

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivisions 1 and 2,
of the Judiciary Law in Relation to

AMBROSE P. MADDEN,

STIPULATION

a Justice of the Fenton Town Court,
Broome County.

THE FOLLOWING IS HEREBY STIPULATED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Ambrose P. Madden and his attorney, Deborah A. Scalise, of Scalise & Hamilton, P.C.

1. Judge Ambrose P. Madden has been a Justice of the Fenton Town Court, Broome County, since January 2010. His current term expires on December 31, 2021. Judge Madden is not an attorney.

2. Judge Madden was apprised by the Commission in July 2020 that it was investigating complaints alleging (A) that his improper demeanor toward and treatment of his court clerks caused three or four of them to resign, and (B) that he presided over matters involving residents of a local youth home and warned them of the consequences of misbehavior at the home, including the possibility of jail time, in the absence of counsel for the youth.

3. The Commission reviewed documents and interviewed witnesses as to both complaints, including the court clerks, and sent Judge Madden an inquiry letter dated July

22, 2020. Judge Madden enters into this Stipulation in lieu of responding to the inquiry letter. Therefore, the Commission has neither evaluated nor rendered substantive determinations as to the complaints.

4. Judge Madden has tendered his resignation by letter dated August 16, 2020, a copy of which is annexed as Exhibit 1. Judge Madden affirms that he vacated judicial office as of August 16, 2020.

5. Pursuant to Section 47 of the Judiciary Law, the Commission has 120 days from a judge's resignation to complete proceedings and, if it so determines, render and file a determination that the judge should be removed from office.

6. Judge Madden affirms that, having vacated his judicial office, he will neither seek nor accept judicial office at any time in the future.

7. Judge Madden understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission's investigation of the complaints would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Judge Madden waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (A) this Stipulation will become public upon being

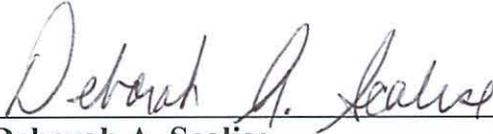
signed by the signatories below, and (B) the Commission's Decision and Order regarding this Stipulation will become public.

Dated: 9-9-2020



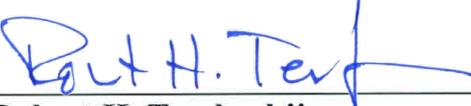
Honorable Ambrose P. Madden

Dated: 9-14-2020



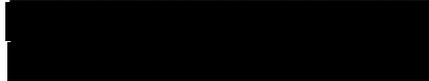
Deborah A. Scalise
Scalise & Hamilton
Attorney for Judge Madden

Dated: September 17, 2020



Robert H. Tembeckjian
Administrator and Counsel to the Commission
(Cathleen S. Cenci, Of Counsel)

HON. AMBROSE P. MADDEN



August 16, 2020

PERSONAL AND CONFIDENTIAL

Hon. Lawrence K. Marks
Chief Administrative Judge
25 Beaver Street, 11th Floor
New York, New York 10004

Re: Resignation and Retirement

Dear Judge Marks,

As you know I have been a Part- time Justice of the Fenton Town Court located at 44 Park Street, in Port Crane NY 13833, having been elected in 2009 I have served in the position since January 1, 2010. My current term expires on December 31, 2021. This is to advise that I will be vacating my judicial office and retiring effective August 16, 2020.

I have thoroughly enjoyed serving the public as a judge in the Town where I have resided all of my life. I hope that the public will look favorably upon my years of service.

Thank you for your consideration of this matter.

Respectfully,

A handwritten signature in black ink that reads "Ambrose P. Madden".

Hon. Ambrose P. Madden

cc: Hon. Janet DiFiore, Chief Judge

Hon. Vito C. Caruso, Deputy Chief Administrative Judge
Courts Outside of New York City

Hon. Eugene D. Faughnan, Administrative Judge
Sixth Judicial District

Hon. Gerald A. Keene, Supervising Judge
Sixth Judicial District

Gary J. Holcomb
Fenton Town Supervisor

EXHIBIT 1