

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

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

CHERYL COLEMAN,

STIPULATION

a Judge of the Albany City Court,
Albany County.

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THE FOLLOWING IS HEREBY STIPULATED by and
between Robert H. Tembeckjian, Administrator and Counsel to the
Commission on Judicial Conduct (hereinafter "Commission"), the
Honorable Cheryl Coleman, the respondent in this proceeding, and her
attorneys William J. Dreyer and Larry J. Rosen.

1. This Stipulation is presented to the Commission in connection with a formal proceeding pending against respondent.
2. Respondent has been a Judge of the Albany City Court, Albany County, since January 1, 2002. Respondent is an attorney and was admitted to the bar of the State of New York in 1986. Prior to becoming a judge, respondent served as an Assistant District Attorney in Albany County.
3. In December 2003, respondent was served by the Commission with a Formal Written Complaint, alleging *inter alia* that in March 2003, respondent improperly asserted the prestige and influence of

her judicial office during a personal dispute between respondent and four women at a concert at the Pepsi Arena in Albany, which resulted in the arrest of the four women; that in August 2002, respondent was discourteous to an attorney during a small claims hearing in which the attorney was representing a party and that respondent improperly found the attorney in contempt; that in September 2002, respondent was discourteous to a *pro se* defendant charged with parking violations; and that in October 2002, respondent was undignified and discourteous to the claimant in a small claims matter.

4. In May 2004, the Commission served Judge Coleman with a Supplemental Formal Written Complaint, which alleged that in August 2002, during the course of an arraignment of a defendant on felony and misdemeanor charges, respondent was impatient, discourteous and undignified toward the defendant, and summarily sentenced the defendant to 300 days in jail for ten counts of contempt.

5. The Commission designated C. Bruce Lawrence, Esq., as referee to hear and report to the Commission with respect to all of the charges against respondent. The referee has scheduled a hearing to be held in August 2004.

6. Respondent tendered her resignation, dated June 10, 2004, effective August 13, 2004, and affirms that she will neither seek nor accept judicial office at any time in the future. A copy of respondent's

letter of resignation is attached.

7. Pursuant to law, the Commission has 120 days from the date of a judge's resignation to complete the proceedings, and if the Commission determines that the judge should be removed from office, file a determination with the Court of Appeals.

8. All parties to this Stipulation respectfully request that the Commission close the pending matter based upon this Stipulation.

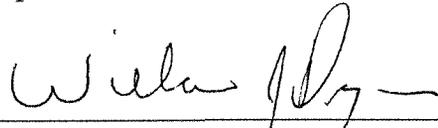
9. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law to the limited extent that this Stipulation will be made public if accepted by the Commission.

Dated: 6/10/04



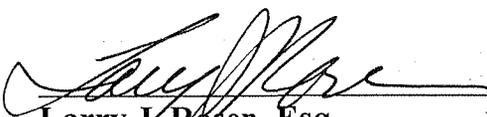
Honorable Cheryl Coleman
Respondent

Dated: 6/10/04



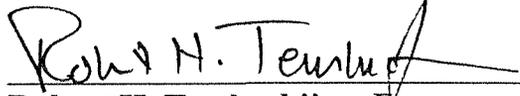
William J. Dreyer, Esq.
Attorney for Respondent
Dreyer Boyajian, LLP

Dated: 6/10/04



Larry J. Rosen, Esq.
Attorney for Respondent

Dated: 6/10/2004



Robert H. Tembeckjian, Esq.
Administrator & Counsel to the Commission



ALBANY CITY COURT
CIVIL PART
ROOM 209, CITY HALL
ALBANY, N.Y. 12207
(518) 434-5115

JUDGES
E. DAVID DUNCAN
JOHN C. EGAN JR.
CHERYL F. COLEMAN
WILLIAM A. CARTER

LINDA FILE
CHIEF CLERK

June 10, 2004

Hon. Jonathan Lippman, Chief Administrative Judge
25 Beaver Street
New York City, New York 10004

Dear Judge Lippman,

The ease with which I made the transition from prosecutor to defense attorney did not prepare me for the difficulties in transitioning from advocate to judge. The qualities which had made me so successful as a lawyer were the same qualities which had enabled me to survive the toughest blows that life can, and did, hand out.

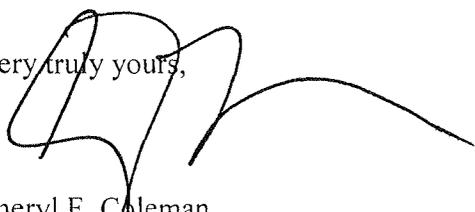
Unfortunately, these same traits were my weaknesses as a judge. In the beginning, my instinct was to confront, to cross-examine, and to meet disrespect with sarcasm or confrontation. My inability to back down when confronted, both on and off the bench, made some question whether I was right for the job.

Of course, I was determined to prove them wrong. For over a year, I tried as hard as I could to fight my instincts and display the kind of even-tempered calmness and patience the position requires. I learned how to diffuse and de-escalate situations. While everyone noticed the change, I felt overwhelmingly at odds with myself. I felt like I was constantly holding back, thinking one thing but saying another; feeling like I would burst. I began to wonder why I had left something I was great at to do something in which I had to try as hard as I could just to be adequate. Ironically, my professional self-esteem was at an all-time low.

Fortunately, what sets me apart from most is not that I don't have weaknesses, but that I have always managed to face up to them, and thus become stronger. Over the last several months, I have made peace with myself by acknowledging who I am, and who I am not. I am not a judge; Not really.

Kindly accept my resignation from my position as Albany City Court Judge effective at close of business, August 13, 2004.

Very truly yours,


Cheryl F. Coleman
Albany City Court Judge