtroom but since that is, absolutely, not going to happen, no.” Respondent added the following before adjourning the case:

Your office has made it clear what their position is. Your office has made it, abundantly, clear to me and, probably, everybody else in the Bronx, do whatever you want to do just don’t have a gun in your hand. Beat people to a pulp in the street; stab them in a store; go for it; as long as you don’t have a gun in your hand we’re not worried about it. That’s the message that your office is sending. Just so you’re, absolutely, clear, that is the message your office is sending and I’m not going to be complicit in the nonsense, at all.

25. At various points throughout the proceeding, respondent stood up at the bench, removed her mask in contravention of court system policy at the time, and raised her voice at ADAs Couce and Kharkover.

26. On April 4, 2022, respondent presided over another calendar appearance in *People v S* [REDACTED]. ADA Jaclyn Wood appeared on behalf of the People, and Mr. Fields appeared on behalf of the defendant.

27. At an off-record bench conference, ADA Wood attempted to reiterate the People’s sentencing recommendation, as well as to explain why the DA’s Office believed that the defense of justification was not applicable to the case.

28. The S [REDACTED] case was then called on the record and adjourned to April 5, 2022.

29. On April 5, 2022, respondent presided over another calendar appearance in *People v S [REDACTED]*. ADA Mary Jo Blanchard appeared on behalf of the People, and Mr. Fields appeared for the defendant.

30. The case was conferenced off the record, and ADA Blanchard informed respondent that the DA's Office would be requiring S [REDACTED] to plead to the entire indictment, in response to what it perceived to be an inadequate offer from the court. Respondent – speaking to ADA Blanchard in a loud, condescending, and chastising manner – accused her in sum and substance of “not caring about defendants,” and the DA's Office of engaging in a “pissing contest.” Respondent said she would adjourn the case to give the People time to “get off their high horse.”

31. Following the conference, the case was called on the record. Respondent stated to ADA Blanchard, “So the reason why you're asking him to plead to the entire indictment is because you can, essentially?” ADA Blanchard replied, “We do not agree with the disposition being offered by the Court.”

People v K [REDACTED] C [REDACTED]

32. On October 14, 2022, respondent presided over a calendar appearance in a criminal matter, *People v K [REDACTED] C [REDACTED]*. The People were

represented by ADA Ashley Clement, who was covering the cases in respondent's calendar part for the DA's office that day. The defendant was represented by Monica Dula.

33. Respondent announced that the case was on for decision, that she was granting defendant's motion to dismiss the indictment, and that the DA's Office had 45 days to re-present the matter to a grand jury.

34. ADA Clement asked whether an electronic copy of the decision would be sent to ADA Joseph Gattuso, the ADA assigned to the case. When respondent replied that the decision "is right there on the table," ADA Clement again asked if a copy would be sent to ADA Gattuso. Respondent answered, "I am not his secretary. The case is on right now for decision. The decision is right there."

35. During the colloquy that ensued, respondent raised her voice and yelled at ADA Clement, as follows:

ADA CLEMENT: I understand that. I am asking –

RESPONDENT: If you understand it, why are you asking me questions that don't make sense? Help me understand this. Why would I be sending e-mail copies of decisions to the ADA. Do I work for your office?

ADA CLEMENT: Because some judges do.

RESPONDENT: I don't. You have it right there.

ADA CLEMENT: Okay. That's it.

RESPONDENT: I'm sorry. What did you say?

ADA CLEMENT: I am just saying that some Judges send the decision to the ADA.

RESPONDENT: I do not. I do not.

ADA CLEMENT: I am just asking a question.

RESPONDENT: I do not. Anymore questions?

ADA CLEMENT: Okay. That's it.

RESPONDENT: Actually, you could step out. You could step out.

ADA CLEMENT: Okay. Who else is going to cover the part then?

RESPONDENT: Call a supervisor.

ADA CLEMENT: Okay. That's fine.

[Whereupon, ADA Clement exited the courtroom]

RESPONDENT: We are not doing this today.

36. ADA Clement called her Bureau Chief, ADA Susanna Imbo, who met her outside respondent's courtroom to discuss what had happened. On determining that Ms. Clement had done nothing to justify being ejected from the courtroom, ADA Imbo entered the courtroom with ADA Clement.

37. Respondent immediately pointed at ADA Clement and yelled, "You're not allowed to be in here!"

38. ADA Imbo asked that everything be put on the record moving forward, which appeared to anger respondent, who raised her voice at Ms. Imbo

and said, in substance, “Who are you?” and “This is my courtroom!” Respondent then ejected Ms. Imbo from her courtroom as well.

39. On October 17, 2022, respondent told ADA Jessica Lupo, an executive staff member at the DA’s Office, that she would allow ADA Clement back in her courtroom only if she apologized for “unintentionally disrespecting” respondent. Although ADA Clement did not believe that an apology was warranted, she nevertheless apologized to respondent, who replied in sum and substance, “When a judge yells at you, you just sit there and take it.”

People v Tyresse Minter

40. On April 3, 2023, respondent presided over the arraignment in *People v Tyresse Minter*, in which the defendant was charged with killing his teenage stepson.

41. The People were represented by ADA Christopher Conway. The defendant was represented by Archana Prakash.

42. Because law enforcement authorities had brought the defendant in through the courtroom’s public entrance rather than from the non-public back cell area, and he was seated in the spectator section, ADA Conway planned to arrange for the defendant and the victim’s family to remain separated. To that end, he remained in touch with a supervisor who would be escorting the victim’s mother into the courtroom.

43. Respondent called the case before either ADA Conway or the victim's mother had arrived. Respondent then sent a court officer to find Conway and convey to him that respondent had ordered him to the courtroom.

44. When ADA Conway entered the courtroom, respondent pointed and yelled at him. When he told respondent the victim's mother was "in the building, walking down the hallway," respondent replied, "What does that have to do with what we're doing here?" ADA Conway attempted to explain that it would be his preference to wait for the victim's mother to arrive because it was a homicide case. Respondent answered:

Oh, your preference? Oh, my -- you know what? My bad. I completely forgot that your preference actually matters. Are you serious right now? I understand that you have a preference to have the family members sitting in the courtroom, and that's wonderful. So maybe you should ask her to get here sooner. I don't know, but it's 2:30 in the afternoon. Everybody else is here. I am here. And for you to say that the only reason you're not ready right now is that the mother of the victim has not gotten here yet? If you think for a second I'm going to stop what I'm doing, second call this case for the mother to get here -- are you serious?²

People v Maurice Baptise

45. On October 13, 2022, respondent presided over a calendar appearance in a criminal matter, *People v Maurice Baptise*.

² The victim's mother had actually been in the courthouse for several hours.

