SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NO.: ACJC 2023-051

IN THE MATTER OF R. DOUGLAS HOFFMAN JUDGE OF THE MUNICIPAL COURT	:	**PRESENTMENT**

The Advisory Committee on Judicial Conduct (the "Committee") hereby presents to the Supreme Court its Findings and Recommendation in this matter, in accordance with Rule 2:15-15(a) of the New Jersey Court Rules. The Committee's findings and the evidence of record demonstrate that the charges set forth in the Formal Complaint filed against R. Douglas Hoffman ("Respondent"), a part-time judge of the municipal court, concerning his conduct in providing alcohol to and drinking alcohol with a subordinate court employee over a three-hour period on October 15, 2022, while at his summer home on Long Beach Island, and in touching that employee inappropriately and without the employee's consent, in a manner that may reasonably be construed as sexual in nature, have been proven by clear and convincing evidence. The Committee finds that such conduct violates Canon 1, Rule 1.1, Canon 2, Rule 2.1 and Canon 5, Rule 5.1(A), of the Code of Judicial Conduct.

Respondent's consumption of substantial amounts of alcohol with a subordinate employee, for which Respondent has reluctantly accepted responsibility, and his nonconsensual, inappropriate, and sexually suggestive touching of that employee for which Respondent has disclaimed any impropriety, constitute blatant and serious violations of the Code of Judicial Conduct that irreparably impugn Respondent's integrity and that of the Judiciary, for which removal is warranted.

For these reasons, the Committee respectfully recommends that proceedings be instituted to remove Respondent from judicial office in accordance with N.J.S.A. 2B:2A-1 to -11 and Rule 2:14-1.

I. PROCEDURAL HISTORY

Mercer County Assignment Judge Robert T. Lougy referred this matter to the Committee following his receipt of a report from Robbinsville Township addressed to the Mercer County Municipal Division Manager concerning Respondent's conduct while interacting with a Robbinsville Township Municipal Court employee at his summer home on Saturday, October 15, 2022. See P-6. Attached to the Township's report is a handwritten statement from the subject employee, written on Monday, October 17, 2022, detailing her interactions with Respondent that day. Ibid.

The Committee, on April 10, 2023, following an investigation into Respondent's conduct on October 15, 2022, filed a Formal Complaint against

Respondent charging him with conduct in contravention of Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 5, Rule 5.1(A) of the Code of Judicial Conduct. These charges emanate from Respondent's conduct in providing alcohol to and drinking alcohol with the referenced court employee over a period of three hours and in touching that employee inappropriately and without the employee's consent.

Respondent, on April 13, 2023, filed a verified Answer to the Complaint in which he admitted certain factual allegations, denied others, and denied violating the cited canons of the Code of Judicial Conduct.

The Committee convened a Formal Hearing on October 18, 2023, which continued to conclusion on November 15, 2023. Respondent appeared, with counsel, and offered testimony conceding the disciplinary charges as to his conduct in providing and consuming alcohol with a court employee but continued to deny the disciplinary charges concerning his nonconsensual and allegedly inappropriate touching of that employee. The Presenter called Respondent and two fact witnesses -- the subject employee and the Robbinsville Deputy Court Administrator -- in support of the asserted disciplinary charges. The Presenter also offered exhibits, which were admitted into evidence, without objection. 2T56-22 to 2T57-2;[1]

[1] "1T" refers to the transcript of the Formal Hearing held on October 18, 2023. "2T" refers to the transcript of the Formal Hearing held on November 15, 2023.

Presenter's Exhibits P-1 thru P-8.[2] Respondent called one witness, the Robbinsville Court Administrator, in defense of the disciplinary charges. Presenter and Respondent, with leave of the Committee, filed post-hearing briefs on January 11, 2024, which the Committee considered.

After carefully reviewing the record, the Committee makes the following findings, supported by clear and convincing evidence, which form the basis for its recommendation.

II. FINDINGS

A.

