

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

DOCKET NO: ACJC 2018-255

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**IN THE MATTER OF**

**LILIA A. MUNOZ,  
JUDGE OF THE MUNICIPAL COURT**

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**STIPULATION OF  
DISCIPLINE BY CONSENT**  
*R. 2:15-15A(b)*

**THIS STIPULATION** is made and entered into between Hon. Lilia A. Munoz, J.M.C., (“Respondent”), through her counsel, Robert S. Feder, Esq., and Maureen G. Bauman, Disciplinary Counsel / Presenter for the Advisory Committee on Judicial Conduct.

Respondent is a member of the Bar of the State of New Jersey, having been admitted to the practice of law in 1984. At all times relevant to this matter, Respondent served as a part-time judge in the Municipal Courts of Union City and Guttenberg, positions she continues to hold. At all times relevant to this matter, Respondent also operated a law office as a solo practitioner.

**A. FACTS**

From 2005 to February 2018, Respondent’s law office was located at 545-547 39<sup>th</sup> Street, Suite 100, Union City, New Jersey. At all times relevant to this matter, the building in which Respondent’s law office was located was owned by 3900 LLC, of which Ramon M. Gonzalez, Esq. (“Mr. Gonzalez”) and his spouse were principals. Prior thereto, the property was owned by Mr. Gonzalez’s father. Respondent had a written lease from November 2004 to November 2007 with Mr. Gonzalez’s father. When that lease expired, Respondent was never offered a new lease

and maintained her law office at 545-547 39<sup>th</sup> Street in Union City, New Jersey on a month-to-month basis.

From 2008 until January 2018, both Respondent and Mr. Gonzalez operated their law offices at 545-547 39<sup>th</sup> Street in Union City, New Jersey. During this time when Respondent was a tenant in Mr. Gonzalez's building, Respondent paid her rental obligation by writing checks to Mr. Gonzalez. (**Exhibit 1, pgs. 31-32**) During the time period 2008 through 2015, Mr. Gonzalez appeared as counsel of record before Respondent numerous times in Municipal Court on behalf of clients. As reflected in **Exhibit 3**, some of Mr. Gonzalez's clients had multiple charges filed against them that were processed at one appearance before Respondent. (**Exhibit 1, pg. 35; Exhibit 2, pg. 6; Exhibit 3**) Respondent's long-standing business and professional relationship with Mr. Gonzalez, as set forth above, created a conflict of interest or minimally the appearance of one that required Respondent's immediate recusal from any and all matters involving Mr. Gonzalez. Respondent acknowledges that **Exhibit 3**, which reflects each of the appearances, made by Mr. Gonzalez in Union City Municipal Court, contains reference to multiple proceedings in which she may not have had any involvement. For the time period 2016 through 2018, **Exhibit 3** shows four cases in which Mr. Gonzalez represented the defendant: State v. Garcia (Case Nos. C 121659 and C 121660), State v. Villa (Case Nos. F 458072, F 458073 and F 481642), State v. Iran (Case No. S 2017 1237) and State v. Estrada (Case Nos. C 3144, A 74112, A 786572, A 907119, C 31443D 38562 and E 150895). In respect of three of those cases (State v. Garcia, State v. Iran and State v. Estrada) **Exhibit 4** indicates that Judge Sixto Macias, who was also a municipal court judge in Union City, disposed of those matters. As to State v. Villa, the defendant failed to appear in court on May 9, 2016 which resulted in a warrant being issued for Non-Compliance-Failure to Appear for a sentence imposed in 2004. The defendant came in to Union City Municipal Court as a walk

in on May 17, 2016, a date when Respondent was sitting in Union City Municipal Court. Mr. Gonzalez is listed as the defendant's attorney on **Exhibit 3** since he was Attorney of Record in 2004.

### **B. MISCONDUCT COMMITTED**

Respondent, by her conduct as set forth above, violated Canon 1, Rule 1.1, Canon 2, Rule 2.1, and Canon 3, Rule 3.17(B) of the Code of Judicial Conduct. Respondent also violated Rule 1:12-1(g) of the New Jersey Court Rules.

