



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

June 30, 2020

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Town Court Justice in Monroe County Should Be Admonished for Delay in Rendering Decisions

The New York State Commission on Judicial Conduct has determined that David T. Corretore, a Justice of the Webster Town Court, Monroe County, should be admonished for failing to render decisions in a timely fashion.

Judge Corretore agreed to the admonition.

Between May 2015 and October 2018, Judge Corretore delayed rendering decisions in six small claims matters for between five and 47 months. Section 1304 of the Uniform Justice Court Act requires that in non-jury trials the court must render a judgement within 30 days.

In accepting the jointly recommended sanction of admonition, the Commission noted that the judge has since instituted a case tracking system and has acknowledged that his conduct warranted public discipline.

Judge Corretore, who is an attorney, has served as a Justice of the Webster Town Court since 1988. His current term expires on December 31, 2023.

*June 30, 2020***Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Public confidence in the courts requires that justice not be unduly delayed, even in a small claims case, which is often very consequential to the litigants. Reasonable deliberation by the judge is responsible and expected, but by any measure, four years is too long to render a decision. To his credit, Judge Corretore squarely accepted responsibility and undertook management measures to avoid such delays in the future.”

The Commission Proceedings

Judge Corretore was served with a Formal Written Complaint dated May 11, 2020, containing one charge.

On May 28, 2020, the Administrator of the Commission and Judge Corretore entered into an Agreed Statement of Facts, stipulating to the facts and sanction and waiving further submissions and oral argument.

The Commission accepted the Agreed Statement on June 11, 2020.

The Commission Determination

The Commission filed a determination dated June 22, 2020, in which nine members concurred: Joseph W. Belluck, Esq. (the Commission Chair), Taa Grays, Esq. (the Vice Chair), Jodie Corngold, Paul B. Harding, Esq., Judge Leslie G. Leach, Judge Angela M. Mazzarelli, Judge Robert J. Miller, Marvin Ray Raskin, Esq., and Ronald J. Rosenberg, Esq.

Two members, Judge John A. Falk and Akosua Garcia Yeboah did not participate.

Court of Appeals Review

The Commission transmitted its determination to the Chief Judge of the Court of Appeals, pursuant to Judiciary Law Section 44, subdivision 7. Judge Corretore received it on June 25, 2020, and the Commission was subsequently notified by the Court of Appeals that service was complete. Consequently, the matter is now public.

A judge may either accept the Commission's determination or, within 30 days from receipt, make a written request to the Chief Judge for a review of the determination by the Court of Appeals.

June 30, 2020

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Corretore does not request review by the Court of Appeals, the Commission will admonish him in accordance with the determination.

If a Commission determination is reviewed by the Court of Appeals, the Court may accept the determined sanction, impose a different sanction including admonition, censure or removal, or impose no sanction.

Statistics Relating to Prior Determinations

Since 1978, the Commission has issued 273 determinations of admonition against judges in New York State. The Commission has issued 175 determinations of removal and 333 determinations of censure.

The Court of Appeals has reviewed 100 Commission determinations. The Court accepted the Commission's sanctions in 84 cases (75 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.

Counsel

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

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; John J. Postel, Deputy Administrator in Charge of the Rochester office; and Senior Attorney M. Kathleen Martin. Senior Investigator Betsy Sampson was assigned to the case.

Background Information on Judge Corretore

First took office:	1988
Current Term Expires:	December 31, 2023
Year Admitted to NYS Bar:	1983

Members of the Commission

The Commission members serve four-year terms. A list of members is appended.

*June 30, 2020***The Public File**

The determination is attached. The record of the proceedings upon which the determination is based is available for inspection by appointment 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

Member	Appointing Authority	Term End
Joseph W. Belluck, Esq., Chair	Governor Andrew M. Cuomo	March 31, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
Paul B. Harding, Esq.	Former Assembly Minority Leader Brian M. Kolb	March 31, 2021
Hon. Leslie G. Leach	Chief Judge Janet DiFiore	March 31, 2024
Hon. Angela M. Mazzaelli	Chief Judge Janet DiFiore	March 31, 2022
Hon. Robert J. Miller	Governor Andrew M. Cuomo	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Ronald J. Rosenberg, Esq.	Senate Minority Leader John J. Flanagan	March 31, 2024
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021