

Officers or Trustees

Directive #8-75
Issued by:

October 15, 1975
Arthur J. Simpson, Jr., J.A.D.
Acting Administrative Director of the Courts

At the request of many members of the Bar including the Trustees of the Bergen and Monmouth County Bar Associations, and having discussed the matter at its recent meeting with the General Council of the New Jersey State Bar Association, the New Jersey Supreme Court has reconsidered and rescinded its previous directive concerning bar association activity of Municipal Court Judges, as printed in Monthly Bulletin Letter #8-75 of August 1, 1975. This directive would have extended to all Municipal Judges the longstanding proscription (hitherto applicable to full-time judges) of service as officer, trustee or committee member of a state, county or local bar association.

It was the purpose in that requirement that bar associations be assured full freedom of action, and to avoid even the slightest appearance of embarrassment or reticence which might result when a judge occupies such a position.

Upon reconsideration, however, the Court has concluded that in the case of the part-time Municipal Judge, the possibility of such dominance or the appearance thereof seems quite remote, whereas interest and activity by such judges represent substantial benefit to the Bar.

The proscription as to Municipal Judges is therefore withdrawn. As to full-time judges, it is continued.

EDITOR-S NOTE

This directive has been retained because it states the purpose for the proscription applicable to full time judges of service as officers or trustees of bar associations. The June 1990 amendment to the commentary to Canon 4 of the Code of Judicial Conduct, tracks the language of this directive, but incorporates an exception for judges serving on committees of the New Jersey State Bar Association. Canon 4 makes it clear that there is a distinction between membership on New Jersey State Bar Association Committees, which is permitted, and membership on other state, county or local bar committees, which is not permitted. Directive #8-75 provides that the proscription is not applicable to part time municipal judges.

No change has been made to the original text.