



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

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### **Former Erie County Supreme Court Justice Joseph G. Makowski Stipulates Not to Hold Judicial Office in the Future**

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The New York State Commission on Judicial Conduct has closed its investigation of a complaint against Joseph G. Makowski, a Justice of the Supreme Court, Erie County, who resigned from judicial office in February 2009.

Pursuant to a stipulation dated May 21, 2009, Judge Makowski agreed never to seek or accept judicial office or a position as a Judicial Hearing Officer in the future. Based on the stipulation, 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.

Under the terms of the stipulation, Judge Makowski 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 Commission investigated a complaint concerning the judge's publicly reported off-the-bench action in assisting an acquaintance.
- Judge Makowski resigned as a Supreme Court Justice by letter dated February 20, 2009, to Justice Sharon S. Townsend, Administrative Judge of the Eighth Judicial District. The judge's resignation became effective March 5, 2009.

This is the 28th 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 Makowski was represented by Richard T. Sullivan, Esq., Harris Beach PLLC, 726 Exchange Place, Suite 1000, Buffalo, New York 14210, (716) 200-5050.

The Commission was represented by Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission, and John J. Postel, Esq., Deputy Administrator for the Rochester Office. 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.

### **The Public File**

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