46. The People were represented by ADA Vittoria Fiorenza, who was covering the cases in respondent's calendar part for the DA's office that day. Mr. Baptise was represented by Olivia Scheck.

47. When the case was called and the defendant failed to appear, Ms. Scheck said she had been informed that he had "previously been in a motorcycle accident" and was unable to make it to court because he "thought that he was going to be able to get a ride today, but the ride fell through." Ms. Scheck also said the defendant had sent her "some photographic evidence that supports his knee injury" and asked for an adjournment.

48. Consistent with Criminal Procedure Law § 530.60(1), ADA Fiorenza informed respondent that the ADA assigned to the case was requesting a bench warrant since the defendant had now failed to appear for a third time, and the DA's Office had not been provided with medical documentation to corroborate the explanations for his absence. Respondent replied:

You seriously believe that it's appropriate to ask for a warrant when an attorney has stood up in court and represented that not only has she spoken with her client, but her client was in an accident and her client is unable to get here without a ride? You really do believe, as an attorney, that's an appropriate basis upon which to ask for a warrant?

49. ADA Fiorenza stated that she believed respondent, at the very least, should set a short adjourn date for either the defendant to appear or for defense counsel to provide some medical documentation.

50. Respondent stated that there was no point in setting a short adjournment because “in a week we are probably going to hear the same thing” and sarcastically urged ADA Fiorenza to make records that are “consistent with facts and reality.” Respondent added, “Like you are asking for a warrant -- warrants are not so cops can go drag somebody in because you want them here faster. Warrants are because somebody chose to simply not come to court. Nothing in that record indicates that he chose to simply not come to court.”

51. ADA Fiorenza reiterated that the reason she was requesting either a short adjournment or medical documentation providing some assurance of the defendant’s whereabouts was due to his chronic history of failing to appear. The following colloquy ensued:

RESPONDENT: [Ms. Scheck] is an officer of the court. She herself has documentation of it. There is no planet upon which she is obligated to share with you her client’s medical records of any sort because you want it so you could feel comfortable. That is not the planet upon which we live. We are not doing that. She is an officer of the court who has made certain representations, period.

ADA FIORENZA: Understood, Judge. I have made my record.

RESPONDENT: You have made your record, and it’s one that you really should have really kept to yourself because it makes to [*sic*] sense, no sense, whatsoever.

People v S█-P█ H█ and M█ M█

52. On October 13, 2022, respondent presided over a calendar appearance in a criminal matter, *People v S█-P█ H█ and M█ M█*. ADA Vittoria Fiorenza appeared for the People, and the defendants were represented by Robert Gross and Spiro Ferris. (The ADA assigned to the case, Samantha Miller, had just returned to the office from leave to deal with a family emergency.)

53. The defendants were charged with possessing a firearm when the police stopped a motor vehicle in which they were occupants.³ While defendants H█ and M█ were being charged in Supreme Court, there was a third occupant who, as a juvenile, was being prosecuted in Family Court for possession of the same firearm. The attorneys for H█ and M█ argued that the case against their clients should be dismissed because they believed that the third individual had taken responsibility for and pleaded guilty to possessing the firearm.

54. At the time, ADA Miller had not been able to obtain Family Court records to confirm that the juvenile had been sentenced in his case, which the People believed was prerequisite to dismissing the charges against H█ and M█.

55. Respondent said at the appearance that the charges should be dismissed because the case only involved “one gun,” and the separately-charged

³ Under New York Law, more than one person may jointly possess a weapon (Penal Law § 265.15(3)), and multiple defendants may be prosecuted for possessing the same firearm.

juvenile had already taken responsibility for possessing it. Respondent also voiced her displeasure that the DA's Office was not prepared to dismiss that day and had not yet confirmed that the juvenile had been sentenced, stating, "We have had this conversation on at least two appearances, likely three appearances." The case was second-called after the lunch break for ADA Miller to appear.

56. At the second call, respondent spoke sternly and in a raised voice at ADA Miller for emailing her at 2:02 PM that afternoon with a request that respondent sign off on the "so ordered" subpoena she needed to access records from Family Court.

57. ADA Miller informed respondent that the separately-charged juvenile had been sentenced one week prior, while she was out on leave, and that the DA's Office would not be able to dismiss the case against defendants H ■ and M ■ unless and until they had proof of the disposition in Family Court. The following colloquy ensued:

RESPONDENT: Let's be clear. It is not that you can't. It's that your office chooses not to. There is nothing in the law preventing that. It's one gun, one gun, three people. One person has already plead guilty, right? Right?

ADA MILLER: Yes, Your Honor, and--

RESPONDENT: We are not going to talk at the same time. We are not doing that. We are absolutely not doing that today. One person already pled guilty to the one gun. You know that. You have that. And either

way, even if he was sentenced in (*sic*) last week, we are still here today. And the thing you did today after the first call is the thing you should have done last week, right?

ADA MILLER: Your Honor, I was out last week for a family emergency.

RESPONDENT: Oh, my goodness. So everything must stop. Do you realize that there are implications to having cases open? You do realize that, right?

ADA MILLER: Yes, Your Honor, I do realize that. But, I can't do things that I am not present in New York for. I was out of state for a family emergency, and I am dealing with a family emergency, so I am not going to--

RESPONDENT: Are you a solo practitioner?

ADA MILLER: No. I work for the District Attorney's Office.

58. Despite the fact that the juvenile had been sentenced only one week earlier while ADA Miller was out of the office dealing with a family emergency, respondent described the actions of the DA's Office as "disingenuous and ridiculous", accused the prosecution of "dragg[ing] their feet" and "not [doing] the bare minimum", and stated that "the lack of any desire to get this done is mind blowing to me."

59. In response to statements from respondent and defense counsel that the case should be dismissed, ADA Miller again asserted that she was not in possession of any minutes or proof that would conclusively establish that the

separately-charged juvenile had taken responsibility for possessing the firearm.

The colloquy continued, during which respondent again spoke to ADA Miller in a sarcastic and condescending manner:

RESPONDENT: “You can order minutes. I can get -- when I need minutes, I get them. When defense counsel needs minute (*sic*), he gets them. What is stopping you from getting minutes? Help me understand? Please walk me through the life that you live. What is so difficult about getting minutes. It (*sic*) been two months.”

ADA MILLER: It hasn’t been two months.

RESPONDENT: What efforts did anyone from your office take to get minutes?

ADA MILLER: I don’t have any record as to that, so I don’t know.

RESPONDENT: What efforts did your office make at all to confirm anything with respect to the codefendant? Because it was your office’s record and representation that somebody took a plea, and that they were going to dismiss once he was sentenced. That came from your office. So--

MR. FERRIS: I think maybe the hang-up, Judge, is, from the People’s perspective -- not that I am advocating for them, but I think they wanted -- they knew, they were aware that that person made an admission in Family Court, but they wanted to wait until that individual was sentenced.

