



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Town Court Justice in Broome County Resigns; Was Being Investigated for Alleged Misconduct

Ambrose P. Madden, a Justice of the Fenton Town Court, Broome County, resigned while under investigation by the New York State Commission on Judicial Conduct for allegedly creating a hostile work environment and conducting *ex parte* proceedings with juveniles from a local youth home, in the absence of their counsel, and threatening them with jail time. Judge Madden, who left office on August 16, 2020, agreed never to seek or accept judicial office at any time in the future. The Commission accepted a stipulation to that effect signed by the judge, his attorney and the Commission's Administrator and closed its investigation.¹

Judge Madden was apprised by the Commission in July 2020 that it was investigating complaints alleging as follows:

1. His improper demeanor toward and treatment of his court clerks caused three or four of them to resign; and,

¹ The Stipulation was signed on September 17, 2020. The Commission accepted it and issued an order closing the matter on September 21, 2020.

2. 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.

Judge Madden entered into the stipulation in lieu of responding to a Commission inquiry letter. Accordingly, the Commission has neither evaluated nor rendered substantive determinations as to the complaints. The judge waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it and closing the case would be public.

Judge Madden, who is not an attorney, had been a Justice of the Fenton Town Court, Broome County, since 2010. His current term would have expired on December 31, 2021.

The stipulation and the Commission's order closing the case can be found on the Commission's website: www.cjc.ny.gov.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“A judge must know better than to conduct proceedings and threaten juveniles with jail in the absence of their lawyers. A judge must also be patient, dignified and courteous with all who work or have business in the court. That Judge Madden chose to resign, permanently, rather than answer inquiries about such matters, speaks for itself.”

Statistics Relating to Prior Commission Decisions

The Commission has accepted 97 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 275 determinations of admonition against judges in New York State, 336 determinations of censure and 175 determinations of removal.

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 Madden was represented by Deborah Scalise, of Scalise & Hamilton, PC, 670 White Plains Road, Suite 325, Scarsdale, New York 10583, (914) 725-2801.

The Commission was represented by Administrator and Counsel Robert H. Tembeckjian and Cathleen S. Cenci, Deputy Administrator in Charge of the Albany office. Investigator Laura Misjak was assigned to the case.

Background Information on Judge Madden

First took office:	2010
Current term expires:	December 31, 2021

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

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