



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*FOR RELEASE June 23, 2009*

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### **Former Junius Town Court Justice Stephen H. Brown Stipulates Not to Hold Judicial Office in the Future**

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The New York State Commission on Judicial Conduct has completed formal proceedings against Stephen H. Brown, a Justice of the Junius Town Court, Seneca County, who was served with formal disciplinary charges in February 2009 and resigned from judicial office on April 15, 2009.

Pursuant to a stipulation dated June 1, 2009, Judge Brown agreed never to seek or accept judicial office in the future. On that basis, the Commission proceedings were discontinued and the case was closed. Pursuant to Judiciary Law Section 47, the Commission could have determined to remove the judge from office notwithstanding his resignation, which would have disqualified him from holding judicial office in the future.

Judge Brown was publicly admonished by the Commission in December 2007 for, among other things, sending a threatening letter to the tenant in a landlord/tenant dispute after an *ex parte* request for assistance from the landlord.

Under the terms of the June 1<sup>st</sup> stipulation, Judge Brown waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation would be made public. The stipulation indicates the following:

- The judge was served with a Formal Written Complaint dated February 12, 2009, alleging that he handled a small claims action involving a neighbor and long-time friend despite lacking subject matter jurisdiction over the defendant; issued separate judgments to each party in the action; awarded each party different monetary damages, and granted unlawful equitable relief in favor of his neighbor.
- The judge waived the opportunity to file an answer to the Formal Written Complaint.
- The judge resigned from judicial office on April 15, 2009, effective May 31, 2009.

This is the 29th such stipulation since the procedure was instituted in July 2003.

The stipulation and the Commission's order closing the case can be found on the Commission's website: [www.scjc.state.ny.us](http://www.scjc.state.ny.us)

### **Counsel**

In the proceedings before the Commission, Judge Brown was represented by John P. Porter, Esq., 12 Phelps Street, Lyons, New York 14489, (315) 946-5050.

The Commission was represented by Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission, John J. Postel, Esq., Deputy Administrator for the Rochester Office, and David M. Duguay, Esq., a senior attorney. Senior Investigator Rebecca Roberts assisted in the investigation.

### **Members of the Commission**

The Commission members serve four-year terms. A list of members is appended.

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The stipulation and order are attached. They are also available for inspection during regular business hours by appointment at the Commission's three offices:

61 Broadway New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Rochester, New York 14604
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**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Hon. Thomas A. Klonick, Chair	Chief Judge Jonathan Lippman	March 31, 2013
Stephen R. Coffey, Esq., Vice Chair	Former Senate Majority Leader Joseph L. Bruno	March 31, 2011
Joseph W. Belluck, Esq.	Governor David A. Paterson	March 31, 2012
Richard D. Emery, Esq.	Former Senate Minority Leader Malcolm A. Smith	March 31, 2012
Paul B. Harding, Esq.	Former Assembly Minority Leader James Tedisco	March 31, 2013
Elizabeth B. Hubbard	Governor David A. Paterson	March 31, 2011
Marvin E. Jacob, Esq.	Assembly Speaker Sheldon Silver	March 31, 2010
Hon. Jill Konviser	Former Governor George E. Pataki	March 31, 2010
Nina M. Moore	Governor David A. Paterson	March 31, 2013
Hon. Karen K. Peters	Former Chief Judge Judith S. Kaye	March 31, 2010
Hon. Terry Jane Ruderman	Former Chief Judge Judith S. Kaye	March 31, 2012