



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

June 21, 2018

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Chenango County Town Court Justice Resigns Amid Inquiry into Allegations of Poor Demeanor

The New York State Commission on Judicial Conduct announced that Joan M. Kline, a Justice of the Guilford Town Court and a former Justice of the Oxford Village Court, Chenango County, who resigned from office effective March 31, 2018, has 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, her attorney and the Commission's Administrator and closed its investigation.¹

In January 2018, when the Commission requested that Judge Kline provide court records, including audio recordings in connection with a complaint that she was rude to defendants and engaged in an unauthorized *ex parte* conversation with the claimant, Judge Kline provided the paper records of the case but did not produce the audio recording. The judge then tendered her resignations to both the Oxford Village Board and the Guilford Town Board.

¹ The Stipulation was signed on June 6, 2018. The Commission accepted it on June 13, 2018, and thereafter issued an Order closing the matter.

Judge Kline 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.

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

Prior Discipline

In 2017, Judge Kline was censured by the Commission for making significant procedural errors on such fundamental matters as insuring the right to counsel during a two year period. She also made inappropriate comments to litigants and engaged in other misconduct in that two-year period.

Statistics Relating to Prior Commission Decisions

The Commission has accepted 76 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 268 determinations of admonition against judges in New York State, 321 determinations of censure and 172 determinations of removal.

The Court of Appeals has reviewed 97 Commission determinations. The Court accepted the Commission's sanctions in 81 cases (72 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. Two requests for review are pending.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“A judge is obliged to be patient, dignified and courteous to all with whom she deals in her official capacity. Judge Kline's resignation at an early stage of this inquiry ends the matter.”

Counsel

In the proceedings before the Commission, Judge Kline was represented by Scott Clippinger, 1 West Main Street, P.O. Box 272, Smyrna, New York 13464, (607) 627-6811.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; Cathleen Cenci, Deputy Administrator in Charge of the Albany office; and Staff Attorney S. Peter Pedrotty. Senior Investigator Ryan Fitzpatrick assisted in the investigation.

Background Information on Judge Kline*Justice of the Guilford Town Court*

First took office: 2008

Current Term Expires: December 31, 2021

Acting Justice of the Oxford Village Court March 2013 – May 16, 2017

Temporarily assigned as a Justice of the

Oxford Village Court: May 17, 2017 – April 10, 2018

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, 2020
Paul B. Harding, Esq., Vice Chair	Assembly Minority Leader Brian M. Kolb	March 31, 2021
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
Taa Grays, Esq.	Senate Minority Leader Andrea Stewart-Cousins	March 31, 2020
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
Hon. Leslie G. Leach	Chief Judge Janet DiFiore	March 31, 2020
Hon. Angela M. Mazzarelli	Chief Judge Janet DiFiore	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Richard A. Stoloff, Esq.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021
Vacant	Governor Andrew M. Cuomo	March 31, 2022