

NOTICE TO THE BAR

CODE OF JUDICIAL CONDUCT: NEW PARAGRAPH [3] ADDED TO OFFICIAL COMMENT TO RULE 3.17

The Supreme Court adopted new paragraph [3] of the Official Comment to Rule 3.17 of the Code of Judicial Conduct as included in the Rules Governing the Courts of the State of New Jersey. New paragraph [3] of the comment clarifies that when a judge's disqualification under Rule 3.17 would be based solely on a judge's modest ownership of publicly traded stock in an entity participating as amicus, disqualification is not required. New paragraph [3] provides guidance for determining when a judge's ownership of stock in an entity appearing as amicus is considered modest.



Glenn A. Grant
Administrative Director of the Courts

Dated: January 24, 2023

SUPREME COURT OF NEW JERSEY

It is ORDERED that the following is added as new paragraph [3] of the Official Comment to Rule 3.17 of the Code of Judicial Conduct as included in the Rules Governing the Courts of the State of New Jersey, effective immediately:

When disqualification on the basis of financial interest in an enterprise related to the litigation would be based solely on a judge's modest ownership of publicly traded stock in an entity participating as amicus, disqualification is not required. In determining whether one's financial interest in an entity appearing as amicus is modest, the judge should consider the value of the stock owned, the relative size of the publicly traded company, the number of shares owned relative to the number of shares traded publicly, and the length of time the shares have been held.

For the Court,

A handwritten signature in blue ink, appearing to read "S. G. ...", is written over the text "For the Court,".

Chief Justice

Dated: January 24, 2023