



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*November 5, 2013*

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### **Genesee County Town Justice Resigns, Ending Inquiry into Misconduct Allegations**

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The New York State Commission on Judicial Conduct has completed formal proceedings against Robert E. Alexander, a Justice of the Pembroke Town Court, and former Justice of the Corfu Village Court, Genesee County. Pursuant to a stipulation dated October 29, 2013, Judge Alexander, who resigned by letter dated October 29, 2013, agreed to vacate judicial office effective November 15, 2013, and agreed not to seek or accept judicial office in the future. On that basis, the proceedings were discontinued and the matter was closed on October 31, 2013.

Under the terms of the stipulation, Judge Alexander, who is not an attorney, waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission decision and order would be made public.

Judge Alexander had served as a Justice of the Corfu Village Court from 1989 to April 2013. The judge had served as a Justice of the Pembroke Town Court since 2006; his current term expires on December 31, 2013. By order of the Court of Appeals dated August 22, 2013, Judge Alexander was suspended with pay from

the office of Justice of the Pembroke Town Court and by order dated September 17, 2013, the judge's suspension was continued.

Judge Alexander was served with a Formal Written Complaint dated September 12, 2013, containing three charges, alleging that he failed to properly supervise his court clerk, which resulted in missing court funds, failed to provide receipts for funds received in over 370 traffic cases, and failed to report cases and remit funds to the State Comptroller in a timely manner. The judge was also charged with routinely granting reductions in traffic cases for the purpose of directing fine revenues to the Corfu Village Court rather than the state treasury, and failing to obtain prior approval by the Chief Administrator of the Courts for the employment of his daughter to serve as the Corfu Village Court Clerk, as required by law.

Judge Alexander denied the allegations in the Formal Written Complaint.

The stipulation and the Commission's order closing the case can be found on the Commission's website: [www.cjc.ny.gov](http://www.cjc.ny.gov).

### **Statistics Relating to Prior Commission Decisions**

The Commission has accepted 44 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 251 determinations of admonition against judges in New York State, 307 determinations of censure and 167 determinations of removal.

The Court of Appeals has reviewed 93 Commission determinations. The Court accepted the Commission's sanctions in 77 cases (68 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 pending.

### **Press Availability**

Mr. Tembeckjian will be in New York City on November 5, 2013, and is available throughout the day by telephone: (646) 386-4800.

**Counsel**

In the proceedings before the Commission, Judge Alexander represented himself.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission, and Senior Attorney David M. Duguay. Investigator Vanessa Mangan assisted in the investigation.

**Background Information on Judge Alexander**

First took office:	2006
Current Term Expires:	December 31, 2013
Judicial Salary:	\$28,564.80 (Source: Town of Pembroke 2013 Salary Schedule)
Prior Judicial Office:	Corfu Village Court (1989-2013)

**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 Suite 1200 New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Suite 700 Rochester, New York 14604
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**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Hon. Thomas A. Klonick, Chair	Chief Judge Jonathan Lippman	March 31, 2017
Hon. Terry Jane Ruderman, Vice Chair	Chief Judge Jonathan Lippman	March 31, 2016
Hon. Rolando T. Acosta	Chief Judge Jonathan Lippman	March 31, 2014
Joseph W. Belluck, Esq.	Governor Andrew M. Cuomo	March 31, 2016
Joel Cohen, Esq.	Assembly Speaker Sheldon Silver	March 31, 2014
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2015
Richard D. Emery, Esq.	Former Senate Minority Leader John L. Sampson	March 31, 2016
Paul B. Harding, Esq.	Former Assembly Minority Leader James Tedisco	March 31, 2017
Richard A. Stoloff, Esq.	Senate President Pro Tem Dean Skelos	March 31, 2015
Hon. David A. Weinstein	Governor Andrew M. Cuomo	March 31, 2014
Vacant	Governor	March 31, 2017