Respondent is a member of the Bar of the State of New Jersey, having been admitted to the practice of law in 1972. See Formal Complaint and Answer at ¶1. At all times relevant to this matter, Respondent served as a part-time judge in the Robbinsville Township municipal court, a position to which he was first appointed on February 25, 2010, and continues to hold, without interruption. Id. at ¶2. Respondent also served as a part-time judge in New Hanover Township/Wrightstown Borough shared municipal court and Mansfield Township/Springfield Township/Southampton Township shared municipal court,

[2] P-1 - the transcript of Respondent's interview - refers to eight exhibits ("RDH-1" thru "RDH-8") that are not attached to P-1 and, apart from "RDH-5" identified in the record as P-7, are not a part of the record. Copies of those exhibits, however, were provided to Respondent in discovery.

positions to which he was first appointed on January 1, 2022, and continues to hold. Ibid.

The facts germane to this ethics matter and Respondent's attendant ethical breaches, apart from those breaches related to his nonconsensual touching of a court employee, as alleged in the Formal Complaint, are undisputed. 1T35-13 to 1T37-15; 1T45-1 to 1T46-23. To wit, Respondent admits, and the evidence demonstrates, clearly and convincingly, that on Saturday, October 15, 2022, L.W., a Robbinsville Township municipal court employee since April 2021, visited Respondent at his summer home on Long Beach Island, arriving alone at approximately 11:30 a.m. and remaining for minimally four hours.[3] 1T11-17 to 1T13-9; 1T49-18-22; 1T55-13-25; see also Formal Complaint and Answer at ¶¶9-10. Although Respondent extended an open invitation to his court staff to visit his summer home whenever they were in the area, L.W. was the only Robbinsville municipal court employee to ever accept that invitation as of October 15, 2022. 1T8-13 to 1T9-6; 1T54-11-24.

During their extended interactions that day, Respondent and L.W., between whom there is a 49-year age difference, occupied portions of the home in which no

[3] The Presenter referred to the court employee by her initials in the Formal Complaint and during the hearing to preserve the employee's anonymity. See In re Seaman 133 N.J. 67, 75 (1993) (directing that "judicial-disciplinary cases involving . . . activities that humiliate or degrade those with whom a judge comes into contact, should preserve the anonymity of the alleged victim."). We continue this practice in our Presentment to the Court.

one else was present. 1T7-1; 1T23-1-23; 1T48-19-24. During this same period, Respondent's son was working in a back room of the house and periodically outside but did not interact with Respondent and L.W., who remained in a separate part of the home. 1T13-19 to 1T14-2; 1T23-1-23. Respondent's son's girlfriend and her child were also in the area but were not in the house during the events at issue. Ibid.

When L.W. arrived, Respondent was sitting alone on his front porch where they talked for approximately one hour before Respondent offered L.W. a tour of his home. 1T13-6-18; 1T14-10-25; 1T56-1-13; see also P-6 at p. 5. Following the tour, Respondent and L.W. spent the remainder of her visit, approximately three hours, alternating between Respondent's kitchen and living room, which are located toward the front of the house, drinking beer, and taking shots of whiskey. 1T15-1-25; 1T18-11 to 1T19-19; 1T23-12 to 1T24-25. Within that three-hour period, Respondent consumed minimally one can of beer and four shots of whiskey and L.W. consumed minimally two cans of beer and four shots of whiskey, which Respondent made available to L.W., without restriction. 1T15-1-25; 1T17-19 to 1T19-7; 1T23-24 to 1T24-25; 1T62-7 to 1T63-12; 1T94-8-9; P-2 at T39-17-23; see also Formal Complaint and Answer at ¶12.

Respondent, though purportedly "on call" every day, "24 hours a day," for "seven different police departments," maintained that at "six-feet-four[-inches]" and "275 pounds," he was unaffected by the alcohol he consumed that day. 1T43-4-14.

Similarly, Respondent claimed he was unaware that L.W. was intoxicated, despite her smaller frame and her self-described status as a "lightweight" when drinking alcohol. 1T46-21-23; P-2 at T56-13-19; P-2 at T70-11-22; P-2 at T125-16-22.

While reluctantly admitting his impropriety in providing alcohol to and consuming alcohol with L.W. that day, Respondent repeatedly attempted to minimize this behavior, claiming, inexplicably, that he "assumed" L.W. "learned how to drink in college," and believing that his son's and his son's girlfriend's presence in the area provided him with "protection." 1T35-13-24; 1T36-16-24.

