



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

*October 15, 2015*

<b><i>Contacts:</i></b>	<b><i>Robert H. Tembeckjian, Administrator</i></b> <i>(646) 386-4800</i> <b><i>Marisa E. Harrison, Records Access Officer</i></b> <i>(646) 386-4791</i>
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### **Supreme Court Justice Yvonne Lewis (Brooklyn) Agrees to Leave Bench, Ending Inquiry into Misconduct Allegations**

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The New York State Commission on Judicial Conduct has closed its investigation of complaints against Supreme Court Justice Yvonne Lewis (Kings County), who agreed in a stipulation with the Commission's Administrator to vacate her judicial office.<sup>1</sup>

Judge Lewis agreed that on October 5, 2015, she would notify the Office of Court Administration and the New York State and Local Retirement system that she would relinquish her judicial office effective December 31, 2015. Judge Lewis also stipulated that she would neither seek nor accept judicial office at any time in the future.

Under the terms of the stipulation, Judge Lewis waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and the Commission's decision and order accepting it would be made public.

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<sup>1</sup> The stipulation, which is dated September 30, 2015, was accepted by the Commission in an Order dated October 7, 2015.

On May 2, 2013, the Commission opened an investigation alleging that Judge Lewis improperly approved payments to her confidential law clerk, Kimberly Detherage, for services rendered by her as a guardian in matters pending before other judges of the court.

On December 11, 2014, the Commission authorized a second investigation based on a report of the Inspector General for the Unified Court System, alleging *inter alia* that Judge Lewis failed to adequately oversee and review Ms. Detherage's work as a guardian, improperly continued to preside over three of Ms. Detherage's matters after Ms. Detherage went to work for the judge, and approved a guardianship payment to her after hiring her as her full-time law clerk.

Judge Lewis has been a judge since 1987, when she was elected as a Judge of the Civil Court of the City of New York (Kings County). She has served as a Justice of the Supreme Court in Kings County since 1991. Since January 2015, she has served as a Supreme Court Justice pursuant to a two year certification that would expire on December 31, 2016.<sup>2</sup>

The stipulation and the Commission's order closing the case can be found on the Commission's website: [www.cjc.ny.gov](http://www.cjc.ny.gov).

### **Statistics Relating to Prior Commission Decisions**

The Commission has accepted 54 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 258 determinations of admonition against judges in New York State, 313 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.

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<sup>2</sup> She would be eligible for two additional two-year certifications, which would permit her to serve through 2020, the year she turns 76, beyond which certifications are not permitted under the Constitution.

**Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“The public interest has been served by the result in this judicial disciplinary matter and the open manner in which it was resolved.”

**Press Availability**

Mr. Tembeckjian is available throughout the day by telephone: (646) 386-4800.

**Counsel**

In the proceedings before the Commission, Judge Lewis was represented by Deborah A. Scalise of Scalise Hamilton & Sheridan LLP, 607 White Plains Road, Suite 325, Scarsdale, New York 10583, (914) 725-2801.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission and Senior Attorney Brenda Correa. Investigator Esther Carpenter 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**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
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.	Former Assembly Speaker Sheldon Silver	March 31, 2018
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
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.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Hon. David A. Weinstein	Governor Andrew M. Cuomo	March 31, 2018
Vacant	Governor	March 31, 2017