



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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NEWS RELEASE

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Town Justice in Cayuga County Resigns While Under Investigation for Financial Reporting Failures

Philip G. Franklin, a Justice of the Locke Town Court, Cayuga County, resigned while under investigation by the New York State Commission on Judicial Conduct for failing to account properly for court funds.

Judge Franklin was apprised by the Commission in August 2022 that it was investigating complaints that he failed to make mandatory reports and remittances of court funds in a timely manner, leading the State Comptroller to direct that his judicial salary be stopped.

Judge Franklin resigned from judicial office on December 1, 2022, and 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 and the Commission's Administrator.¹

¹ The Stipulation was signed on November 21, 2022. The Commission issued an order accepting it on December 15, 2022.

Judge Franklin 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 Franklin, who is not an attorney, had been a Justice of the Locke Town Court since 1991. His current term would have expired on December 31, 2025.

The stipulation and the Commission's order 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.

“Even where there is no evidence of theft, public confidence in the town and village courts is undermined whenever a judge fails to account properly for fines, bail, filing fees and other court funds, without a valid excuse.”

Statistics Relating to Prior Commission Decisions

The Commission has accepted 122 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 John J. Postel, Senior Attorney M. Kathleen Martin, and Senior Investigator Betsy Sampson.

Background Information on Judge Franklin

First Took Office: 1991
 Current Term Expires: December 31, 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

Member	Appointing Authority	Term End
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 Comgold	Former Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Angela M. Mazzarelli	Former Chief Judge Janet DiFiore	December 31, 2022 ²
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

² Judge Mazzarelli's term on the Commission will end upon her retirement from judicial office on December 31, 2022.