Respondent equivocated when pressed to concede that drinking substantial amounts of alcohol with L.W., irrespective of his son's presence on the property, was ethically improper, conceding only that he would not repeat this behavior given the resulting ethics charges. 1T36-16-24. When pressed further, Respondent ultimately acknowledged the appearance of impropriety engendered by this conduct, but again with the caveat, albeit inapplicable, that he believed his son's presence at the house was his "safety." 1T36-25 to 1T37-15. Indeed, Respondent's demeanor when testifying before the Committee about these ethics charges was flippant and betrayed a palpable disrespect for the judicial disciplinary process.

Drinking liberally with L.W., however, was but one of Respondent's ethical breaches that day the second of which involved his unwanted and inappropriate touching of L.W. on her knee and inner thigh in a manner that may reasonably be

construed as sexual in nature. Though disputing the ethical impropriety of such conduct, Respondent concedes to touching L.W. in this manner. The undisputed facts concerning these touching incidents are as follows.

When not drinking shots of whiskey, Respondent and L.W. sat in Respondent's living room, each initially occupying a separate couch. 1T19-8-19; 1T59-6 to 1T62-6. Respondent, in fact, photographed L.W. sitting on one of his living room couches holding a beer. P-7; 1T21-2-8; 1T59-25 to 1T60-12; P-2 at T39-14-16. L.W. eventually sat next to Respondent on the couch he was occupying so that they could watch a baseball game together on her phone. 1T19-13-19; 1T20-13 to 1T21-13; 1T64-9 to 1T65-7. While sitting next to each other on the couch, Respondent touched L.W. twice; once on her knee and, less than a minute later, a second time on her inner thigh, without L.W.'s consent. 1T25-1-12; 1T26-8 to 1T27-13; 1T67-12 to 1T68-18. Respondent maintains that he touched L.W. in this manner to comfort her as she discussed with him a difficult personal circumstance. 1T25-3-18; 1T25-24 to 1T27-3. For her part, L.W. found Respondent's initial touch to her knee comforting. 1T82-23 to 1T83-8; 1T102-13-17. Conversely, she found Respondent's second touch – his hand on her inner thigh – inappropriately intimate and unwelcomed. 1T83-9-24; 1T98-18 to 1T99-14; 1T102-18-21.

L.W. left Respondent's home approximately three minutes after he had touched her inner thigh, without speaking a word to Respondent, and ultimately

walked to the beach. 1T28-8-20; 1T70-25 to 1T71-1. Respondent, unaware of L.W.'s whereabouts, nonetheless returned to his front porch swing where he had been seated prior to L.W.'s arrival and made no effort to locate her. 1T30-1-8; 1T34-13-18.

When L.W. returned to Respondent's home approximately one hour later, she retrieved her car keys, advised Respondent that she "had too much to drink" and that her mother was there to pick her up, and left her car parked in front of Respondent's home. 1T31-1-8; 1T32-24 to 1T33-20; 1T71-8 to 1T72-16; 1T89-7-20. L.W. retrieved her car later that evening but did not interact further with Respondent. 1T33-24 to 1T34-3; 1T83-21-25. At 6:41p.m., approximately 90 minutes after L.W. had left Respondent's home, Respondent texted her the following query, "U ok[?]" 1T30-9-25; 1T32-1 to 1T33-9; 1T73-2-4; see also P-8 at p. 5. L.W. did not respond to that text message. Ibid.; see also P-6 at p. 2 of L.W.'s statement; P-8 at p. 5.

The events immediately following L.W.'s abrupt departure from Respondent's home are similarly undisputed. To wit, L.W., while at her parents' house, telephoned her supervisor, the Robbinsville Township Deputy Court Administrator ("DCA"), to alert the DCA of her experience with Respondent that day. 1T91-12 to 1T92-20. Their initial conversation occurred over Facetime and lasted only a few seconds as the DCA had difficulty hearing L.W. over the residual noise at the DCA's location. 2T5-11 to 2T6-7. Within seconds, however, the DCA

returned L.W.'s Facetime call with a standard telephone call. Ibid. While speaking briefly with L.W. over Facetime, however, the DCA observed L.W.'s face, which she described as "red" and "swollen," and L.W.'s demeanor as "hysterically crying." 2T6-14-20. During their subsequent telephone conversation, L.W., while continuing to cry, recounted what transpired between her and Respondent, including the two touching incidents and Respondent's placement of his hand on L.W.'s inner thigh. 2T7-2 to 2T8-17.

