

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

ELISSA Y. KILLIAN,

an Acting Justice of the Liberty Village
Court, Sullivan County.

DECISION
AND
ORDER

BEFORE:

Honorable Thomas A. Klonick, Vice Chair
Stephen R. Coffey, Esq.
Colleen C. DiPirro
Richard D. Emery, Esq.
Paul B. Harding, Esq.
Honorable Jill Konviser
Honorable Karen K. Peters
Honorable Terry Jane Ruderman

APPEARANCES:

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

Honorable Elissa Y. Killian, *pro se*

The matter having come before the Commission on January 29, 2008; and
the Commission having before it the Formal Written Complaint dated January 12, 2007,
respondent's Answer dated March 12, 2007, the Second Formal Written Complaint dated
January 2, 2008, and the Stipulation dated January 23, 2008; and the Commission having


designated Steven E. North, Esq., as referee to hear and report proposed findings of fact and conclusions of law; and no hearing having been held to date; and respondent having acknowledged that she will not defend against the two pending Complaints; and respondent having affirmed that she will neither seek nor accept reappointment as an Acting Justice of the Liberty Village Court upon the expiration of her current term on April 1, 2008, and that she will neither seek nor accept judicial office or a position as a judicial hearing officer at any time in the future; and respondent having waived confidentiality as provided by Judiciary Law §45 to the limited extent that the Stipulation will be made public if approved by the Commission; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending proceeding be discontinued and the matter closed pursuant to the terms of the Stipulation; and it is

SO ORDERED.

Mr. Coffey and Judge Peters dissent and vote to reject the Stipulation.

Dated: January 31, 2008



Jean M. Savanyu, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct