

ANNUAL REPORT

2008

NEW YORK STATE



COMMISSION ON JUDICIAL CONDUCT

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May 12, 2008

To Governor David A. Paterson,
Chief Judge Judith S. Kaye, and
The Legislature of the State of New York:

Pursuant to Section 42, paragraph 4, of the Judiciary Law of the State of New York, the New York State Commission on Judicial Conduct respectfully submits this Annual Report of its activities, covering the period from January 1 through December 31, 2007.



Respectfully submitted,

Robert H. Tembeckjian, Administrator
On Behalf of the Commission

TABLE OF CONTENTS

Introduction to the 2008 Annual Report	1
<i>Bar Graph: Complaints, Inquiries & Investigations Since 1998</i>	1
Action Taken in 2007	2
Complaints Received	2
Pie Chart: Complaint Sources in 2007	2
Preliminary Inquiries and Investigations	3
Formal Written Complaints	3
Summary of All 2007 Dispositions	4
Table 1: Town & Village Justices	4
Table 2: City Court Judges	4
Table 3: County Court Judges	5
Table 4: Family Court Judges	5
Table 5: District Court Judges	5
Table 6: Court of Claims Judges	6
Table 7: Surrogates	6
Table 8: Supreme Court Justices	6
Table 9: Court of Appeals Judges and Appellate Division Justices	7
Table 10: Non-Judges and Others Not Within the Commission's Jurisdiction	7
Note on Jurisdiction	7
Formal Proceedings	8
Overview of 2007 Determinations	8
Determinations of Removal	8
<i>Matter of Jerome C. Ellis</i>	8
<i>Matter of Dennis LaBombard</i>	8
<i>Matter of Jean Marshall</i>	9
<i>Matter of Charles P. Myles, Jr.</i>	9
<i>Matter of Robert M. Restaino</i>	9
Determinations of Censure	9
<i>Matter of Donald W. Ballagh</i>	9
<i>Matter of Thomas P. Brooks, II</i>	9
<i>Matter of William F. Burin</i>	9
<i>Matter of Edmund V. Caplicki, Jr.</i>	10
<i>Matter Anthony J. Cavotta</i>	10
<i>Matter of Cathryn M. Doyle</i>	10
<i>Matter of Wesley R. Edwards</i>	10

Observations and Recommendations	20
Judicial Compensation	20
Financial Disclosure Obligations	23
Reference Letters by Judges	24
The Commission's Budget	29
Conclusion	30
 APPENDIX	
Biographies of Commission Members and Attorneys	33
Referees Who Served in 2007	42
The Commission's Powers, Duties and History	45
Rules Governing Judicial Conduct	57
Text of 2007 Determinations Rendered by the Commission	77
Statistical Analysis of Complaints	
Complaints Pending as of December 31, 2006	239
New Complaints Considered by the Commission in 2007	240
All Complaints Considered in 2007: 1711 New & 275 Pending from 2006	241
All Complaints Considered Since the Commission's Inception in 1975	242



THE COMMISSION'S BUDGET

In 2007, for the first time in over a generation, the Commission's budget was significantly increased, commensurate with its constitutional mandate and increasing caseload.

1/29/2007
12/14/2006
2/14/2007
After public hearings chaired in the Senate by Judiciary Committee Chairman John A. DeFrancisco, and co-chaired in the Assembly by Judiciary Committee Chairwoman Helene D. Weinstein and Codes Committee Chairman Joseph R. Lentol and attended by Governmental Operations Committee Chair RoAnn M. Destito, and after Joint Budget Hearings chaired by Assembly Ways and Means Committee Chairman Herman D. Farrell, Jr., the Legislature, with the support of the four legislative leaders – Assembly Speaker Sheldon Silver, Senate president pro tem Joseph Bruno, Assembly Minority Leader James Tedisco and Senate Minority Leader Malcolm Smith, each of whom appoints one member of the Commission – proposed an

increase in the Commission's budget from \$2.8 million to \$4.8 million. The Governor agreed, and the budget bill was signed.

In conjunction with the Division of Budget, the Commission developed and over the past fiscal year implemented a staffing and management plan to deploy these additional resources and tackle a backlog that was substantially larger than at any time since 1978, when a widespread practice of ticket-fixing, primarily in town and village courts, dramatically increased the Commission's investigative docket. Phasing in staff throughout the past year, the Commission was able to reduce the time it takes to resolve complaints and investigations and to reduce the backlog by 14%, despite processing the largest number of new complaints in its history.

A comparative analysis of the Commission's budget and staff over the years appears below in chart form.

Selected Budget Figures, 1978 to Present

FISCAL YEAR	ANNUAL BUDGET*	COMPLAINTS RECEIVED*	NEW INVESTIG'NS	PENDING YEAR END	STAFF ATTORNEYS**	STAFF INVESTIG'RS	TOTAL STAFF
1978-79	\$1,644,000	641	170	324	21	18 f/t	63
1988-89	\$2,224,000	1109	200	141	9	12 f/t, 2 p/t	41
1992-93	\$1,666,700	1452	180	141	8	6 f/t, 1 p/t	26
1996-97	\$1,696,000	1490	192	172	8	2 f/t, 2 p/t	20
2005-06	\$2,609,000	1565	260	260	10	7f/t	28½
2006-07	\$2,800,000	1500	267	275	10	7f/t	28½
2007-08	\$4,795,000	1711	192	238	17	10f/t	51

* Complaint figures are calendar year (Jan 1 – Dec 31); Budget figures are fiscal year (Apr 1 – Mar 31).

** Number includes Clerk of the Commission, who does not investigate or litigate cases.