Respondent's sole witness, the Robbinsville Court Administrator, testified to her impressions of L.W.'s state of mind in the weeks following the incident at issue. 2T42-5-10. We find this testimony irrelevant to the conduct at issue, i.e. the events that occurred between Respondent and L.W. on October 15, 2022, which are the subject of this ethics matter. In re Seaman, 133 N.J. 67, 81-82 (1993) (finding that in judicial disciplinary proceedings the effect of judicial misconduct on others is not an essential element, although it can be a relevant factor in assessing the gravity of the misconduct and the appropriate discipline).

B.

Respondent, in denying any impropriety in touching L.W. on her knee and inner thigh, without her consent, attempts to discredit the "reliability and credibility" of L.W.'s testimony with reference to her level of intoxication that day and her

purportedly varying accounts of the amount of alcohol she consumed. Rb4-8.[4] We find these arguments unpersuasive.

Respondent's misguided attempt to equate L.W.'s imprecise recall of the number of drinks she consumed that day with her recall of the offensive nature of Respondent's touch is a false equivalency and without merit. L.W.'s self-awareness of the number of drinks she consumed over a three-hour period bears no reasonable relationship to her recall of a traumatic event involving her superior's unwanted, offensive, and sexually suggestive touch. These circumstances are fundamentally different in nature and severity and are not susceptible to any meaningful comparison.

Respondent, in advancing this defense, also mischaracterizes the issue before the Committee as involving solely a determination, by clear and convincing evidence, as to the reliability of L.W.'s perception of the touching as unwanted and inappropriate given her degree of intoxication at the time. Rb7. Stated differently, Respondent argues that L.W. was too drunk to appreciate the nature of his touch.[5] Ibid.; 1T25-1-12; 1T26-8 to 1T27-13; 1T67-12 to 1T68-18.

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[4] Consistent with Rule 2:6-8, references to the Presenter's and Respondent's post-hearing briefs will be designated as "Pb" and "Rb" respectively.

[5] Respondent would have the Committee believe that while he was able to perform his judicial duties that day, despite his alcohol consumption, if called upon by a police department to conduct a probable cause determination, L.W. was unable to discern accurately her offense at the nature of his touch.

Notably, Respondent does not make a similar argument in respect of L.W.'s perception of Respondent's hand on her knee moments earlier, which L.W. described as comforting. Respondent, in fact, did not perceive L.W. as having been intoxicated that day and certainly not "falling down drunk," as he now contends. 1T42-1-11; 1T45-7-9; Rb5. For her part, L.W., though admitting she was intoxicated, denied any suggestion that she was "falling down drunk" and denied that her alcohol consumption interfered with her ability to remember what happened that day. 1T78-9-11; 1T79-5-11.

Whether Respondent's touch was unwanted, inappropriate, and sexually suggestive, however, turns not only on L.W.'s stated perception at the time, which is undeniably relevant, but on her response to that incident immediately thereafter, and the surrounding circumstances. See In re Seaman, supra, 133 N.J. at 74-76 (finding that uncorroborated testimony of a victim is sufficient to meet the clear and convincing evidence standard and that disclosing the allegedly inappropriate touch to others may corroborate the events). Viewed in their totality, these circumstances evince, clearly and convincingly, that Respondent's touch was unwelcomed and understood by L.W. to be of a very personal and sexually suggestive nature to which she took offense. Indeed, we can think of no circumstance in which it would be appropriate for a judge to touch a subordinate employee's knee and inner thigh,

without consent, and no context in which it would be appropriate to drink alcohol liberally with that employee prior to doing so. Having created these circumstances, Respondent's attempt to cast aspersions on the reliability of L.W.'s perception to avoid accountability in his judicial capacity aggravates considerably an already intolerable situation.

The undisputed evidence of record evinces that immediately following Respondent's placement of his hand on L.W.'s inner thigh she left his house, her whereabouts unknown to Respondent for minimally an hour. When L.W. returned, she immediately retrieved her car keys and advised Respondent that she was leaving with her mother. Respondent expressed no concern for L.W. during her absence and offered only the pretense of concern in a short text message sent almost two hours after L.W.'s abrupt exit, asking if she was "ok." On returning to her parents' home that evening, L.W. telephoned her immediate supervisor, the Robbinsville DCA, who testified to L.W.'s obvious upset at Respondent's conduct in touching her inappropriately and without consent.