60. The case was thereafter called a third time for ADA Miller’s supervisor, ADA Michelle Villaverde, to appear. While ADA Miller called ADA

Villaverde from the courtroom and asked her to come down, respondent was screaming.

61. When ADA Villaverde arrived, ADA Miller was crying outside the courtroom.

62. After speaking with ADA Miller, ADA Villaverde entered the courtroom and explained to respondent, off the record, that ADA Miller had just returned to the office after dealing with a family emergency. Respondent stated, in sum and substance, “I don’t care what her issues are.”

63. Respondent eventually signed the “so-ordered” subpoena and stated, “And I am putting it on for dismissal. At this point, it seems very clear that the intention is that once the defendant is sentenced, these cases are being dismissed.” The case was then adjourned.

People v J ■ L ■

64. On March 23, 2022, respondent presided over a criminal matter via Microsoft Teams in *People v J ■ L ■*, which was on the calendar for a possible disposition. The People were represented by ADA Jillian Castellon. The defendant was represented by Nancy Ginsburg.

65. The defendant, a 16-year-old, was charged with assault, criminal possession of a weapon and other related charges for shooting his ex-girlfriend in the face, which blinded her in one eye.

66. ADA Castrellon stated that, following a conference with her supervisors, she was recommending three and a half years in prison, based on the seriousness of the case as well as the existence of a prior history of domestic violence between the victim and defendant, which involved the defendant hitting and throwing the victim down a flight of stairs.

67. Defense counsel requested that the defendant be adjudicated a Youthful Offender and sentenced to probation, pointing out that he had voluntarily completed two programs on his own.

68. Respondent took issue with ADA Castrellon's recommendation of a prison sentence and asked why she had not requested that the defendant participate in a program:

I'm just, always, um, just -- I guess I am a little confused, when there is someone who is alleged to have done something . . . they are out . . . engaging in services, they are not getting rearrested, um, no one's coming in here asking for anything to change because of any issue or concern, and then the People's position is jail -- several years jail.

69. Respondent again asked ADA Castrellon to state the basis for her prison recommendation and asked if the DA's Office "take[s] into consideration that it is the Youth Part, or is that just not a part of [*sic*] analysis?" ADA Castrellon stated that this was a factor the DA's Office took into consideration.

70. When ADA Castrellon opposed giving the defendant youthful offender treatment given the facts of the case, respondent asked: "what do you

have to support that position as an attorney? You have a complainant who has at least at one point said she did shoot herself.”⁴

71. ADA Castrellon responded that she did not believe the shooting was accidental based on conversations she had with the victim, which she could not “ignore” despite the fact that the victim was uncooperative. She reiterated that the victim had lost vision in one eye and had survived “by an act of God.” The following ensued:

RESPONDENT: But that’s why it -- I am also a little confused -- it’s so serious, it’s so bad, there is a history of domestic violence, according to the People, but yet he is literally not asked to do anything by the People. The People’s position is he’s arrested, he’s charged, he comes to court, and at the end the [*sic*] everything what he does is services on his own, then jail because it is so terrible. If what he did was so bad -- if the People truly believe there is a history of domestic violence, please tell me, help me [*sic*] why the People’s position is also to not ask him to do anything. Tell me how to understand that.

ADA CASTRELLON: Judge, I am not a DV Assistant. It was not coming in as DV.

RESPONDENT: The representation you have made, based upon the representations you have made, you have the case for several months now. So, whether you are a DV Assistant or not, if you are going to come into this court and talk about there is a history of domestic violence, you are going to have to explain to me

⁴ Notwithstanding a prior statement by the victim that she had shot herself, at this point the defendant had been indicted by a grand jury for the shooting.

why there's that history and the People don't do anything to address it.

ADA CASTRELLON: Judge, I am happy to look into a program that would be available for him to complete with respect to --

RESPONDENT: A year later, after he's done a program on his own? Do you hear yourself?

ADA CASTRELLON: Well, Judge --

RESPONDENT: And let's also be clear. You're not a DV Assistant. Let's also be abundantly clear, DV is not for people that fight frequently, DV is about control, it is not just about people that are fighting each other. So let's be very careful with the language we use, especially when there's been nothing on the People's side that has been done to address the issues. Nothing. Nothing at all. So, to -- on one hand to do nothing to address the issues, then to come in to court and say because it was so bad, it was so horrible, he needs to be in jail for 3 years. I would love for your office to recognize how disconnected and ridiculous that is. It's one thing if you were standing here saying there's a history of domestic violence and we ask for a program. He's been -- or something -- but instead it's acknowledging he's complied with every program he did on his own. There's been no new incidents. But then you're just throwing all over the record there is a history of domestic violence. Then when I asked you anything about the specific domestic violence, well, I am not a DV assistant. You can't have it every which way. Pick a position and stick with it. And everything you say in this courtroom should be based upon good faith. You can't just say there is a history of domestic violence because they fought...it would really make more sense to me if you could at least put on

the record one thing that was done to address that issue.

72. ADA Castellon answered respondent's insinuation that she had acted in bad faith by stating that she had interviewed the victim in her office and had viewed photographs that corroborated the prior instances of abuse. Respondent replied by again asking why the defendant was not being "asked to do anything to address that?"

73. Respondent went on to state, "I don't understand this whole -- defendant's out -- doing what they are supposed to be doing -- still very much a child -- and the only answer the People ever have is several years jail."

74. Respondent said she was going to adjourn the case for "whoever you conferenced [the case] with" to "log on and maybe help me understand, because I don't," and opined, "I can't say with any certainty that he intentionally shot her in the face because, (a), I wasn't there, and (b), the complainant, at least at one point said she did it to herself."

75. Respondent added, "I'm going to do a short date for whoever made the final determination that 3 years jail for this child is, um, is the only appropriate outcome they can think of, they need to appear and explain to me why."

People v J [REDACTED] J [REDACTED] and People v W [REDACTED] A [REDACTED]

76. On November 7, 2022, respondent presided over a calendar appearance in a criminal matter, *People v J [REDACTED] J [REDACTED]*. The People were

represented by ADA Katerina Kurteva, who was covering the cases in Respondent's calendar part for the DA's office that day. Ms. Kurteva was six months pregnant. The defendant was represented by Mirela Kucevic.

77. At a bench conference off the record, respondent commented on ADA Kurteva's pregnancy in a cavalier manner that made ADA Kurteva uncomfortable.

78. Later that day, respondent presided over a calendar appearance in another criminal matter, *People v W* [REDACTED] *A* [REDACTED]. The People were represented by ADA Kurteva and the defendant was represented by Michael Nedick.

