

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

JOHN W. HALLETT,

STIPULATION

A Justice of the LeRay 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 John W. Hallett ("Respondent"), as follows:

1. Respondent was admitted to the practice of law in New York in 1989. He has been a Justice of the LeRay Town Court, Jefferson County, since August 2003. His current term expires December 31, 2019.
2. Respondent was served with a Formal Written Complaint dated August 16, 2018, containing one charge, alleging that between January and June 2017, he made homophobic and/or otherwise inappropriate remarks and gestures to attorney Terence M. Brennen at the Jefferson County Court Complex in Watertown, New York.
3. The Formal Written Complaint is appended as Exhibit 1.
4. Respondent enters into this Stipulation in lieu of filing an Answer to the Formal Written Complaint.
5. Respondent tendered his resignation as LeRay Town Justice by letter dated November 15, 2018, addressed to the LeRay Town Clerk and copied to the Office of the

Administrative Judge, Fifth Judicial District. Respondent's resignation will become effective December 31, 2018. A copy of the resignation letter is appended as Exhibit 2.

6. Pursuant to Section 47 of the Judiciary Law, the Commission has 120 days from a judge's resignation to complete proceedings and, if it so determines, render and file a determination that the judge should be removed from office.


7. Respondent affirms that, upon vacating his judicial office, 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, the present proceeding before the Commission will be revived and the matter will 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. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (1) this Stipulation will become public upon being signed by the signatories below, and (2) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 11-14-18


Honorable John W. Hallett
Respondent

Dated: Nov. 26, 2018

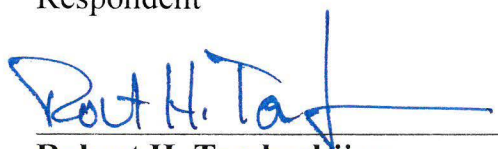

Robert H. Tembeckjian
Administrator and Counsel to the Commission
(John J. Postel and M. Kathleen Martin, Of Counsel)

EXHIBIT 1

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

JOHN W. HALLETT

a Justice of the LeRay Town Court,
Jefferson County.

**NOTICE OF FORMAL
WRITTEN COMPLAINT**

NOTICE is hereby given to Respondent, John W. Hallett, a Justice of the LeRay Town Court, Jefferson County, pursuant to Section 44, subdivision 4, of the Judiciary Law, that the State Commission on Judicial Conduct has determined that cause exists to serve upon Respondent the annexed Formal Written Complaint; and that, in accordance with said statute, Respondent is requested within twenty (20) days of the service of the annexed Formal Written Complaint upon him to serve the Commission at its Rochester office, 400 Andrews Street, Suite 700, Rochester, New York 14604, with his verified Answer to the specific paragraphs of the Complaint.

Dated: August 16, 2018
New York, New York

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway
Suite 1200
New York, New York 10006
(646) 386-4800

To: Honorable John W. Hallett
LeRay Town Court
8650 LeRay Street
Evan Mills, New York 13637

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

**FORMAL
WRITTEN COMPLAINT**

JOHN W. HALLETT

a Justice of the LeRay Town Court,
Jefferson County.

1. Article 6, Section 22, of the Constitution of the State of New York establishes a Commission on Judicial Conduct ("Commission"), and Section 44, subdivision 4, of the Judiciary Law empowers the Commission to direct that a Formal Written Complaint be drawn and served upon a judge.

2. The Commission has directed that a Formal Written Complaint be drawn and served upon John W. Hallett ("Respondent"), a Justice of the LeRay Town Court, Jefferson County.

3. The factual allegations set forth in Charge I state acts of judicial misconduct by Respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct ("Rules").

4. Respondent was admitted to the practice of law in New York in 1989. He has been a Justice of the LeRay Town Court, Jefferson County, since August 2003. His current term expires on December 31, 2019.

CHARGE I

5. From on or about January 24, 2017, to on or about June 28, 2017, Respondent made homophobic and/or otherwise inappropriate remarks and gestures to attorney Terrence M. Brennen at the Jefferson County Court Complex in Watertown, New York.

Specifications to Charge I

6. Terrence M. Brennen is a Senior Assistant County Attorney in Jefferson County. At all times relevant to the matters herein, he was employed by the County Attorney's Office of Jefferson County.

7. On or about January 24, 2017, at the Jefferson County Court Complex in Watertown, New York, Respondent made the following statements while conversing with Mr. Brennen:

- A. Respondent told Mr. Brennen that a winter film festival Mr. Brennen was promoting "is about the gayest thing I have ever heard."
- B. Respondent told Mr. Brennen, "You and Viggo Mortensen should get a hotel room and suck each other's dicks." Mr. Mortensen was the festival's honoree and had been mentioned previously by Mr. Brennen when he was promoting the festival on a local television show.

8. On or about June 28, 2017, at the Jefferson County Court Complex in Watertown, New York, Respondent engaged in the following conduct while conversing with Mr. Brennen:

- A. Respondent made a gesture with his hand to his mouth to connote oral sex.
- B. Respondent thereafter patted Mr. Brennen lightly on the cheek and stated, "there, there, little boy."

9. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that he failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to conduct his extra-judicial activities so as to minimize the risk of conflict with judicial obligations, in that he failed to conduct his extra-judicial activities so that they would not cast reasonable doubt on his capacity to act impartially as a judge, detract from the dignity of judicial office, and be incompatible with judicial office, in violation of Sections 100.4(A)(1), (2) and (3) of the Rules.

WHEREFORE, by reason of the foregoing, the Commission should take whatever further action it deems appropriate in accordance with its powers under the Constitution and the Judiciary Law of the State of New York.

Dated: August 16, 2018
New York, New York



ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway
Suite 1200
New York, New York 10006
(646) 386-4800

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

VERIFICATION

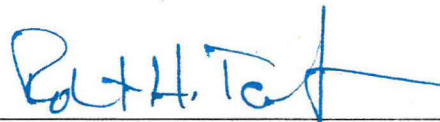
JOHN W. HALLETT

a Justice of the LeRay Town Court,
Jefferson County.

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)


ROBERT H. TEMBECKJIAN, being duly sworn, deposes and says:

1. I am the Administrator of the State Commission on Judicial Conduct.
2. I have read the foregoing Formal Written Complaint and, upon information and belief, all matters stated therein are true.
3. The basis for said information and belief is the files and records of the State Commission on Judicial Conduct.



Robert H. Tembeckjian

Sworn to before me this
16th day of August 2018



Notary Public

KAREN KOZAC REITER
Notary Public, State of New York
No. 02RE6171500
Qualified in New York County
Commission Expires November 2, 2019

EXHIBIT 2

John W. Hallett
[REDACTED]
[REDACTED]

RECEIVED

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NYS COMMISSION ON
JUDICIAL CONDUCT - ROC

Mr. Ronald Taylor
Town of LeRay Supervisor
8650 LeRay Street
Evans Mills, NY 13637

November 14, 2018

Dear Mr. Taylor,

Please accept this as my letter of resignation effective December 31, 2018. I would like to thank you for allowing me to serve as Town Justice and for your continuous leadership. I would also like to thank Mary for her fine organizational skills. Most importantly I would like to thank Lisa and Ashley for their service as court clerks, jobs as which they have held with the highest of professional integrity.

Very Truly Yours,


John W. Hallett