



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Town Justice in Wayne County Resigns While Under Investigation After Pleading Guilty to Criminal Contempt

Michael Ralph Miller, a Justice of the Arcadia Town Court and the Newark Village Court, Wayne County, resigned while under investigation by the New York State Commission on Judicial Conduct after pleading guilty to violating a stay-away order of protection held by a former girlfriend.

In October 2020, the judge pled guilty to criminal contempt in the second degree, a misdemeanor, and was sentenced to three years' probation. The guilty plea was in satisfaction of original charges that included stalking a former girlfriend. The sentence included a five-year, no-contact final order of protection for the victim, waiver of appeal, a requirement that he attend domestic violence and mental health counseling, and payment of fees totaling \$250.

Judge Miller, who left office on April 16, 2021, 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, his attorney and the Commission's Administrator and closed its investigation.¹

¹ The Stipulation was signed on April 5, 2021. The Commission accepted it and issued an order closing the matter on April 22, 2021.

Judge Miller waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it and closing the case would be public.

Judge Miller, who is an attorney, had been a Justice of the Arcadia Town Court, and the Newark Village Court, since 2010. His current terms would have expired on December 31, 2022.

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

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“There is no room on the bench for a judge who is convicted of a serious criminal offense that arises out of stalking a former girlfriend. The public can have no confidence in a person who violates the very law he is sworn to uphold. Judge Miller's resignation and commitment never to return are entirely appropriate in these circumstances.”

Statistics Relating to Prior Commission Decisions

The Commission has accepted 105 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 278 determinations of admonition against judges in New York State, 338 determinations of censure and 175 determinations of removal.

The Court of Appeals has reviewed 101 Commission determinations. The Court accepted the Commission's sanctions in 85 cases (76 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 Miller was represented by Robert W. Zimmerman of Zimmerman and Tyo, 6 East Main Street, Shortsville, NY 14548, (585)289-4040.

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 M. Kathleen Martin. Senior Investigator Betsy Sampson was assigned to the case.

Background Information on Judge Miller

First Took Office (both courts):	2010
Current Terms Expire:	December 31, 2022

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, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Hon. Fernando M. Camacho	Chief Judge Janet DiFiore	March 31, 2024
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2025
Hon. Angela M. Mazzarelli	Chief Judge Janet DiFiore	March 31, 2022
Hon. Robert J. Miller	Governor Andrew M. Cuomo	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Ronald J. Rosenberg, Esq.	Former Senate Minority Leader John J. Flanagan	March 31, 2024
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2025
Vacant	Assembly Minority Leader William A. Barclay	March 31, 2025