79. At an off-record bench conference, respondent urged ADA Kurteva to take a particular action on the case. When ADA Kurteva informed respondent that the ADA assigned to the case had specifically instructed her not to take the action respondent wanted, respondent again referred to her pregnancy and suggested she could use the fact that she was pregnant for leeway with male supervisors.

Other Matters

80. In April or May 2022, Administrative Judge Alvin Yearwood counseled respondent that her conduct "might look as if you're advocating," and instructed her to "take it easy" on the ADAs who appear before her.

Additional Factors

81. Respondent has been contrite and cooperative with the Commission throughout this inquiry. She regrets her behavior and apologizes to the individual

attorneys named herein, the District Attorney's Office, and her judicial colleagues. Respondent does so with the understanding that such apology would become public upon the Commission's acceptance of the Agreed Statement, and with the commitment to refrain from such behavior in the future.

82. Respondent has an otherwise unblemished record during her approximately six years on the bench.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.3(B)(1), (3), (4) and (6) of the Rules Governing Judicial Conduct ("Rules") and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charge I of the Formal Written Complaint is sustained insofar as it is consistent with the above findings and conclusions and respondent's misconduct is established.

The Rules require judges to maintain high standards of conduct and to "act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." (Rules, §§100.1, 100.2(A)) The Rules also require that judges "be patient, dignified and courteous" to those "with whom the judge deals in an official capacity. . ." and that judges "shall perform judicial duties without bias or prejudice against or in favor of any person." (Rules, §§100.3(B)(3))

and (4)). Respondent acknowledged that she violated the Rules when she was impatient and discourteous on numerous occasions and demonstrated at least the appearance of bias against prosecutors.

Judges must be patient and courteous when interacting with attorneys and others who appear before them. “As a matter of humanity and democratic government, the seriousness of a Judge, in [her] position of power and authority, being rude and abusive to persons under [her] authority--litigants, witnesses, lawyers--needs no elaboration. It impairs the public's image of the dignity and impartiality of courts, which is essential to their fulfilling the court's role in society.” *In re Mertens*, 56 AD2d 456, 470 (1st Dept 1977). *See, Matter of Pineda-Kirwan*, 2021 Ann Rep of NY Commn on Jud Conduct at 282, 296 (“Respondent’s pattern of intemperate and abusive behavior was improper and severely undermined confidence in the judiciary.”). Respondent admitted that she unjustifiably ejected three assistant district attorneys from her courtroom. In at least three matters, respondent admitted to yelling at assistant district attorneys who appeared before her. In other matters, she made sarcastic comments. Respondent also acknowledged that she inappropriately commented on the pregnancy of an assistant district attorney.

Judges must perform judicial duties without bias or the appearance of bias against any person. In a matter involving demonstrated bias against prosecutors,

the Court of Appeals held, “the perception of impartiality is as important as actual impartiality: Judges must conduct themselves ‘in such a way that the public can perceive and continue to rely upon the impartiality of those who have been chosen to pass judgment on legal matters involving their lives, liberty and property’”.

Matter of Duckman, 92 NY2d 141, 153 (1998) (citations omitted). Respondent acknowledged that her conduct demonstrated at least the appearance of advocating for the defense in criminal matters and bias against assistant district attorneys.

Even after being counseled by an administrative judge, respondent continued to be impatient and discourteous toward assistant district attorneys who appeared before her which created at least the appearance of bias against them. By her conduct, respondent undermined public confidence in the integrity and impartiality of the judiciary.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that her conduct was improper and warrants public discipline and that she has had an otherwise unblemished record on the bench.

By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

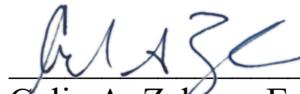
Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Professor Moore and Judge Moulton concur.

Mr. Raskin did not participate.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: May 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

RICHARD T. SNYDER,

a Justice of the Petersburg Town Court,
Rensselaer County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and Kathleen E. Klein, Of
Counsel) for the Commission

Honorable Richard T. Snyder, *pro se*

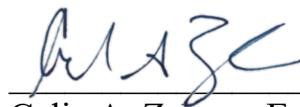
The matter having come before the Commission on January 30, 2025;
and the Commission having before it the Stipulation dated December 30, 2024; and

respondent having tendered his resignation dated December 17, 2024 effective December 31, 2024; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: January 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

RICHARD T. SNYDER,

STIPULATION

a Justice of the Petersburg Town Court,
Rensselaer County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Richard T. Snyder (“Respondent”):

1. Respondent has been a Justice of the Petersburg Town Court, Rensselaer County, since January 2014. His current term expires December 31, 2025. Respondent is not an attorney.
2. Respondent was served with a Formal Written Complaint dated November 12, 2024, which is appended as Exhibit A.
3. Respondent enters into this Stipulation in lieu of filing an Answer to the Formal Written Complaint.
4. Respondent has tendered his letter of resignation, a copy of which is annexed as Exhibit B, stating that he will vacate judicial office on December 31, 2024.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

6. Respondent affirms that he will vacate his judicial office at the close of business on December 31, 2024, and he will neither seek nor accept judicial office at any time in the future.

7. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission will be revived and the matter may proceed to a hearing before a referee, or the Commission may summarily determine that he should be removed from office pursuant to 22 NYCRR 7000.6(c).

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon

being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 12-23-2024


HONORABLE
Honorable Richard T. Snyder
Respondent

Dated: December 30, 2024


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

THE FOLLOWING EXHIBITS ARE AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT A: FORMAL WRITTEN COMPLAINT
EXHIBIT B: RESPONDENT'S LETTER OF RESIGNATION

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

ERIC T. SWARTZ,

a Judge of the Watertown City Court,
Jefferson County.

**DECISION
AND
ORDER**

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and Cassie M. Kocher, Of
Counsel) for the Commission

Costello, Cooney & Fearon, PLLC (by Paul G. Ferrara)

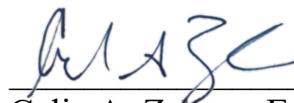
The matter having come before the Commission on December 11,
2025; and the Commission having before it the Stipulation dated December 2,

2025; and Judge Swartz having tendered his resignation by letter dated December 1, 2025 effective December 31, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: December 11, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

ERIC T. SWARTZ,

STIPULATION

a Judge of the Watertown City Court,
Jefferson County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Eric T. Swartz and his attorney, Paul G. Ferrara, of Costello Cooney & Fearon, PLLC:

1. Eric T. Swartz was admitted to the practice of law in New York in 1994. He has been a Judge of the Watertown City Court, Jefferson County, since January 1, 2021, having previously served as the Watertown Town Justice, Jefferson County, from January 2020 until January 1, 2021. His current term expires on December 31, 2026.