### **C. AGGRAVATING / MITIGATING CIRCUMSTANCES**

Respondent has no prior disciplinary history. As reflected in the Respondent's Verified Answer filed on August 27, 2019, Respondent admitted all of the facts alleged in the Formal Complaint. Respondent admitted that the facts as alleged were true and constituted multiple violations of Canons of the Code of Judicial Conduct as explained above and New Jersey Court Rule 1:12-1(g). Respondent cooperated fully with the investigation conducted by the Advisory Committee on Judicial Conduct ("the Committee"). Respondent's misconduct is aggravated by virtue of the numerous instances, over a protracted period of time (2008 through September 2015), in which Mr. Gonzalez appeared before Respondent during the course of their long-standing business and professional relationship. Respondent has demonstrated sincere remorse and contrition concerning her admitted misconduct.

### **D. AGREED DISCIPLINARY SANCTION AND LEGAL PRECEDENT**

The agreed disciplinary sanction is a public admonition to a public reprimand. This recommendation is based upon the Supreme Court of New Jersey's decisions in In re Bowkley, 195 N.J. 176 (2008) (municipal court judge publicly admonished for engaging in two distinct conflicts of interest. Respondent issued an arrest warrant in his municipal court against a defendant

for failure to appear, even though he had represented the mother of the defendant's child in a Family Court proceeding for child support, day care expenses and related issues. Respondent also presided over the arraignment of a defendant, who was his client in an unrelated matter at the time of the arraignment), In re Elias, 195 N.J. 191 (2008) (municipal court judge censured for engaging in an impermissible *ex parte* communication with a litigant who was a defendant in a case before the municipal court; for disposing the municipal court case in the face of a conflict of interest; and for improperly disposing the municipal court case by dismissing the ticket off the record and not in open court), In re Miniman, 195 N.J. 276 (2008) (municipal court judge publicly reprimanded for engaging in a conflict of interest by granting a Temporary Restraining Order for his municipal court administrator), along with the aggravating and mitigating circumstances present in this matter as discussed above.

#### **E. RESPONDENT REPRESENTATIONS**

By entering into this Stipulation of Discipline, Respondent agrees that this disciplinary action will proceed directly to the Committee, by way of application for discipline by consent, for its review and consideration on the written record in accordance with R. 2:15-15A(b)(3). No further documentation beyond the record submitted will be accepted by the Committee.

Respondent understands that, should the Committee grant the application for discipline by consent and accept the recommendation herein, the Committee shall submit the written record to the Supreme Court for further action in accordance with R. 2:15-15A(b)(4). Respondent understands that, in the event the motion for discipline by consent is denied by the Committee, the disciplinary proceeding shall resume as if no motion had been submitted and this Stipulation shall be not evidentiary.

## F. LIST OF EXHIBITS IN SUPPORT OF STIPULATION

1. Transcript of Interview of Respondent, January 8, 2019;
2. Transcript of Interview of Ramon Gonzalez, Esq., October 18, 2018;
3. AOC Case List Printout of all appearances by Ramon Gonzalez, Esq. in Union City Municipal Court; and
4. New Jersey Automated Traffic System General Inquiry results for State v. Garcia, State v. Iran, State v. Estrada and State v. Villa.

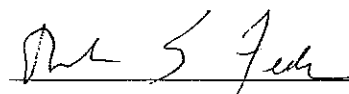
G. SIGNATURE, RECOMMENDATION AND APPROVAL



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HON. LILIA MUNOZ, J.M.C.  
Respondent


4/15/2020  
Date



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ROBERT S. FEDER, ESQ.  
Counsel to Respondent

4/16/2020  
Date



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MAUREEN G. BAUMAN, ESQ.  
ACJC Disciplinary Counsel / Presenter

4/17/2020  
Date

/s/ Virginia A. Long

HON. VIRGINIA A. LONG, *RET.*  
ACJC Chair

5/12/2020  
Date