

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 O. HEWLETT,

STIPULATION

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

THE FOLLOWING IS HEREBY STIPULATED by and between

Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct (hereinafter "Commission"), the Honorable George O. Hewlett, the respondent in this proceeding, and his attorney James P. Bessette.

1. This Stipulation is presented to the Commission in connection with a formal proceeding pending against respondent.
2. Respondent has been a Justice of the Potsdam Town Court, St. Lawrence County, since 1992. He is not an attorney.
3. On or about November 12, 2005, respondent was served by the Commission with a Formal Written Complaint, alleging *inter alia* that: (1) respondent granted default judgments to plaintiffs in approximately 44 cases without requiring the submission of the necessary documentation of the default upon which the judgment is based, as required by law; (2) respondent engaged in unauthorized *ex parte* communications with defendants in the absence of plaintiffs or plaintiffs' counsel, and entered judgments on the basis of information elicited from those improper *ex parte* communications, in 14 cases; (3) respondent failed to afford *pro se* defendants in 15 cases

full and fair opportunity to be heard by entering judgments against defendants after an appearance, without scheduling trials or requiring the plaintiffs to appear or file motions for summary judgment to which the defendants could respond; (4) in two contested matters in which respondent held hearings, respondent failed to afford the defendants the opportunity to present evidence or cross-examine plaintiffs' witnesses before entering judgments in favor of the plaintiffs; (5) respondent failed to disqualify himself or otherwise disclose to the parties his relationship to a relative of respondent within the sixth degree who appeared in court to testify as a witness on behalf of the plaintiff in two matters; (6) respondent failed to transfer a criminal matter to the court of proper jurisdiction and granted a default judgment to the claimant in a small claims matter in which the attorney for the corporate respondent appeared, notwithstanding that the law provides that a corporate defendant may appear by counsel; and (7) for a period of over three months, respondent banned an attorney from appearing before him.

4. Respondent did not file an Answer to the Formal Written Complaint.

5. Respondent has tendered his resignation, effective February 17, 2006, and affirms that he will neither seek nor accept judicial office at any time in the future. A copy of respondent's letter of resignation is attached.

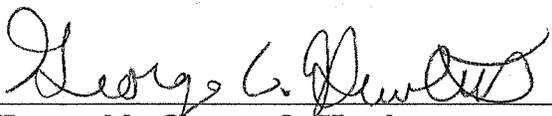
6. Pursuant to law, the Commission has 120 days from the date of a judge's resignation to complete the proceedings, and if the Commission determines that the judge should be removed from office, to file a determination with the Court of Appeals.

Pursuant to law, removal from office disqualifies a judge from holding judicial office in the future.

7. In view of respondent's resignation and affirmation that he will neither seek nor accept judicial office in the future, all parties to this Stipulation respectfully request that the Commission close the pending matter based upon this Stipulation.

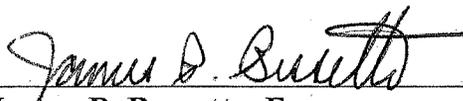
8. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law to the limited extent that this Stipulation will be made public if accepted by the Commission.

Dated: 03/27/06



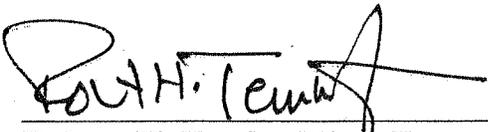
Honorable George O. Hewlett
Respondent

Dated:



James P. Bessette, Esq.
Fischer, Bessette, Muldowney & Hunter LLP
Attorney for Respondent

Dated: 4/6/06

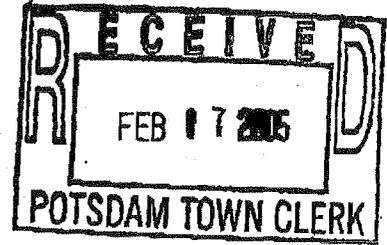


Robert H. Tembeckjian, Esq.
Administrator & Counsel to the Commission
(Kathryn J. Blake, Of Counsel)

04/A-091
05/A-001

RECEIVED
POTSDAM TOWN SUPERVISOR

DATE 2/17/06



Town of Potsdam
Potsdam Town Justice Court
35 Market St.
Potsdam, NY 13676

Telephone: (315) 265-4318
Fax: (315) 268-0634

Justice: George O. Hewlett
Justice: James A. Mason
Court Clerk: Mary Jo Guyette

February 17, 2006

Marie Regan & Potsdam Town Board
Town of Potsdam
35 Market Street
Potsdam, NY 13676

Dear Sir/Madam:

I respectfully submit my resignation as Potsdam Town Justice for personal reasons.

It will be effective upon your receipt of this letter.

Very truly yours,

George O. Hewlett
Potsdam Town Justice

cc: Mary Jo Guyette
Court Clerk