



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

June 16, 2016

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Erie County Town Justice Resigns After Conviction for Driving While Ability Impaired

The New York State Commission on Judicial Conduct announced that Evans Town Court Justice Timothy J. Cooper, who resigned from office effective March 4, 2016, agreed never to seek or accept judicial office at any time in the future. The Commission accepted a stipulation to that effect signed by the judge and the Commission's Administrator.¹

Judge Cooper was served with a Formal Written Complaint dated July 17, 2015, alleging that on April 23, 2014, he operated his automobile under the influence of alcohol and caused an accident. He was convicted of driving while ability impaired on June 16, 2014.

Judge Cooper had served as a Justice of the Evans Town Court since 1986.

Judge Cooper waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's acceptance of it would be public.

¹ The Stipulation was signed on May 10, 2016. The Commission accepted it on June 2, 2016, and has now confirmed that Judge Cooper received its decision.

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 61 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 261 determinations of admonition against judges in New York State, 316 determinations of censure and 169 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. One request for review is pending.

Counsel

In the proceedings before the Commission, Judge Cooper was represented by Terence M. Connors of Connors LLP, 1000 Liberty Building, 424 Main Street, Buffalo, New York 14202, (716) 852-5533.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; John J. Postel, Deputy Administrator in Charge of the Rochester office; and Senior Attorney David M. Duguay. Senior Investigator Rebecca Roberts assisted in the investigation.

Background Information on Judge Cooper

First took office:	1986
Current Term Expires:	12/31/2017
Salary:	\$22,644 (Source: Seethroughny.net)
Other Employment:	Support Magistrate

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
Joseph W. Belluck, Esq., Chair	Governor Andrew M. Cuomo	March 31, 2020
Paul B. Harding, Esq., Vice Chair	Assembly Minority Leader Brian M. Kolb	March 31, 2017
Hon. Rolando T. Acosta	Former Chief Judge Jonathan Lippman	March 31, 2018
Hon. Sylvia G. Ash	Chief Judge Janet DiFiore	March 31, 2020
Joel Cohen, Esq.	Former Assembly Speaker Sheldon Silver	March 31, 2018
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
Richard D. Emery, Esq.	Senate Minority Leader Andrea Stewart-Cousins	March 31, 2020
Hon. Thomas A. Klonick	Former Chief Judge Jonathan Lippman	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