

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. LACLAIR,

STIPULATION

a Justice of the Clinton Town Court,
Clinton County.

THE FOLLOWING IS HEREBY STIPULATED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct (hereinafter "Commission"), Daniel L. LaClair, the respondent in this proceeding, and his attorney Thomas W. Plimpton, Esq.

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 Clinton Town Court since 1990. He is not an attorney.
3. On September 26, 2006, respondent was served with a Formal Written Complaint, alleging that in August 2004, after being contacted by a state trooper who had arrested respondent's first cousin, once removed, respondent directed the arresting officer to file the charges in another town court, *i.e.* the Ellenburg Town Court, which did not have jurisdiction over the matter, and that respondent thereafter contacted Ellenburg Town Justice Dennis LaBombard to inform him that charges against

respondent's relative would be coming before Judge LaBombard. The Complaint alleged that 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, in violation of Section 100.2(A) of the Rules, allowed a family relationship to influence the judge's judicial conduct, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance his relative's private interest, in violation of Section 100.2(C) of the Rules; and failed to perform the duties of judicial office impartially and diligently in that he failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules, and initiated an improper *ex parte* communication concerning an impending matter, in violation of Section 100.3(B)(6) of the Rules.

4. Respondent did not answer the Formal Written Complaint.

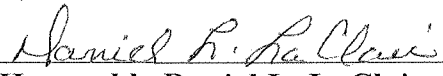
5. Respondent tendered his resignation, effective November 8, 2006, and affirms that he will neither seek nor accept judicial office at any time in the future. A copy of respondent's letter of resignation is attached to this Stipulation.

5. 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.

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

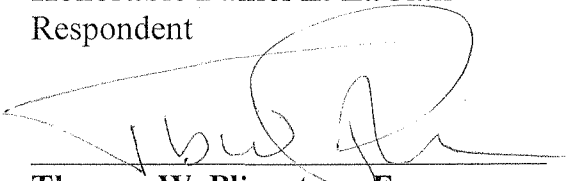
7. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law to the limited extent that this Stipulation and the Commission's decision with respect thereto will be made public if accepted by the Commission.

Dated:



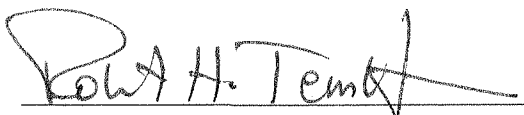
Honorable Daniel L. LaClair
Respondent

Dated:



Thomas W. Plimpton, Esq.
Attorney for Respondent

Dated: Nov. 28, 2006



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

November 8, 2006

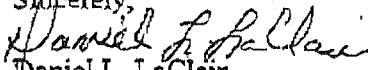
Town Board
Town of Clinton
23 Smith Street
Churubusco, NY 12923

To Town Board:

Due to present circumstances, this letter is to advise you I am retiring from my position as Town Justice effective Wednesday, November 8, 2006. My last court night was Tuesday, November 7, 2006.

I would like to take this opportunity to thank the Town Board for your support through the past 16 years. It has been a pleasure working with each of you.

Sincerely,


Daniel L. LaClair
Town Justice