



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*December 13, 2018*

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### **Town Court Justice in Chautauqua County Resigns After Being Charged with Administrative Deficiencies**

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Harmony Town Court Justice Bruce S. Scolton (Chautauqua County) has resigned while under formal charges by the New York State Commission on Judicial Conduct for failing to fulfill various judicial, administrative and financial responsibilities. Judge Scolton, who will resign from office effective December 31, 2018, has 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 and closed its formal proceeding.<sup>1</sup>

Judge Scolton was served with a Formal Written Complaint dated November 19, 2018, containing three charges alleging that he (1) failed to make timely reports and deposits of court funds to the State Comptroller, despite two previous cautionary letters for such derelictions; (2) failed to make proper notifications to the Department of Motor Vehicles as to 2,612 defendants in motor vehicle cases who were convicted, or failed to pay a fine or failed to answer the charge; (3) failed for more than three years to monitor his official court email account or

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<sup>1</sup> The Stipulation was signed on November 30, 2018. The Commission accepted it on December 6, 2018, and thereafter closed the matter.

respond to emails received by that account; and (4) failed for at least a year to activate or utilize a computer and software provided to him by the Office of Court Administration for the purpose of facilitating the court's financial and case administration.

Judge Scolton 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.

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).

### **Prior Discipline**

Judge Scolton received two Letters of Dismissal and Caution, dated February 6, 1998 and July 6, 2000, for failing to remit court funds to the state comptroller within the time required.

In 2007, Judge Scolton was admonished for delays in the disposition of six small claims cases.

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

The Commission has accepted 83 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 269 determinations of admonition against judges in New York State, 323 determinations of censure and 172 determinations of removal.

The Court of Appeals has reviewed 99 Commission determinations. The Court accepted the Commission's sanctions in 83 cases (74 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.

**Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Public confidence in the courts requires town and village justices to account scrupulously for, and timely remit, all fines and other official funds in their care. It also requires them to make prompt and accurate reports of dispositions, so that a judge in a later case, for example, may properly adjudicate and fine a repeat traffic offender.”

**Counsel**

In the proceedings before the Commission, Judge Scolton represented himself.

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. Investigator Vanessa Mangan assisted in the investigation.

**Background Information on Judge Scolton**

First took office:	1990
Term Expires:	December 31, 2021
Year admitted to NYS Bar:	1977

**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>
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, 2021
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
Taa Grays, Esq.	Senate Minority Leader Andrea Stewart-Cousins	March 31, 2020
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
Hon. Leslie G. Leach	Chief Judge Janet DiFiore	March 31, 2020
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
Richard A. Stoloff, Esq.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021