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Sources: Christina Ryba, Supreme Court judge candidate, ousted from job on eve of election

"Ethical missteps" allegedly led to termination by region's top appellate justice



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Christina Ryba, photo from her Twitter page. (Provided)

Albany

On the eve of Election Day, the region's top appellate justice fired state Supreme Court judge candidate [Christina Ryba](#) from her job in the court system for alleged "ethical missteps."

she had been expected to do, according to people with knowledge of the situation. They said that [Presiding Justice Karen Peters](#), who leads the 28-county [Appellate Division](#) of state Supreme Court, 3rd Department, informed Ryba of her termination following a sequence of events that began in March when Ryba, a Democrat, began her run for state Supreme Court.

Neither Ryba nor Peters returned emails and calls seeking comment for this story last week. Ryba's campaign manager, [Kathleen Campbell](#), declined comment.

But numerous sources familiar with the situation described growing dissatisfaction during the campaign from Peters, who is based in Kingston. The presiding judge tried to distance herself from the race from the outset, the sources said, but found herself mentioned in a Ryba campaign letter that became the focus of a [Times Union](#) column in October.

Ryba also raised attention after she solicited court system employees — including judges at various levels — with two election-related emails sent to their court system accounts. One of the emails was about an upcoming campaign fundraiser.

Rules from the state's [Commission on Judicial Conduct](#) prohibit a judge or candidate from engaging in inappropriate political activity, which includes "publicly endorsing or publicly opposing (other than by running against) another candidate for public office" or personally soliciting campaign contributions.

Despite the termination, Ryba has been told that she can continue working at the Appellate Division until on or about Nov. 17, the sources said.

"That was an arrangement that was made for Christina back when she was planning on resigning," one person said. "She never resigned, but the presiding justice still made it that she can stay on staff until the 17th."

Ryba is poised to make history as the first African-American woman elected to the state Supreme Court bench in the 3rd Judicial District (which lies within the larger department). It covers seven counties: Albany, Rensselaer, Columbia, Greene, Schoharie, Ulster and Sullivan.

Ryba currently leads her opponent, Colonie Town Justice Norm Massry, by nearly 4,000 votes — 81,128 to 77,206 — in the unofficial machine vote from Nov. 2, with 8,882 absentee ballots to be counted.

Several knowledgeable people interviewed for this article said the presiding judge was unenthusiastic from the outset about Ryba's decision to run for Supreme Court. In a move to distance herself from the race and avoid the appearance of a conflict, Peters moved Ryba from serving as her special projects counsel — a role in which Ryba worked directly for Peters — to handling motions.

"simply the price I pay for having higher standing in the legal community having been placed in such roles by my respected peers."

When asked about the letter in October, Peters told the Times Union, "To be perfectly candid, it is really absolutely inappropriate for me to make any comment concerning anyone's candidacy for elective office in a judicial position. At this point in time, I'm not comfortable even responding to the question."

Under the judicial commission guidelines, it could be considered improper for a candidate to suggest he or she is "highly qualified" without being evaluated, people close to the situation noted.

"There's just no way that (Peters) could have brought her back onto her personal staff after that letter came out," one person with knowledge of Ryba's firing said. "The presiding justice had no choice but to put an end to it and to move her out."

Peters initially offered Ryba the opportunity to resign after the column ran in Law Beat about the qualifications letter.

Ryba appears to have a new job waiting on the Supreme Court bench in January. It carries a salary of \$167,700.

Massry, 51, issued a post on Facebook on Wednesday saying: "I'm sorry to report it looks like we may have come up short I am going to wait until the election machines are re-canvassed and the absentee ballots counted before conceding."

Ryba declared victory on Facebook early Wednesday. Her campaign later took down the post from the social media page as the results were unofficial.

Supreme Court — which, despite its name, is New York's main trial court — will be the latest step in a swiftly moving legal career for Ryba, a Colonie native and Albany Law School graduate admitted to the bar in 2002. She previously worked as an associate at the firm of Nixon Peabody, and held a position in the office of the state attorney general.



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