These circumstances – Respondent's drinking alcohol liberally with L.W. and touching her inappropriately, the latter without her consent and in a manner that may reasonably be construed as sexual in nature, coupled with Respondent's attempts during these proceedings to portray L.W.'s offense at Respondent's conduct as the misperceptions of a muddled mind, and his generally glib demeanor when testifying

before the Committee – reveal a lack of self-control, probity, and sound judgment unbefitting a judge and a disrespect for the judicial disciplinary system. Cf. In re Falcone, 251 N.J. 476 (2022) (censuring and permanently barring a former municipal court judge for offensively touching a client's employee in his private practice of law and for testifying falsely to the ACJC about those events). Such conduct constitutes an egregious violation of Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 5, Rule 5.1(A) of the Code of Judicial Conduct, for which removal is warranted.

III. ANALYSIS

Judges are charged with the duty to abide by and to enforce the provisions of the Code of Judicial Conduct and the Rules of Professional Conduct. R. 1:18 ("It shall be the duty of every judge to abide by and to enforce the provisions of the Rules of Professional Conduct, the Code of Judicial Conduct and the provisions of R. 1:15 and R. 1:17."). This obligation applies equally to a judge's professional and personal conduct. In re Hyland, 101 N.J. 631 (1985) (finding that the "Court's disciplinary power extends to private as well as public and professional conduct by attorneys, and *a fortiori* by judges.") (Internal citation omitted). "When judges engage in private conduct that is irresponsible or improper, or can be perceived as involving poor judgment or dubious values, '[p]ublic confidence in the judiciary is eroded.'"

In re Blackman, 124 N.J. 547, 551 (1991); see also Comment [1], Canon 2, Rule 2.1, Code of Judicial Conduct.[6]

In matters of judicial discipline, "there are two determinations to be made" – whether a violation of the Code of Judicial Conduct has been proven and whether the proven violation "amount[s] to unethical behavior warranting discipline." In re DiLeo, 216 N.J. 449, 468 (2014).

The burden of proof in judicial disciplinary matters is clear-and-convincing evidence. See R. 2:15-15(a). Clear-and-convincing evidence is that which "produce[s] in the mind of the trier of fact a firm belief or conviction as to the truth of the allegations sought to be established, evidence, so clear, direct and weighty and convincing as to enable the factfinder to come to a clear conviction, . . ., of the precise facts in issue." In re Seaman, 133 N.J. at 74 (citations and internal quotations omitted).

We find, based on our review of the evidence of record and Respondent's admissions of wrongdoing, that the charges filed against Respondent involving his

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> Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges. A judge must avoid all impropriety and appearance of impropriety and must expect to be the subject of constant public scrutiny. This principle applies to both the professional and personal conduct of a judge. A judge must therefore accept restrictions on personal conduct . . . and should do so freely and willingly.

violations of Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 5, Rule 5.1(A) of the Code of Judicial Conduct in drinking alcohol liberally with a subordinate employee and in touching that employee inappropriately, without her consent, and in a manner that may reasonably be construed as sexual in nature, have been proven by clear and convincing evidence.[7] Respondent's misconduct in each instance betrays a fundamental lack of self-control, probity, and sound judgment for which removal from judicial office is warranted.

The impropriety of Respondent's conduct in drinking substantial amounts of alcohol with L.W. and his attendant ethical breaches vis-à-vis that conduct is irrefutable. Respondent has reluctantly acknowledged his wrongdoing in this regard, but not without repeated prompting from his counsel. Respondent, however, stopped short of expressing remorse for his behavior, evincing no cognizable appreciation for its impropriety. Indeed, Respondent's demeanor when making this acknowledgment was openly defiant, revealing a contempt for his ethical obligations

[7] Canon 1, Rule 1.1: "A judge shall participate in establishing, maintaining and enforcing, and shall personally observe, high standards of conduct so that the integrity, impartiality and independence of the judiciary is preserved."

Canon 2, Rule 2.1: "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."

Canon 5, Rule 5.1(A): "Judges shall conduct their extrajudicial activities in a manner that would not. . . demean the judicial office . . . ."

as a judge and the judicial disciplinary process generally. We find Respondent's disrespectful demeanor during these proceedings to aggravate his ethical improprieties and to further evince Respondent's unfitness for judicial office.

