

Unethical Conduct - Reporting Guidelines

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Administrative Director

Occasionally a complaint is filed with a district ethics committee where the conduct complained of is the subject matter of or occurred during the course of a litigated case. In such situations the Supreme Court considers that the Ethics Committee, after the conclusion of the case before the court, might well inquire of the judge as to the matter. If the judge is of the view that the attorney's conduct was not unethical or unprofessional, the Committee may dismiss the matter without further investigation.

The Supreme Court also considers that where a judge in the course of his or her duties becomes aware of conduct by an attorney that may constitute a violation of the Rules of Professional Conduct, the judge may call the matter to the attention of the Office of Attorney Ethics in Trenton if the situation so warrants. The Committee should then proceed to consider the matter in accordance with *R. 1:20-3(d)* without the necessity of the judge filing a complaint.

EDITOR-S NOTE

The Rules of Professional Conduct have been substituted for the Canons of Professional Ethics and the district ethics committee has replaced the county ethics committee. Rule 1:16-2(b) has been replaced with the current *R. 1:20-3(d)*.

The second paragraph has been changed to require judges who become aware of unethical attorney conduct to report such conduct to the State Office of Attorney Ethics, rather than to the district ethics committee. The change was made so as to provide uniformity in the procedure for notification by judges.