



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

61 BROADWAY, SUITE 1200
NEW YORK, NEW YORK 10006

MARISA E. HARRISON
RECORDS ACCESS OFFICER

646-386-4800 646-458-0037
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

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<i>Contacts:</i>	<i>Robert H. Tembeckjian, Administrator</i> <i>(646) 386-4800</i> <i>Marisa E. Harrison, Records Access Officer</i> <i>(646) 386-4791</i>
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Wyoming County Town Justice Resigns Ending Inquiry into Misconduct Allegations

The New York State Commission on Judicial Conduct has closed its investigation of complaints against Arlene M. Brown, a Justice of the Bennington Town Court, Wyoming County, who resigned from office effective May 29, 2014, and agreed pursuant to a stipulation dated June 19, 2014, that she will neither seek nor accept judicial office at any time in the future. The Commission accepted the stipulation on July 17, 2014, concluding the matter.

Under the terms of the stipulation, Judge Brown waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation would be public upon being approved by the Commission.

The Commission had commenced investigating complaints based on allegations that Judge Brown failed to disqualify herself in certain proceedings when required, failed to exercise her judicial duties impartially and otherwise failed to perform her judicial duties properly.

Judge Brown, who is not an attorney, had served as a Justice of the Bennington Town Court since 2008. Her current term expires December 31, 2014.

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 48 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 253 determinations of admonition against judges in New York State, 310 determinations of censure and 168 determinations of removal.

The Court of Appeals has reviewed 95 Commission determinations. The Court accepted the Commission's sanctions in 79 cases (70 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.

Counsel

In the proceedings before the Commission, Judge Brown represented herself.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission, and Senior Attorney David M. Duguay. Senior Investigator Rebecca Roberts assisted in the investigation.

Background Information on Judge Brown

First took office:	2008
Current Term Expires:	December 1, 2014
Salary:	\$5,000 (Source: Town of Bennington January Meeting Minutes)

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, 2018
Joseph W. Belluck, Esq.	Governor Andrew M. Cuomo	March 31, 2016
Joel Cohen, Esq.	Assembly Speaker Sheldon Silver	March 31, 2018
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.	Former Assembly Minority Leader James Tedisco	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, 2018
Vacant	Governor	March 31, 2017