



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

61 BROADWAY, SUITE 1200
NEW YORK, NEW YORK 10006

MARISA E. HARRISON
PUBLIC RECORDS OFFICER

646-386-4800 646-458-0037
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

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Contact:

Marisa E. Harrison, Public Records Officer
(518) 288-8658

Utica City Court Judge Should Be Admonished for a Second Late Financial Disclosure Filing

The New York State Commission on Judicial Conduct has determined that Ralph J. Eannace, Jr., a Judge of the Utica City Court, Oneida County, should be admonished for failing to file a mandatory financial disclosure form in a timely fashion, without excuse, despite a prior caution for the same offense.

Judge Eannace agreed to the public discipline.

Judge Eannace failed to file his 2018 financial disclosure statement with the Ethics Commission for the Unified Court System, which was due May 15, 2019, as required by law. The judge, who received two formal notices from the Ethics Commission after missing the deadline, eventually filed his statement nearly four months late.

Judge Eannace was cautioned by the Commission in 2014 for failing to file his 2013 form in a timely fashion.

The Commission found that the judge should have been “particularly attentive to his financial disclosure obligations” in light of his prior caution for the same misconduct.

Judge Eannace has been a Judge of the Utica City Court since 2003. His current term expires on December 31, 2023.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“The timely submission of accurate financial disclosure statements is a significant judicial obligation intended, among other things, to assure the public that a judge has no personal or economic stake in a case, and to provide lawyers and litigants with necessary information to decide whether to seek the judge’s recusal. Having previously been warned after a late filing, Judge Eannace should have known better than to repeat the offense.”

The Commission Proceedings

Judge Eannace was served with a Formal Written Complaint dated June 18, 2020, containing one charge.

On August 13, 2020, the Administrator of the Commission and Judge Eannace and Judge Eannace’s attorney 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 September 17, 2020.

The Commission Determination

The Commission filed a determination dated September 28, 2020, in which ten members concurred: Joseph W. Belluck, Esq. (the Commission Chair), Taa Grays, Esq. (the Vice Chair), Jodie Corngold, Judge John A. Falk, Paul B. Harding, Esq., Judge Leslie G. Leach, Judge Angela M. Mazzarelli, Marvin Ray Raskin, Esq., Ronald J. Rosenberg, Esq., and Akosua Garcia Yeboah.

One member, Judge Robert J. Miller, 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 Eannace received it on October 1, 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.

Pursuant to Judiciary Law Section 44, subdivision 7, if Judge Eannace 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 275 determinations of admonition against judges in New York State. The Commission has issued 175 determinations of removal and 337 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

Judge Eannace was represented by Robert F. Julian, 2037 Genesee Street, Suite 2, Utica, NY 13501 (315) 797-5610.

The Commission was represented by Administrator and Counsel Robert H. Tembeckjian; Cathleen S. Cenci, Deputy Administrator in Charge of the Albany office; and Senior Attorney Kathleen E. Klein. Senior Investigator Ryan Fitzpatrick was assigned to the case.

Background Information on Judge Eannace

First Took Office:	2003
Current Term Expires:	December 31, 2023
Year Admitted to NYS Bar:	1980

Members of the Commission

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

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. Mazzarelli	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