



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Town Justice in Otsego County Charged with Various Acts of Court Mismanagement Agrees to Leave Office

The New York State Commission on Judicial Conduct has completed formal proceedings against Debra M. Whiteman, a Justice of the Cherry Valley Town Court, Otsego County. Pursuant to a stipulation dated December 4, 2009, Judge Whiteman agreed to leave judicial office upon the expiration of her term on December 31, 2009, and not to seek or accept judicial office in the future. On that basis, the proceedings were discontinued and the case was closed.

Under the terms of the stipulation, Judge Whiteman waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation would be made public. The stipulation indicates the following.

- Judge Whiteman was charged with failing to deposit approximately \$8,745 in court funds within 72 hours of receipt as required by law, with altering court records in 22 cases and with destroying documents in eight of those cases. She was also charged with failing to notify the Department of Motor

Vehicles in a timely manner so that the agency could remove suspensions placed on defendants' drivers' licenses, and of not maintaining adequate court records.

- In her Answer to the Commission's Formal Written Complaint, the judge admitted that she failed to deposit court funds within 72 hours, and acknowledged that she could not produce court financial records for 2003 and 2004, but denied the remainder of the allegations.

This is the 30th such stipulation since the procedure was instituted in July 2003.

The stipulation and the Commission's order closing the case can be found on the Commission's website: www.scjc.state.ny.us

Prior Discipline

Judge Whiteman (then named Debra McCall) was censured in 2003 for mishandling a small claims case and for failing to cooperate with the Commission.

Counsel

In the proceedings before the Commission, Judge Whiteman was represented by Dennis B. Laughlin, Esq., Tracy's Law Office, 77 Alden Street, Post Office Box 217, Cherry Valley, New York 13320-0217, (607) 264-9988.

The Commission was represented by Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission, and staff attorney Charles F. Farther, Esq. Senior Investigator Donald R. Payette and Investigator Ryan Fitzpatrick assisted in the investigation.

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 New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Rochester, New York 14604
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MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT

Member	Appointing Authority	Term End
Hon. Thomas A. Klonick, Chair	Chief Judge Jonathan Lippman	March 31, 2013
Stephen R. Coffey, Esq., Vice Chair	Former Senate President Pro Tem Joseph L. Bruno	March 31, 2011
Joseph W. Belluck, Esq.	Governor David A. Paterson	March 31, 2012
Richard D. Emery, Esq.	Former Senate Minority Leader Malcolm A. Smith	March 31, 2012
Paul B. Harding, Esq.	Former Assembly Minority Leader James Tedisco	March 31, 2013
Elizabeth B. Hubbard	Governor David A. Paterson	March 31, 2011
Hon. Jill Konviser	Former Governor George E. Pataki	March 31, 2010
Nina M. Moore	Governor David A. Paterson	March 31, 2013
Hon. Karen K. Peters	Former Chief Judge Judith S. Kaye	March 31, 2010
Hon. Terry Jane Ruderman	Former Chief Judge Judith S. Kaye	March 31, 2012
Vacant	Assembly Speaker Sheldon Silver	March 31, 2010