2. In April 2024, the Commission apprised Judge Swartz that it was investigating a complaint alleging that he was suffering from a condition that interfered with his ability to perform his judicial duties.

3. Judge Swartz has tendered his letter of resignation, a copy of which is annexed as Exhibit 1, stating that he will vacate judicial office at the close of business on December 31, 2025.

4. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office "shall be ineligible to hold other judicial office."

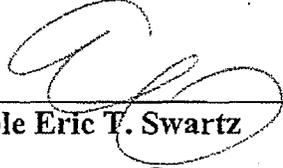
5. Judge Swartz affirms that he will vacate his judicial office at the close of business on December 31, 2025, and he will neither seek nor accept judicial office at any time in the future.

6. Judge Swartz understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission would be revived, he would be served with a Formal Written Complaint, and the matter would proceed to a hearing before a referee.

7. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

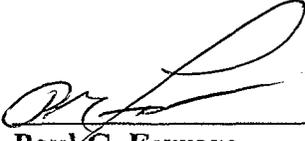
8. Judge Swartz waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: December 1, 2025



Honorable Eric T. Swartz

Dated: *Dec 1, 2025*



Paul G. Ferrara
Costello Cooney & Fearon, PLLC
Attorney for Judge Swartz

Dated: December 2, 2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**John J. Postel & Cassie M. Kocher,**
Of Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT 1: JUDGE'S LETTER OF RESIGNATION

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

LOUIS P. VIOLANTI,

An Associate Judge of the
Lackawanna City Court, Erie County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and David M. Duguay, Of
Counsel) for the Commission

Personius Melber LLP (Rodney O. Personius) for respondent

The matter having come before the Commission on January 30, 2025;
and the Commission having before it the Stipulation dated January 2, 2025; and

respondent having tendered his resignation effective January 23, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: January 30, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

LOUIS P. VIOLANTI,

STIPULATION

an Associate Judge of the
Lackawanna City Court, Erie County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Louis P. Violanti (“Respondent”) and his attorney Rodney O. Personius, of Personius Melber LLP:

1. Respondent was admitted to the practice of law in New York in 2000. He had served as an Associate Judge of the Lackawanna City Court, Erie County, from May 2007 to March 2013, when he resigned while under investigation for misconduct that later resulted in his suspension from the practice of law for two years.¹ Respondent returned to the Lackawanna City Court bench on March 1,

¹ The 2013 misconduct involved Respondent’s actions as a judge. He resigned in 2013 before disciplinary proceedings could be concluded, and without stipulating that he would never return to the bench. The current proceeding involves the same conduct that was at issue in 2013. Had Respondent been removed from office in 2013, he would have been ineligible to return to judicial office at any time, pursuant to Article VI, Section 22(h) of the Constitution.

2024, by appointment of the mayor. His current term expires on February 28, 2030.

2. Respondent was served with a Formal Written Complaint dated August 12, 2024, which is appended as Exhibit A. He filed an Answer dated September 13, 2024, which is appended as Exhibit B.

3. Both the Administrator and Respon made applications to the Commission that were decided on December 12, 2024. The Commission (A) denied Respondent's request that the Formal Written Complaint be dismissed, (B) granted the Administrator's motion for summary determination, sustained the charge in the Formal Written Complaint and determined that Respondent's misconduct was established. The Commission set a schedule for briefs and calendared oral argument on the issue of sanction for January 30, 2025. The applications are appended as Exhibits C, C-1 and C-2. The Commission's Decision and Order is appended as Exhibit C-3.

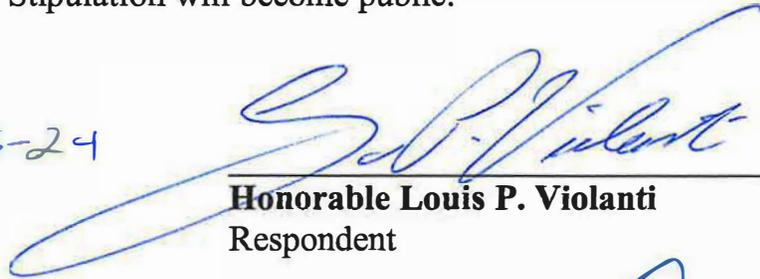
4. Respondent is aware that the Administrator would recommend to the Commission that Respondent be removed from office.

5. The parties enter into this Stipulation in lieu of submitting briefs and appearing for oral argument.

6. Respondent has tendered his letter of resignation, a copy of which is appended as Exhibit D, stating that he will vacate judicial office on January 23, 2025.
7. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”
8. Respondent affirms that, he will vacate his judicial office at the close of business on January 23, 2025, he will neither seek nor accept judicial office at any time in the future.
9. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission would be revived, the parties would be directed to submit briefs and appear for oral argument on the issue of sanction.
10. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

11. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 12-26-24



Honorable Louis P. Violanti
Respondent

Dated: 12/27/24



Rodney O. Personius
Personius Melber LLP
Attorney for Respondent

Dated: January 2, 2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**John J. Postel** and **David M. Duguay**,
Of Counsel)

THE FOLLOWING EXHIBITS ARE AVAILABLE AT WWW.CJC.NY.GOV:

- EXHIBIT A: FORMAL WRITTEN COMPLAINT (FWC)
- EXHIBIT B: RESPONDENT'S ANSWER
- EXHIBIT C: MOTION FOR SUMMARY DETERMINATION (MSD)
- EXHIBIT C-1: RESPONDENT'S RESPONSE REQUESTING DISMISSAL OF FWC AND OPPOSITION TO MSD
- EXHIBIT C-2: COMMISSION COUNSEL'S REPLY
- EXHIBIT C-3: COMMISSION'S ORDER GRANTING MSD & DENYING RESPONDENT'S REQUEST TO DISMISS THE FWC
- EXHIBIT D: RESPONDENT'S LETTER OF RESIGNATION

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

TODD C. WHITFORD,

a Justice of the Jerusalem Town Court,
Yates County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and David M. Duguay, Of
Counsel) for the Commission

Honorable Todd C. Whitford, *pro se*

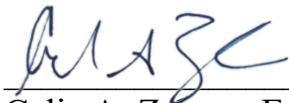
The matter having come before the Commission on December 11,
2025; and the Commission having before it the Stipulation dated December 5,

2025; and Judge Whitford having tendered his resignation by letter dated December 4, 2025 effective December 10, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: December 11, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

TODD C. WHITFORD,

STIPULATION

a Justice of the Jerusalem Town Court,
Yates County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Todd C. Whitford (“Respondent”):

1. Respondent has been a Justice of the Jerusalem Town Court, Yates County, since 2018. His current term expires on December 31, 2026. Respondent is not an attorney.
2. Respondent was served with a Formal Written Complaint dated September 10, 2025, a copy of which is appended as Exhibit A.
3. Respondent enters into this Stipulation in lieu of filing an Answer to the Formal Written Complaint.
4. Respondent has tendered his letter of resignation, a copy of which is annexed as Exhibit B, stating that he will vacate judicial office on December 10, 2025.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

6. Respondent affirms that he will vacate his judicial office at the close of business on December 10, 2025, and he will neither seek nor accept judicial office at any time in the future.

7. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission will be revived and the matter may proceed to a hearing before a referee, or the Commission may summarily determine that he should be removed from office pursuant to 22 NYCRR 7000.6(c).

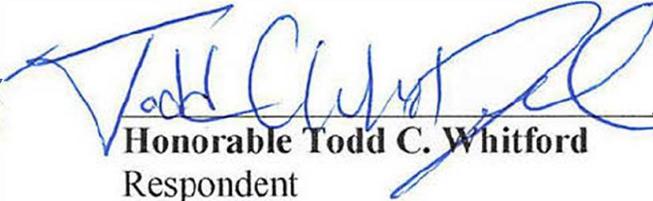
8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon

being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated:

12/4/2025



Honorable Todd C. Whitford
Respondent

Dated: December 5, 2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(John J. Postel and David M. Duguay,
Of Counsel)

THE FOLLOWING EXHIBITS ARE AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT A: FORMAL WRITTEN COMPLAINT
EXHIBIT B: RESPONDENT'S LETTER OF RESIGNATION

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

LUCAS J. WHITMORE,

a Justice of the Antwerp Town Court,
Jefferson County.

DETERMINATION

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (John J. Postel and M. Kathleen Martin, Of
Counsel) for the Commission

Costello, Cooney & Fearon, PLLC (by Paul G. Ferrara) for
respondent

Respondent, Lucas J. Whitmore, a Justice of the Antwerp Town Court,

Jefferson County, was served with a Formal Written Complaint (“Complaint”) dated July 8, 2025 containing one charge. The Complaint alleged that on October 18, 2022, while his co-judge Donald F. Hull was presiding over *Talfourd T. Wynne, II, v Melanie Lambert-McEathron and Alex McEathron*, a summary eviction proceeding, respondent “A. Sat near the bench and repeatedly interjected himself in the proceeding; and B. Defended or sought to minimize remarks made by Judge Hull that were demeaning and otherwise disrespectful toward individuals of Mexican and Indian heritage.”

On September 19, 2025, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be admonished and waiving further submissions and oral argument.

On October 30, 2025, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent is not an attorney. He has been a Justice of the Antwerp Town Court, Jefferson County, since 2013. Respondent’s current term expires on December 31, 2028.

2. On October 18, 2022, Antwerp Town Justice Donald F. Hull presided over *Talfourd T. Wynne, II, v Melanie Lambert-McEathron and Alex McEathron*, a summary proceeding for eviction.

3. Although respondent was not assigned to the case and was not presiding, he came to the court for the proceeding and sat near the bench, in the area of the witness box.

4. During the proceeding, respondent (A) engaged in dialogue about the case with the tenant-respondents, (B) appeared to make rulings, and (C) appeared to give directions to Judge Hull. Respondent *inter alia* asked questions and made statements about how long the tenant-respondents had been renting the apartment at issue, their claim that the apartment needed repairs, whether they would guarantee to pay the rent, their “constant tug of war” and “never-ending” issues with the landlord, the landlord’s “right to . . . proceed with the eviction”, the tenants’ issues with the Department of Housing and Urban Development, the rent his own brother-in-law paid in Philadelphia, and the possibility that the landlord would default on the mortgage if the tenants do not pay rent.

5. Judge Hull ruled in favor of the landlord-petitioner, ordering the tenant-respondents to vacate the lease premises within 30 days. He then discussed housing options with the tenant-respondents, during which he made the following remarks:

[The Department of Social Services] won't put you on the streets. It's illegal for them to do that. They have to put you up. If they can put Mexicans up in the Taj Mahal -- .

6. The tenant-respondents promptly pointed out that Mr. McEathron and their daughter were of Mexican heritage, and they objected to Judge Hull's comment about Mexicans and the Taj Mahal, *inter alia* calling it "racist." Both respondent and Judge Hull responded, with the respondent saying *inter alia* that Judge Hull meant a "fancy hotel," and Judge Hull saying *inter alia* that he was referring to "New York City" and "Mexicans right now who are flowing out of the border and they're going right from the border . . . to hotels."

Additional Factors

7. Respondent, who has served as a judge since 2013, has never been disciplined previously.

8. Respondent has been contrite and cooperative throughout the Commission's inquiry and forthrightly acknowledged the impropriety of his actions during the summary proceeding on October 18, 2022.

9. Respondent understands that it disrupted the order and decorum of the proceeding, undermined the independence of the presiding judge, and was unfair to the parties for him to interject himself and act as if there were two judges simultaneously presiding over the matter.

10. Respondent also acknowledges the impropriety in his defending or

minimizing demeaning remarks made by Judge Hull about individuals of Mexican and Indian heritage.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.2(C), 100.3(B)(3) and 100.3(D)(1) of the Rules Governing Judicial Conduct (“Rules”) and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charge I of the Formal Written Complaint is sustained insofar as it is consistent with the above findings and conclusions and respondent’s misconduct is established.

The Rules require judges to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules also require that judges “be patient, dignified and courteous to litigants” and that “[a] judge who receives information indicating a substantial likelihood that another judge has committed a substantial violation of this Part shall take appropriate action.” (Rules, §§100.3(B)(3) and 100.3(D)(1)). Respondent acknowledged that he violated the Rules when he failed to take appropriate action after his co-judge made inappropriate remarks during the October 18, 2022 proceeding. In addition, respondent improperly interjected himself into the proceeding while his co-judge

was presiding.

A judge must take appropriate action upon learning of a “substantial likelihood that another judge has committed a substantial violation” of the Rules. (Rules, §100.3(D)(1)) “Difficult as it may be for a judge to report the misconduct of a fellow judge, every judge must be mindful of the responsibility to take such action when appropriate.” *Matter of Restino*, 2002 Ann Rep of NY Commn on Jud Conduct at 145, 146 (citation omitted). Instead of taking appropriate action regarding the remarks his co-judge made in court on October 18, 2022, respondent defended and minimized his co-judge’s improper statements. By this conduct, respondent breached his ethical obligations and undermined public confidence in the integrity and impartiality of the judiciary.

Furthermore, respondent undermined the authority of his co-judge and detracted from the order and decorum of the October 18, 2022 proceeding by repeatedly interjecting himself into the proceeding. While his co-judge was presiding, respondent asked questions, appeared to give instructions to his co-judge and made it appear that there were two judges presiding instead of one. Respondent improperly conveyed the appearance that he had special influence over his co-judge. *See, Matter of Westcott*, 1998 Ann Rep of NY Commn on Jud Conduct at 167, 168.

