



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Judicial Conduct Commission Issues Annual Report Covering 2012 Activities

The New York State Commission on Judicial Conduct has released its 2013 Annual Report, covering the Commission's activities in 2012. The Commission issued 20 public decisions in 2012 – six more than in 2011.

The Commission reports that it processed 1,785 complaints in 2012, and authorized 182 full-fledged investigations. Eleven judges resigned from office while under inquiry. (Statistics are summarized below.)

The Report includes summaries and copies of the Commission's 20 public decisions, statistics for the year, overall statistics dating to the Commission's inception in 1978, summaries of litigated challenges to the Commission's procedures, and commentary on various ethics issues that arise regularly.

The Commission is the New York State government agency responsible for investigating complaints of misconduct against judges of the state unified court system and, where appropriate, disciplining such judges for ethics violations.

The Annual Report is available online at www.cjc.ny.gov.

Statistics for 2012

- 1,785 new complaints were received and processed.
- 460 preliminary inquiries were conducted.
- 182 full-fledged investigations were authorized.
- 20 public decisions were rendered:
 - 3 Removals from office
 - 9 Public Censures
 - 3 Public Admonitions
 - 5 Public Stipulations in which judges resigned and agreed to never again hold judicial office
- 11 judges resigned during Commission proceedings (including the 5 noted above).
- 27 confidential cautionary letters were issued.
- 206 matters were pending at year's end.

Comparative Statistics, Judicial Conduct Commission 2011-12 ♦ 5-Year Average			
	2012	2011	5-Year Average
Complaints	1785	1818	1881
Initial Inquiries	460	464	437
Investigations	182	172	219
Public Decisions	20	14	19
Resignations	11	15	16
Cautions	27	29	35
Pending Year-End	206	216	220

Also in the Annual Report

The Report summarizes *Matter of Holzman v Commission*, in which the Surrogate of Bronx County commenced litigation seeking to stop a pending disciplinary proceeding against him (p. 19 of the Annual Report). The Supreme Court (NY County) denied his application, and the Appellate Division, First Department, affirmed that decision. Documents pertaining to the case are available on the Commission's website. www.cjc.ny.gov.

The Report also discusses the following topics on pages 23-28:

- Setting bail in only one form.
- The importance of judges' financial disclosure obligations.
- Coercing defendants into plea bargains

The Commission's Budget

In light of the significant financial constraints on all of state government for several years, the Commission has proposed a "flat" budget of just under \$5.4 million for the sixth year in a row (p. 29 of the Annual Report).

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

"No single-year statistics tell the full story of the Commission's work. For example, there were fewer complaints and initial inquiries in 2012, but more investigations and disciplines, than there were in 2011. Measured against the last five years, the Commission's statistical record for 2012 was average."

Press Availability

Mr. Tembeckjian will be in Albany on April 18, 2013 and is available throughout the day by telephone: (518) 453-4600.

Office Addresses

The Commission's offices are located at the following addresses:

61 Broadway
Suite 1200
New York, NY 10006

Corning Tower, Suite 2301
Empire State Plaza
Albany, NY 12223

400 Andrews Street
Suite 700
Rochester, NY 14604

Commission Members in 2012

There are 11 members of the Commission on Judicial Conduct. Members, who are appointed by the Governor, Chief Judge and legislative leaders, serve 4-year terms and are eligible for re-appointment.

The following individuals served on the Commission in 2012:

Hon. Thomas A. Klonick, Chair
Hon. Terry J. Ruderman, Vice Chair
Hon. Rolando T. Acosta
Joseph W. Belluck, Esq.
Joel Cohen, Esq.
Richard D. Emery, Esq.
Paul B. Harding, Esq.
Nina M. Moore
Hon. Karen K. Peters (served until October 15, 2012)
Richard A. Stoloff, Esq.
Hon. David A. Weinstein (appointed October 15, 2012)

Jodie Corngold was appointed to the Commission on March 6, 2013, and therefore did not participate in the preparation of this Annual Report, which covers the Commission's activities in 2012.

Professor Moore's 4-year term on the Commission ended on March 31, 2013. The resulting vacancy must be filled by the Governor and by law must be a non-lawyer/non-judge.