Turning to Respondent's unwanted and inappropriate touching of L.W. on her knee and inner thigh, the record before the Committee reveals no dispute as to these occurrences. Respondent has acknowledged touching L.W. in this manner but incredibly denies any ethical impropriety in taking such liberties. Throughout these proceedings, Respondent has maintained that these touches were intended to console L.W. when speaking with Respondent about a difficult personal circumstance. Respondent argues that L.W.'s perception of any impropriety in respect of this interaction is unreliable given her degree of intoxication and should be afforded no weight. We disagree.

Respondent's attempt to discredit L.W.'s offense at his inappropriate touching of her inner thigh with reference to her alcohol consumption is not merely unpersuasive, as discussed previously, but akin to victim blaming or victim shaming and has no place in our judicial system. See In re Russo, 242 N.J. 179 (2020). We find Respondent's arguments in this regard to aggravate his ethical impropriety in this instance and to further evince Respondent's unfitness for judicial office. See In re Seaman, supra, 133 N.J. at 95 (finding judge abused his authority in respect of his

supervisory responsibilities over a subordinate employee towards whom he behaved offensively in violation of Canons 1, 2A, 3A(3) and 3A(4)).[8]

Given the scope and degree of Respondent's misconduct and its deleterious effect on his integrity and that of the Judiciary, we find no discipline short of removal will adequately restore the Judiciary's integrity and the public's perception of the Judiciary as an institution worthy of the public's trust.

In recommending Respondent's removal, we have carefully weighed both the aggravating[9] and mitigating[10] factors present in this case, mindful that the primary purpose of judicial discipline is to preserve the public's confidence in the integrity and independence of the judiciary, not to punish an offending judge. In re Seaman, supra, 133 N.J. at 96, 98-99.

Having discussed the aggravating factors herein, we will not recount them again. We add, however, one additional factor not previously discussed, viz. L.W.'s

[8] Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 3, Rule 3.5, and Rule 3.6, respectively, of the revised Code of Judicial Conduct.

[9] Factors considered in aggravation include the extent to which the misconduct demonstrates a lack of integrity and probity, a lack of independence or impartiality, misuse of judicial authority that indicates unfitness, and whether the conduct has been repeated or has harmed others. In re Seaman, supra, 133 N.J. at 98-99.

[10] Factors considered in mitigation include the length and quality of the judge's tenure in office, the judge's sincere commitment to overcoming the fault, the judge's remorse and attempts at apology, and whether the inappropriate behavior is susceptible to modification. In re Subryan, 187 N.J. 139, 154.

vulnerability as a subordinate employee to Respondent. See In re Seaman, supra, 133 N.J. at 100 (finding vulnerability of respondent's victim, i.e. his law clerk, an aggravating factor for purposes of imposing discipline). Cf. In re Subryan, supra, 187 N.J. 139, 155 (2006) (noting as a relevant factor the inequity inherent in the judge-law clerk relationship); In re Yengo, 72 N.J. 425, 438 (1977) (finding significant the victim's vulnerability – a litigant before the judge – to whom the judge was verbally abusive). L.W.'s professional relationship to Respondent was inherently one-sided, with Respondent being the foremost authority in the workplace, a circumstance made more acute by their vast age difference, i.e. 49 years. Add alcohol, and L.W. was disproportionately disadvantaged as a guest in Respondent's home.

In respect of any mitigating factors, the record before us is silent. Respondent did not offer any evidence in mitigation, and none is evident in the record. While we appreciate Respondent's service as a municipal court judge for the past 20 years, that service does not mitigate Respondent's significant abuses in this instance. 1T6-6-8.

IV. RECOMMENDATION

For the foregoing reasons, the Committee recommends that Respondent be removed from judicial office for his violations of Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 5, Rule 5.1(A), of the Code of Judicial Conduct. This recommendation considers the seriousness of Respondent's ethical infractions, and

the aggravating factors present in this case, which justify the recommended quantum of discipline.

Respectfully submitted,

ADVISORY COMMITTEE ON JUDICIAL CONDUCT

March 26, 2024 By: Virigina A. Long
Virginia A. Long, Chair