In accepting the jointly recommended sanction of admonition, we have taken into consideration that respondent has acknowledged that his conduct was improper and warrants public discipline. We trust that respondent has learned from this experience and in the future will act in strict accordance with his obligation to abide by all the Rules Governing Judicial Conduct.

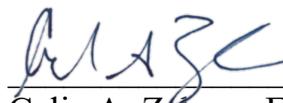
By reason of the foregoing, the Commission determines that the appropriate disposition is admonition.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Judge Miller, Professor Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: November 19, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

JEFFREY M. ZIMMERMAN,

a Judge of the New York City Criminal Court,
and an Acting Justice of the Supreme Court,
Bronx County.

DECISION
AND
ORDER

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Honorable Robert J. Miller
Nina M. Moore, Ph.D.
Marvin Ray Raskin, Esq.
Honorable Anil C. Singh
Akosua Garcia Yeboah

APPEARANCES:

Robert H. Tembeckjian (Mark Levine and Jennifer L. Lowry, Of
Counsel) for the Commission

Scalise & Hamilton, P.C. (Deborah A. Scalise) for respondent

The matter having come before the Commission on March 13, 2025;
and the Commission having before it the Stipulation dated February 21, 2025; and

respondent having tendered his resignation dated February 19, 2025 effective April 3, 2025; and having affirmed that upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future, and having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order with respect thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Judge Miller was not present.

Dated: March 13, 2025



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct

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

JEFFREY M. ZIMMERMAN,

STIPULATION

a Judge of the New York City Criminal Court,
and an Acting Justice of the Supreme Court,
Bronx County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Jeffrey M. Zimmerman (“Respondent”) and his attorney Deborah A. Scalise of Scalise & Hamilton P.C.:

1. Respondent was admitted to the practice of law in New York in 1985. He was an interim Judge of the New York City Civil Court from 2018 to 2019, has been a Judge of the New York City Criminal Court, Bronx County, since 2019, and has been an Acting Justice of the Supreme Court, Bronx County, since 2023. Respondent’s term expires on December 31, 2028.

2. Respondent was served with a Formal Written Complaint dated January 6, 2025, alleging as follows:

- A. During a criminal court arraignment, Respondent interfered in the attorney-client relationship between a defendant and his attorney, repeatedly disparaged the defendant’s attorney, and appeared to prejudge the defendant’s guilt;

- B. Following a criminal court trial over which he presided, Respondent spoke to the jury in private about the case it had just heard, and conveyed information to the jury that could be interpreted as implicitly criticizing its verdict;
- C. While presiding over a criminal case, Respondent disparaged a fellow judge who authored an opinion with which he disagreed; and
- D. On the occasions cited above and on one other occasion, Respondent failed to be patient, dignified, and courteous to attorneys appearing before him.

3. Respondent has fully cooperated with the Commission's investigation and apologized for his conduct. Respondent has no prior disciplinary history with the Commission and avers that he has no disciplinary history as an attorney.

4. Respondent enters into this Stipulation in lieu of filing an Answer to the Formal Written Complaint.

5. Respondent has tendered his letter of resignation, a copy of which is annexed as Exhibit A, stating that he will resign from his judicial office effective April 3, 2025.

6. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office "shall be ineligible to hold other judicial office."

7. Respondent affirms that he will vacate his judicial office at the close of business on April 2, 2025, he will neither seek nor accept judicial office at any time in the future.

8. Respondent understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission will be revived and the matter may proceed to a hearing before a referee, or the Commission may summarily determine that he should be removed from office pursuant to 22 NYCRR 7000.6(c).

9. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

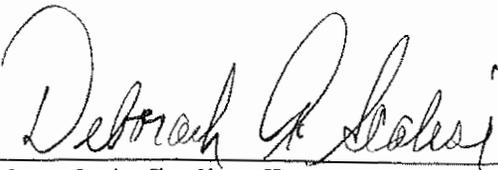
10. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 2/20/25


Honorable Jeffrey M. Zimmerman
Respondent

Dated:

2/21/25



Deborah A. Scalise, Esq.
Scalise & Hamilton P.C.
Attorney for Respondent

Dated: February 21, 2025



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(Mark Levine, Jennifer L. Lowry, Of Counsel)

THE FOLLOWING EXHIBIT IS AVAILABLE AT WWW.CJC.NY.GOV:
EXHIBIT A: RESPONDENT'S LETTER OF RESIGNATION

COMPLAINTS PENDING AS OF DECEMBER 31, 2024								
SUBJECT OF COMPLAINT		STATUS OF INVESTIGATED COMPLAINTS						TOTALS
		PENDING	DISMISSED	CAUTION	RESIGNED	CLOSED*	ACTION*	
<i>INCORRECT RULING</i>								
<i>NON-JUDGES</i>								
<i>DEMEANOR</i>		17	14	9	7	0	5	52
<i>DELAYS</i>		4	2	0	0	0	0	6
<i>CONFLICT OF INTEREST</i>		10	3	3	3	1	1	21
<i>BIAS (TOTALS)*</i>		4	0	1	2	0	2	9
<i>INDIVIDUALS</i>		2	0	0	1	0	0	3
<i>IDENTITY</i>		2	0	1	1	0	2	6
<i>CORRUPTION</i>		1	2	0	0	0	0	3
<i>INTOXICATION</i>		0	0	0	6	0	0	6
<i>DISABILITY/QUALIFICATIONS</i>		1	0	0	1	1	0	3
<i>POLITICAL ACTIVITY</i>		4	4	1	0	0	1	10
<i>FINANCES/RECORDS/TRAINING</i>		4	10	4	3	6	0	27
<i>TICKET-FIXING</i>		0	1	0	0	0	2	3
<i>ASSERTION OF INFLUENCE</i>		8	1	2	2	0	3	16
<i>VIOLATION OF RIGHTS</i>		27	12	6	7	1	0	53
<i>MISCELLANEOUS</i>		2	0	1	0	0	0	3
TOTALS		82	49	27	31	9	14	212

*Matters are “closed” upon vacancy of office for reasons other than resignation. “Action” includes determinations of admonition, censure and removal from office by the Commission.

*Bias complaints are subcategorized as allegations involving a particular litigant or attorney (“Individuals”) and those involving broader identity-based categories such as race, culture, gender identity, religion or ethnicity (“Identity”).

