



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Elmira City Court Judge Agrees to Resign, Ending Inquiry into Misconduct Allegations

The New York State Commission on Judicial Conduct has completed formal proceedings against Thomas E. Ramich, a Judge of the Elmira City Court, Chemung County. Pursuant to a stipulation dated March 12, 2013, Judge Ramich, who resigned by letter on that date, agreed to retire from judicial office effective May 1, 2013, and agreed not to seek or accept judicial office in the future. On that basis, the proceedings were discontinued and the matter was closed on March 14, 2013.

Under the terms of the stipulation, Judge Ramich waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and the Commission decision and order would be made public. Judge Ramich served as a Judge of the Elmira City Court since 1982.

The judge was served with a Formal Written Complaint dated April 30, 2012, containing four charges. The allegations in the Formal Written Complaint included:

- Instructing his part-time court attorney to perform personal legal services without compensation, and run personal errands;
- Telling a sexually graphic and demeaning joke about a co-judge during an award dinner;
- Requiring defendants to make financial contributions to local charities as a condition of an Adjourment in Contemplation of Dismissal or Conditional Discharge;
- Empanelling his daughter as a juror in his court and discussing her feelings about the case between the time the verdict was reached and sentencing occurred.

Judge Ramich filed an answer dated May 7, 2012, in which he denied the allegations of misconduct.

The Commission designated Gary Muldoon, a Rochester attorney, as a referee to hear and report proposed findings of fact and conclusions of law. A hearing was held from October 16, 2012 through October 18, 2012. The hearing transcript and the pleadings are attached as exhibits to the stipulation.

Judge Ramich had been censured by the Commission in 2002 for, *inter alia*, practicing law while a full-time judge, seeking *ex parte* information from the police, and failing to disqualify himself from a case after an *ex parte* discussion with the defendant's relative.

The stipulation and the Commission's order closing the case can be found on the Commission's website: www.cjc.ny.gov.

Statistics Relating to Prior Commission Decisions

The Commission has accepted 41 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 248 determinations of admonition, 304 determinations of censure and 166 determinations of removal against judges in New York State.

The Court of Appeals has reviewed 92 Commission determinations. The Court accepted the Commission's sanctions in 76 cases (67 of which were removals, six were censures and three were admonitions). Of the remaining 16 cases, two sanctions were increased from censure to removal, and 13 were reduced: nine removal determinations were modified to censure, one removal was modified to admonition, two censures were modified to admonition, and one censure was rejected and the charges dismissed. The Court remitted one matter to the Commission for further proceedings. One request for review is pending.

Press Availability

Commission Administrator Robert H. Tembeckjian will be in New York City on April 9, 2013 and is available throughout the day by telephone: (646) 386-4800.

Counsel

In the proceedings before the Commission, Judge Ramich was represented by Thomas E. Reilly, of Learned, Reilly, Learned & Hughes, LLP, 449 East Water Street, Elmira, New York 14901, (607) 734-1519.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission, John J. Postel, the Deputy Administrator in Charge of the Rochester office, and Senior Attorney M. Kathleen Martin. 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 at the Commission's three offices:

61 Broadway Suite 1200 New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Suite 700 Rochester, New York 14604
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MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Hon. Thomas A. Klonick, Chair	Chief Judge Jonathan Lippman	March 31, 2017
Hon. Terry Jane Ruderman, Vice Chair	Chief Judge Jonathan Lippman	March 31, 2016
Hon. Rolando T. Acosta	Chief Judge Jonathan Lippman	March 31, 2014
Joseph W. Belluck, Esq.	Governor Andrew M. Cuomo	March 31, 2016
Joel Cohen, Esq.	Assembly Speaker Sheldon Silver	March 31, 2014
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2015
Richard D. Emery, Esq.	Former Senate Minority Leader John L. Sampson	March 31, 2016
Paul B. Harding, Esq.	Assembly Minority Leader Brian M. Kolb	March 31, 2017
Richard A. Stoloff, Esq.	Senate President Pro Tem Dean Skelos	March 31, 2015
Hon. David A. Weinstein	Governor Andrew M. Cuomo	March 31, 2014
Vacant	Governor	March 31, 2017