



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT
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NEWS RELEASE

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The New York State Commission on Judicial Conduct has concluded formal proceedings against Frank R. Sphon, a justice of the French Creek Town Court, Chautauqua County, who resigned from office after being charged *inter alia* with failing to properly administer the town court from January 2006 until October 2006, not supervising his court clerk, and neglecting to keep adequate records resulting in court funds not being timely deposited.

The Commission also alleged that on one occasion Judge Sphon removed \$20 in cash on a weekend night from a court bank bag (which is used to store court funds pending their deposit into the court account) and used the money for a personal purpose.

The Commission served Judge Sphon with a Formal Written Complaint dated September 4, 2008, and Judge Sphon submitted an Answer dated October 24, 2008.

The judge resigned from office December 31, 2008, effective January 31, 2009. He submitted copies of this resignation to the French Creek Town Court and to the Office of Court Administration, and affirmed that he will not seek or accept judicial office in the future.

Under the terms of the stipulation, Judge Sphon waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation would be made public.

The stipulation and the Commission's order closing the case (dated February 2, 2009) can be found on the Commission's website: www.scjc.state.ny.us.

Counsel

Judge Sphon was represented by James P. Subjack, Esq., 2 West Main Street, Fredonia, NY 14063 (716) 672-2800. The Commission was represented by Robert H. Tembeckjian, Administrator & Counsel to the Commission, John J. Postel, Deputy Administrator for the Commission's Rochester office, and David M. Duguay, a senior attorney. Investigator Betsy Sampson 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 by appointment during regular business hours 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

MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Hon. Thomas A. Klonick, Chair	Former Chief Judge Judith S. Kaye	March 31, 2009
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.	Assembly Minority Leader James Tedisco	March 31, 2009
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
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
VACANT	Governor David A. Paterson	March 31, 2009