



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

CORNING TOWER, SUITE 2301
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12223

MARISA E. HARRISON
PUBLIC INFORMATION OFFICER

518-453-4600 518-299-1757
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

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Contact:

*Marisa E. Harrison, Public Information Officer
(518) 453-4600*

Westchester County Supreme Court Justice Should Be Admonished for Prohibited Out-of-Court Conversations

The New York State Commission on Judicial Conduct has determined that Supreme Court Justice Lewis J. Lubell (Westchester County) should be admonished for engaging in inappropriate communications about a case pending before another judge.

Judge Lubell agreed to the admonition.

In August 2022, Judge Lubell and a lawyer friend spoke privately about a contested matrimonial matter in which the friend was representing the plaintiff. The case was pending before Supreme Court Justice Thomas Quinones.¹ The friend complained about remarks made by Judge Quinones's law clerk during a case conference.² Judge Lubell then initiated an improper

¹ On October 3, 2024, the Commission admonished [Judge Quinones](#) for identifying himself as a judge on two pistol permit character reference letters, engaging in improper, undisclosed *ex parte* communications, and failing to timely file his financial disclosure statement.

² The law clerk, Edit Shkreli, whose official title was "court attorney," is now a New York City Civil Court judge. There is no suggestion that she engaged in any misconduct.

ex parte conversation with Judge Quinones, offering advice on the issue and subsequently asking if Judge Quinones planned to replace his law clerk.

In accepting the jointly recommended sanction of admonition, the Commission considered that the judge “acknowledged that his conduct was improper and warrants public discipline.”

Judge Lubell has been a Justice of the Supreme Court since 2006. He previously served as an Acting Justice of the Ardsley Village Court from 2003 to 2005. His current term expires on December 31, 2033.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“Public confidence in the courts is undermined when one judge privately intercedes in a case pending before another judge, to do the bidding or promote the interests of one side over the other. To his credit, Judge Lubell accepted responsibility and a public admonition for his role in this matter, as Judge Quinones also did.”

The Commission Proceedings

Judge Lubell was served with a Formal Written Complaint dated August 27, 2024, containing one charge.

On September 20, 2024, the Administrator of the Commission, Judge Lubell and his attorney entered into an Agreed Statement of Facts, stipulating to the facts and sanction and waiving further submissions and oral argument.

The Commission accepted the Agreed Statement on October 24, 2024.

The Commission Determination

The Commission filed a determination dated November 7, 2024, in which ten members concurred: Joseph W. Belluck, Esq. (the Commission Chair), Taa Grays, Esq. (the Vice Chair), Judge Fernando M. Camacho, Stefano Cambareri, Esq., Brian C. Doyle, Esq., Judge John A. Falk, Nina M. Moore,

Ph.D., Marvin Ray Raskin, Esq., Judge Anil C. Singh and Akosua Garcia Yeboah.

One member, Judge Robert J. Miller, did not participate.

Court of Appeals Review

The Commission transmitted its determination to the Chief Judge of the Court of Appeals, pursuant to Judiciary Law Section 44, subdivision 7. The Commission was notified on December 3, 2024, that Judge Lubell had received the determination. Consequently, the matter is now public.

A judge may either accept the Commission's determination or, within 30 days from receipt, make a written request to the Chief Judge for a review of the determination by the Court of Appeals.

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Lubell does not request review by the Court of Appeals, the Commission will admonish him in accordance with the determination.

If a Commission determination is reviewed by the Court of Appeals, the Court may accept the determined sanction, impose a different sanction including admonition, censure or removal, or impose no sanction.

Statistics Relating to Prior Determinations

Since 1978, the Commission has issued 286 determinations of admonition against judges in New York State. The Commission has issued 185 determinations of removal and 352 determinations of censure.

The Court of Appeals has reviewed 102 Commission determinations. The Court accepted the Commission's sanctions in 86 cases (77 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 currently pending.

Counsel

Judge Lubell was represented by Charles E. Kutner of Kutner Corrado & Friedrich, LLP, 950 Third Avenue, 11th Floor, New York, New York 10022, (917) 730-6863.

The Commission was represented by Deputy Administrator Mark Levine, Senior Attorney Vickie Ma and Investigators Christina Partida and Hamza Khan.

Background Information on Judge Lubell

First Took Office (Supreme Court):	2006
Current Term Expires:	December 31, 2033
Prior Judicial Office:	2003-2005
Acting Justice of the Ardsley Village Court	
Year Admitted to the NYS Bar:	1995

Members of the Commission

The Commission members serve four-year terms. A list of members is appended.

The Public File

The determination and other records are available on the Commission's website: www.cjc.ny.gov.

MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Joseph W. Belluck, Esq., Chair	Governor Kathy Hochul	March 31, 2028
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2027
Hon. Fernando M. Camacho	Chief Judge Rowan Wilson	March 31, 2028
Stefano Cambareri, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2025
Brian C. Doyle, Esq.	Senate Minority Leader Robert G. Ort	March 31, 2028
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Robert J. Miller	Governor Kathy Hochul	March 31, 2026
Nina M. Moore, Ph.D.	Governor Kathy Hochul	March 31, 2027
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026
Hon. Anil C. Singh	Chief Judge Rowan Wilson	March 31, 2026
Akosua Garcia Yeboah	Former Governor Andrew M. Cuomo	March 31, 2025