

RULE 1:20B. Disciplinary Oversight Committee

1:20B-1. Disciplinary Oversight Committee

The Supreme Court shall establish a Disciplinary Oversight Committee (hereinafter referred to as the Oversight Committee) consisting of 11 members to assist it as an advisory body in administering the attorney disciplinary system and the financial aspects thereof.

Note: Adopted Jan. 31, 1995, effective March 1, 1995.

1:20B-2. Appointment

The Supreme Court shall appoint the members of the Oversight Committee; five shall be lawyers or sitting or retired judges, one shall be an annual designee of the New Jersey State Bar Association, and five shall be members of the public. The Administrative Director of the Courts, or the Administrative Director's designee, shall serve as a non-voting member of the Committee.

Other than the designee of the New Jersey State Bar Association and the Administrative Director or the Administrative Director's designee, each member shall be appointed for a term of three years, and may be reappointed to three successive full terms. A vacancy occurring during a term shall be filled for the unexpired portion thereof..

Note: Adopted January 31, 1995 effective March 1, 1995; amended July 12, 2002 to be effective September 3, 2002; amended March 20, 2003, to be effective immediately; amended January 10, 2006 to be effective immediately.

1:20B-3. Organization; Officers; Quorum; Meetings

The Oversight Committee shall organize annually. The Supreme Court shall annually appoint a Chair and Vice Chair. The Oversight Committee shall elect a Treasurer and Assistant Treasurer. The Administrative Director of the Courts shall designate a staff member with fiscal responsibilities to provide assistance. Meetings shall be held at the call of the Chair or any four members of the Committee. Seven voting members shall constitute a quorum for the transaction of business.

Note: Adopted January 31, 1995, effective March 1, 1995; amended March 20, 2003, to be effective immediately.

1:20B-4. Powers; Confidentiality

(a) The Oversight Committee shall have the following specific powers:

(1) to evaluate the efficiency and effectiveness of the attorney disciplinary system and to report to the Supreme Court quarterly and at such other times as the Supreme Court and the Oversight Committee deem appropriate, making whatever recommendations it believes would improve the quality and efficiency of the disciplinary system and strengthen adherence to high ethical standards. It shall be the responsibility of the Office of Attorney Ethics and the Disciplinary Review Board to provide the Oversight Committee with all relevant information so as to enable it properly and thoroughly to perform its evaluating and reporting functions. The Oversight Committee shall also be entitled to any information it may request from any person or entity within the disciplinary system;

(2) to receive annually from the Director and Board Counsel, on or before August 15, a proposed budget for the attorney disciplinary system in a form agreed to by

the Oversight Committee; to review the same and to make a written recommendation to the Supreme Court concerning that budget each year; and to respond and make further recommendations as necessary to any written comments received from the Bar and the public after Supreme Court approval for publication of a summary of the proposed budget and the Oversight Committee's recommendation;

(3) to receive quarterly from the Director and Board Counsel a report, in a form agreed to by the Oversight Committee, detailing the expenditures incurred by the disciplinary system and revenues received for that quarter;

(4) to receive, hold, manage, distribute and invest the fund received pursuant to R. 1:20B1(b) and any other funds it may receive, all in accordance with these rules and policies approved by the Supreme Court;

(5) to establish necessary bank accounts and to require an independent annual financial audit of its accounts, which shall be submitted to the Supreme Court;

(6) to employ and compensate consultants, agents, and such other persons as it deems necessary and appropriate in the performance of its functions and responsibilities consistent with personnel policies of the Judiciary;

(7) to establish procedures and maintain records required for the performance of its responsibilities consistent with these rules and subject to the approval of the Supreme Court;

(8) to provide the Supreme Court with information and recommendations on personnel and other operational matters that affect the budget as such matters arise throughout the fiscal year, and to act on such matters as are within the range of discretion accorded the Oversight Committee by the Supreme Court.

(b) Minutes of meetings and the Oversight Committee's synopsis of the budget recommended by the Director, Office of Attorney Ethics, and Counsel to the Disciplinary Review Board shall be public. All other records, documents and proceedings are confidential.

Note: Adopted January 31, 1995, to be effective March 1, 1995; paragraph (a) amended, paragraph (b) deleted, and paragraph (c) redesignated as paragraph (b) March 20, 2003, to be effective immediately.