

FILED

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A.C.J.C.

**SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT**

DOCKET NO: ACJC 2024-205

IN THE MATTER OF

**RICHARD OBUCH,
JUDGE OF THE MUNICIPAL COURT**

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FORMAL COMPLAINT

Maureen G. Bauman, Disciplinary Counsel, Advisory Committee on Judicial Conduct (“Complainant”), complaining of Municipal Court Judge Richard Obuch (“Respondent”), says:

Facts

1. Respondent is a member of the Bar of the State of New Jersey, having been admitted to the practice of law in 1992.
2. At all times relevant to this matter, Respondent served as a judge in the City of Elizabeth’s Municipal Court, a position to which he was first appointed on October 1, 2002, and continues to hold.
3. Respondent maintains a private office in Union Township for the practice of law.

COUNT I

4. On December 14, 2023, Respondent attended the annual holiday party (“the party”) hosted by the Union County Municipal Court Judge’s Association held at a restaurant in Elizabeth, New Jersey. The event, which featured food and complimentary alcohol, was open to judges and their court staff.
5. Respondent, during the three hours that he remained at the party, consumed two Old Fashioneds, sangria, and five or more shots of tequila and vodka.
6. Respondent was intoxicated within 45 minutes of arriving at the party, but continued to drink alcohol for more than two hours thereafter before leaving the party for the evening.
7. While at the party, Respondent inappropriately touched three female Rahway Municipal Court employees, T.G., S.B., and M.V.¹
8. Respondent made several inappropriate and/or sexually suggestive remarks to these women and asked them personal questions, including their marital status, and offered unsolicited relationship advice.
9. Due to the offensive nature of the remarks, Respondent’s conduct created discomfort and embarrassment.
10. Some of Respondent’s inappropriate behavior, including kissing the women

¹ All individuals involved in the matter will be referred to by their initials to maintain the confidentiality of their identities. See In re Seaman 133 N.J. 67, 75 (1993) (directing that “judicial-disciplinary cases involving . . . activities that humiliate or degrade those with whom a judge comes into contact, should preserve the anonymity of the alleged victim.”).

without their consent, was captured on camera when Respondent invited himself into photos with the women in a photo booth.

11. At one point during the party, Respondent approached S.B. on the dance floor while inappropriately dancing and gyrating towards her. Respondent's actions caused S.B. to abruptly leave the dance floor.

12. Respondent followed S.B. to the women's restroom and jammed his foot in the doorway, thereby preventing S.B. from closing the restroom door, saying, "wait, wait, come on, let's take a shot [of alcohol]."

13. Several court employees witnessed Respondent waiting outside the women's restroom while S.B. remained inside.

14. After receiving several complaints from various court employees concerning Respondent's behavior, a municipal court administrator asked Respondent to leave the party.

15. By inappropriately touching female court employees, including kissing them, without their consent, following them to the women's restroom, and making several inappropriate and/or sexually suggestive remarks to them, Respondent demeaned the judicial office, demonstrated disrespect for the Judiciary, and an inability to conform his conduct to the high standards of conduct expected of judges, and exhibited poor judgment in violation of Canon 5, Rule 5.1(A), Canon 1, Rule 1.1 and Canon 2, Rule 2.1 of the Code of Judicial Conduct.

COUNT II

16. Complainant repeats the allegations contained in the foregoing paragraphs as if each were set forth fully and at length herein.

17. Respondent's private law practice website contains references to his judicial office.

18. On his "New Clients" page, Respondent states, "I take a lot of pride in my work as an attorney, as well as being the municipal judge, and I really care about my clients."

19. On his "My Practice" page, Respondent again references his position as a Municipal Court Judge in the City of Elizabeth.

20. On Alignable.com, a referral network for small business owners, Respondent's account page refers to his judicial office, stating "I am a Municipal Court Judge in Elizabeth, NJ."

21. At all times relevant to this matter, Respondent maintained personal Instagram, Facebook, and "X" (formerly known as Twitter) accounts.

22. On his personal Facebook page, which is public, Respondent's account profile includes a photo of himself, as well as his full name.

23. On his law firm's Facebook page, which is public, Respondent includes links to his private law firm website, wherein Respondent identifies himself as a municipal court judge.

24. On his Instagram account, which is private, Respondent's account profile includes a photo of himself, as well as his full name.

25. Respondent, though having been advised by the Advisory Committee on Judicial Conduct of these ethical issues and acknowledging the impropriety of the referenced ethically inappropriate content from his social media accounts, failed to remove same from those accounts.

26. By his multiple and varied references to his judicial office, which are ongoing, Respondent has used or attempted to use the power and prestige of his judicial office to advance his personal and economic interests in violation of Canon 2, Rule 2.3(A) of the Code of Judicial Conduct.

27. By this same conduct, Respondent has demonstrated a failure to conform his conduct to the high standards of conduct expected of judges and has impugned the integrity of the Judiciary in violation of Canon 1, Rule 1.1 and Canon 2, Rule 2.1 of the Code of Judicial Conduct.

COUNT III

28. Complainant repeats the allegations contained in the foregoing paragraphs as if each were set forth fully and at length herein.

29. At all times relevant to this matter, Respondent maintained an "X" account that was public. Any user, even those not affiliated with Respondent, had open access to view Respondent's account in full.

30. Respondent's "X" account included Respondent's photo, his full name, and revealed that he is an attorney who lives in Elizabeth, New Jersey.

31. Respondent's "X" account shows him engaging with adult entertainment figures and commenting on their photos in such a way that brings Respondent's judicial office into disrepute.

32. In posts by Respondent to several accounts depicting nude women, Respondent made inappropriate comments on their photos and responded to their explicit, vulgar, and sexual comments and questions.

33. In a photo posted by Respondent on November 14, 2023, Respondent is shown embracing an adult film actress at an "Exxxotica Convention." Respondent is acquainted with the actress, including through his subscription to her OnlyFans account and other exchanges with her.

34. By his conduct in publicly interacting with adult entertainment figures and/or commenting on their photos, posting comments that include vulgarity, lewdness, explicit sexual references, and nudity, Respondent exhibited poor judgment and demonstrated disrespect for the Judiciary and an inability to conform to the high standards of conduct expected of judges. Such conduct demeans the judicial office and undermines public confidence in the Judiciary in violation of Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 5, Rule 5.1(A), of the Code of Judicial Conduct.

WHEREFORE, Complainant charges that Respondent has violated the following Canons of the Code of Judicial Conduct:


Canon 1, Rule 1.1, which requires judges to observe high standards of conduct so that the integrity and independence of the Judiciary may be preserved;

Canon 2, Rule 2.1, which requires judges to avoid impropriety and the appearance of impropriety and to act at all times in a manner that promotes public confidence in the integrity and impartiality of the Judiciary;

Canon 2, Rule 2.3(A), which prohibits jurists from lending the prestige of the judicial office to advance the personal or economic interests of the judge or others or to allow others to do so; and

Canon 5, Rule 5.1(A), which requires judges to conduct their extrajudicial activities in a manner that would not cast reasonable doubt on the judge's capacity to act impartially as a judge, demean the judicial office, or interfere with the proper performance of judicial duties.

DATED: July 2, 2024



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