



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

HON. THOMAS A. KLONICK, CHAIR  
HON. TERRY JANE RUDERMAN, VICE CHAIR  
HON. ROLANDO T. ACOSTA  
JOSEPH W. BELLUCK  
JOEL COHEN  
RICHARD D. EMERY  
PAUL B. HARDING  
NINA M. MOORE  
HON. KAREN K. PETERS  
RICHARD A. STOLOFF  
MEMBERS  
JEAN M. SAVANYU, CLERK

61 BROADWAY  
NEW YORK, NEW YORK 10006  
646-386-4800 646-458-0038  
TELEPHONE FACSIMILE  
www.cjc.ny.gov

ROBERT H. TEMBECKJIAN  
ADMINISTRATOR & COUNSEL  
MARK LEVINE  
DEPUTY ADMINISTRATOR  
PAMELA TISHMAN  
PRINCIPAL ATTORNEY  
JEAN JOYCE  
ROGER J. SCHWARZ  
SENIOR ATTORNEYS  
BRENDA CORREA  
KELVIN S. DAVIS  
STAFF ATTORNEYS  
ALAN W. FRIEDBERG  
SPECIAL COUNSEL

**CONFIDENTIAL**

June 29, 2011

Ms. Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc.  
Post Office Box 3002  
Southampton, New York 11969

Re: 2011/N-0526 and 2011/N-0527

Dear Ms. Sassower:

The State Commission on Judicial Conduct has received a copy of your complaint dated June 16, 2011 addressed to the Office of Court Administration.

Your complaint will be presented to the Commission, which will decide whether or not to inquire about it. We will contact you after the Commission has reviewed the matter.

For your information we have enclosed some background material about the Commission, its jurisdiction and its limitations.

Thank you for your attention in this matter.

Very truly yours,

Kimberly Figueroa  
Administrative Assistant

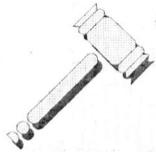
Encl.

STATE OF NEW YORK



COMMISSION  
ON  
JUDICIAL CONDUCT

# The Commission's Authority and Jurisdiction



The New York State Commission on Judicial Conduct receives and reviews written complaints of misconduct against judges of the state unified court system,

which includes State, County, Municipal, Town and Village Courts. Upon review of a complaint, the Commission decides whether to investigate or dismiss it.

The types of complaints that may be investigated by the Commission include improper demeanor, conflicts of interest, intoxication, bias, prejudice, favoritism, corruption, prohibited business or political activity, serious financial and records mismanagement and other misconduct on or off the bench. Physical or mental disability may also be investigated.

The Commission does not act as an appellate court and does not review the merits of a judge's rulings or alleged errors of law. The Commission does not have the authority, for example, to raise or reduce the amount of bail or change the sentence imposed upon a defendant. The Commission does not issue advisory opinions, give legal advice or represent litigants.

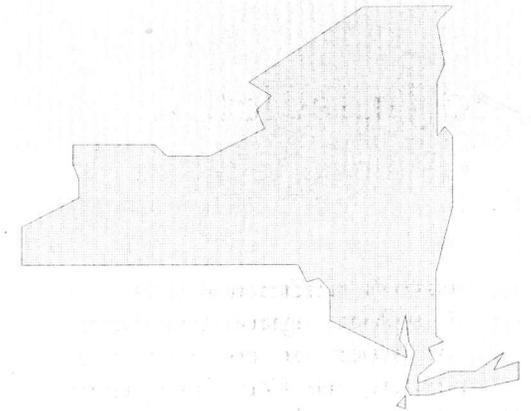
The Commission's jurisdiction is limited to judges. Complaints against other court personnel or lawyers are not investigated. When appropriate, the Commission refers complaints to other agencies.



## Disciplinary Action

Investigation of a complaint may entail such measures as interviewing witnesses, analyzing documents and getting the judge's response to the allegations. If a complaint is investigated and the allegations are not substantiated, the Commission will dismiss the complaint. If the allegations appear to have merit, the Commission may direct that formal charges be served against the judge and a formal hearing be held.

After a formal hearing, the Commission may dismiss the complaint or caution the judge privately about the matter. The Commission may also determine that the judge should be publicly admonished or censured, removed from office or, in a case of disability, retired. Determinations to admonish, censure, remove or retire a judge are subject to review by the Court of Appeals, New York State's highest court.



## Confidentiality

Commission proceedings are, by law, confidential. A matter becomes public only if the Commission has determined that the judge should be admonished, censured, removed or retired, or if the judge under formal charges has waived confidentiality.

In the course of an investigation, the judge may be given a copy of the complaint and be asked questions about it. If the Commission directs that the matter proceed to a hearing, both the judge and the complainant, as well as other witnesses, may be required to testify.

The Commission is required to notify the complainant of the disposition of the complaint.

## Answers to Commonly Asked Questions

**Q.** Does the Commission have a complaint form that I must use?

**A.** No. A signed letter detailing the allegations of misconduct and naming the judge is sufficient.

**Q.** Will the judge know that I submitted a complaint?

**A.** Perhaps. If the Commission decides to investigate your complaint, the judge is likely to be asked to respond to the allegations you made.

**Q.** Must the judge disqualify himself or herself from my case if I make a complaint?

**A.** No.

**Q.** Can the Commission direct that a judge be disqualified, or that a new trial be held, or that any other relief be granted?

**A.** No. The Commission is not a court and has no authority to grant relief to litigants.

**Q.** Will I hear further from the Commission?

**A.** Yes. The Commission is required to inform complainants of the disposition of their complaints.

## Commission Members

There are 11 Commission members, each serving a four-year term. The Governor appoints four members, the Chief Judge of the Court of Appeals appoints three, and each of the four leaders of the State Legislature appoints one. The members serve part-time. Four of the Commission members are judges, at least one must be a lawyer, and at least two must be lay people. The Commission elects one of its members to serve as chair, and it has a clerk. The Commission appoints an Administrator and Counsel, who serves full-time and hires and directs the staff.

---



---

## Commission Offices

61 Broadway, Suite 1200  
New York, New York 10006  
(Principal Office)  
(646) 386-4800

Corning Tower, Suite 2301  
Empire State Plaza  
Albany, New York 12223  
(518) 453-4600

400 Andrews Street, Suite 700  
Rochester, New York 14604  
(585) 784-4141

---



---

**Visit Our Web Site:**

[www.scjc.state.ny.us](http://www.scjc.state.ny.us)