



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

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### **Village Justice in Essex County Resigns While Under Investigation for Misconduct**

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David J. Coursen, a Justice of the Lake Placid Village Court, Essex County, resigned while under investigation by the New York State Commission on Judicial Conduct.

Judge Coursen was apprised by the Commission in January 2023 that it was investigating a complaint that he was biased in favor of the defendant in a code enforcement case, with whom he engaged in unauthorized *ex parte* communications, and biased against the local code enforcement officer, whom the judge berated in court.

Judge Coursen appeared at the Commission for testimony on January 24, 2023, and in the course of the proceeding said he wished to resign from judicial office immediately rather than continue testifying. The judge's testimony was suspended, and he resigned from office the same day and agreed never to seek or accept judicial office in the future. The Commission accepted a stipulation to that effect signed by the judge and the Commission's Administrator.<sup>1</sup>

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<sup>1</sup> The Stipulation was signed on January 25, 2023. The Commission issued an order accepting it on January 26, 2023.

Judge Coursen waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it would be public.

Judge Coursen, who is not an attorney, had been a Justice of the Lake Placid Village Court since 2019. His current term would have expired on April 7, 2025.

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

### **Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“It is fundamental to the administration of justice that judges be and appear fair and impartial, or public confidence in the courts will be lost. Presiding over a matter despite being biased toward one party and against the other is bad enough. Having unauthorized private conversations with the favored litigant only compounds the misconduct.”

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

The Commission has accepted 124 such permanent resignation stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has also issued 281 determinations of admonition against judges in New York State, 347 determinations of censure and 178 determinations of removal.

The Court of Appeals has reviewed 101 Commission determinations. The Court accepted the Commission's sanctions in 85 cases (76 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, the judge represented himself.

The Commission was represented by Deputy Administrator Cathleen S. Cenci, Senior Attorney Kathleen E. Klein, and Senior Investigator Ryan Fitzpatrick.

**Background Information on Judge Coursen**

First Took Office: 2019  
Current Term Expires: April 7, 2025

**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.

**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Joseph W. Belluck, Esq., Chair	Former Governor Andrew M. Cuomo	March 31, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Hon. Fernando M. Camacho	Former Chief Judge Janet DiFiore	March 31, 2024
Jodie Corngold	Former Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Robert J. Miller	Governor Kathy Hochul	March 31, 2026
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026
Ronald J. Rosenberg, Esq.	Former Senate Minority Leader John J. Flanagan	March 31, 2024
Graham B. Seiter, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2025
Akosua Garcia Yeboah	Former Governor Andrew M. Cuomo	March 31, 2025
Vacant	Chief Judge	March 31, 2026