

Judges Testifying at Attorney Ethics Hearing

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Administrative Director

The Supreme Court at its December 22, 1986 Administrative Conference determined that it is inappropriate for a sitting Superior Court judge to testify as an expert in attorney ethics proceedings (e.g., as to whether motions filed by an attorney in a particular case were frivolous or unnecessary).

EDITOR-S NOTE

This directive was contained in a letter from Robert D. Lipscher to the Honorable Eugene D. Serpentelli, A.J.S.C., dated January 5, 1987 in response to an inquiry from Judge Serpentelli as to the propriety of judges testifying at District Ethics Committee hearings.

The directive is applicable to testimony as an expert, not as a fact witness.