NEW COMPLAINTS CONSIDERED BY THE COMMISSION IN 2025								
SUBJECT OF COMPLAINT	DISMISSED ON FIRST REVIEW OR PRELIMINARY INQUIRY	STATUS OF INVESTIGATED COMPLAINTS						TOTALS
		<i>PENDING</i>	<i>DISMISSED</i>	<i>CAUTION</i>	<i>RESIGNED</i>	<i>CLOSED*</i>	<i>ACTION*</i>	
<i>INCORRECT RULING</i>	1,762							1,762
<i>NON-JUDGES</i>	864							864
<i>DEMEANOR</i>	105	19	4	1	2	0	0	131
<i>DELAYS</i>	72	3	0	0	0	0	0	75
<i>CONFLICT OF INTEREST</i>	52	5	1	0	0	0	0	58
<i>BIAS (TOTALS)*</i>	79	6	0	2	1	0	0	88
<i>INDIVIDUALS</i>	57	3	0	2	0	0	0	62
<i>IDENTITY</i>	22	3	0	0	1	0	0	26
<i>CORRUPTION</i>	85	5	0	0	1	0	0	91
<i>INTOXICATION</i>	2	0	0	0	1	0	0	3
<i>DISABILITY/QUALIFICATIONS</i>	1	1	0	0	0	0	0	2
<i>POLITICAL ACTIVITY</i>	6	18	1	3	1	1	0	30
<i>FINANCES/RECORDS/TRAINING</i>	18	6	0	0	0	0	0	24
<i>TICKET-FIXING</i>	0	1	0	0	0	0	0	1
<i>ASSERTION OF INFLUENCE</i>	0	10	2	2	2	0	0	16
<i>VIOLATION OF RIGHTS</i>	135	22	2	2	3	0	0	164
<i>MISCELLANEOUS</i>	41	12	1	0	0	0	0	54
TOTALS	3,222	108	11	10	11	1	0	3,363

*Matters are “closed” upon vacancy of office for reasons other than resignation. “Action” includes determinations of admonition, censure and removal from office by the Commission.

*Bias complaints are subcategorized as allegations involving a particular litigant or attorney (“Individuals”) and those involving broader identity-based categories such as race, culture, gender identity, religion or ethnicity (“Identity”).

ALL COMPLAINTS CONSIDERED IN 2025: 3,363 NEW & 212 PENDING FROM 2024								
SUBJECT OF COMPLAINT	DISMISSED ON FIRST REVIEW OR PRELIMINARY INQUIRY	STATUS OF INVESTIGATED COMPLAINTS						TOTALS
		<i>PENDING</i>	<i>DISMISSED</i>	<i>CAUTION</i>	<i>RESIGNED</i>	<i>CLOSED*</i>	<i>ACTION*</i>	
<i>INCORRECT RULING</i>	1,762							1,726
<i>NON-JUDGES</i>	864							864
<i>DEMEANOR</i>	105	36	18	10	9	0	5	183
<i>DELAYS</i>	72	7	2	0	0	0	0	81
<i>CONFLICT OF INTEREST</i>	52	15	4	3	3	1	1	79
<i>BIAS (TOTALS)*</i>	79	10	0	3	3	0	2	97
<i>INDIVIDUALS</i>	57	5	0	2	1	0	0	65
<i>IDENTITY</i>	22	5	0	1	2	0	2	32
<i>CORRUPTION</i>	85	6	2	0	1	0	0	94
<i>INTOXICATION</i>	2	0	0	0	7	0	0	9
<i>DISABILITY/QUALIFICATIONS</i>	1	2	0	0	1	1	0	5
<i>POLITICAL ACTIVITY</i>	6	22	5	4	1	1	1	40
<i>FINANCES/RECORDS/TRAINING</i>	18	10	10	4	3	6	0	51
<i>TICKET-FIXING</i>	0	1	1	0	0	0	2	4
<i>ASSERTION OF INFLUENCE</i>	0	18	3	4	4	0	3	32
<i>VIOLATION OF RIGHTS</i>	135	49	14	8	10	1	0	217
<i>MISCELLANEOUS</i>	41	14	1	1	0	0	0	57
TOTALS	3,222	190	60	37	42	10	14	3,575

*Matters are “closed” upon vacancy of office for reasons other than resignation. “Action” includes determinations of admonition, censure and removal from office by the Commission.

*Bias complaints are subcategorized as allegations involving a particular litigant or attorney (“Individuals”) and those involving broader identity-based categories such as race, culture, gender identity, religion or ethnicity (“Identity”).

ALL COMPLAINTS CONSIDERED SINCE THE COMMISSION'S INCEPTION IN 1975								
SUBJECT OF COMPLAINT	DISMISSED ON FIRST REVIEW OR PRELIMINARY INQUIRY	STATUS OF INVESTIGATED COMPLAINTS						TOTALS
		<i>PENDING</i>	<i>DISMISSED</i>	<i>CAUTION</i>	<i>RESIGNED</i>	<i>CLOSED*</i>	<i>ACTION*</i>	
<i>INCORRECT RULING</i>	36,303							36,303
<i>NON-JUDGES</i>	12,438							12,438
<i>DEMEANOR</i>	4,790	36	1,458	401	198	149	297	7,329
<i>DELAYS</i>	1,978	7	216	116	45	24	34	2,420
<i>CONFLICT OF INTEREST</i>	1,072	15	558	205	81	38	152	2,121
<i>BIAS*</i>	2,457	10	321	74	46	27	44	2,979
<i>CORRUPTION</i>	1,230	6	161	15	57	24	47	1,540
<i>INTOXICATION</i>	89	0	43	8	26	7	35	208
<i>DISABILITY/QUALIFICATIONS</i>	76	2	38	2	32	19	6	175
<i>POLITICAL ACTIVITY</i>	520	22	409	286	43	40	62	1,382
<i>FINANCES/RECORDS/TRAINING</i>	421	10	432	274	197	117	119	1,570
<i>TICKET-FIXING</i>	28	1	97	161	50	63	174	574
<i>ASSERTION OF INFLUENCE</i>	268	18	245	114	61	25	92	823
<i>VIOLATION OF RIGHTS</i>	3,152	49	746	278	175	93	132	4,625
<i>MISCELLANEOUS</i>	1,021	14	290	96	49	54	65	1,589
TOTALS	65,843	190	5,014	2,030	1,060	680	1,259	76,076

* Matters are “closed” upon vacancy of office for reasons other than resignation. “Action” includes determinations of admonition, censure and removal from office by the Commission since its inception in 1978, as well as suspensions and disciplinary proceedings commenced in the courts by the temporary and former commissions on judicial conduct operating from 1975 to 1978.

*Beginning in 2020, the Commission began dividing bias complaints into two sub-categories: allegations involving a particular litigant or attorney and those based on broader identity-related factors such as race, culture, religion, gender identity, or ethnicity. Because Chart 4 reports cumulative figures from the Commission’s inception, the figures reflect the combined number of bias complaints.



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