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**Attorney for Respondent, Hector I. Rodriguez, C.J.M.C.**

**FILED**  
**DEC 28 2018**  
**A.C.J.C.**

**IN THE MATTER OF**

**HECTOR I. RODRIGUEZ JUDGE OF  
THE MUNICIPAL COURT**

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

**DOCKET NO.: ACJC 2017-398**

**ANSWER**

Hector I. Rodriguez, Judge of the Municipal Court, hereinafter referred to as "Respondent,"

by way of an Answer to a formal complaint filed by the ACJC says:

1. Admit
2. Admit
3. Admit
4. Admit
5. Admit
6. Admit
7. Admit
8. Admit
9. Admit
10. Admit in part, deny in part. The Respondent knew that the Defendant was being released on her own recognizance. However, when Respondent replied to Defendant's question, he was reiterating that she need not make a payment to secure bail.
11. Admit.

12. Respondent neither admits nor denies the allegations of paragraph 12. Respondent does not have sufficient knowledge to admit or deny. Respondent has not received any discovery regarding any conversations, audio-tapes or written statements by these individuals.
13. Respondent neither admits nor denies the allegations of paragraph 13. Respondent does not have sufficient knowledge to admit or deny. The Respondent reserves the right to amend this answer upon receipt of discovery regarding any audio tapes or written statements made by Ms. McEvoy.
14. Respondent neither admits nor denies the allegations of paragraph 14. The Respondent reserves the right to amend his answer upon receipt of additional discovery.
15. Respondent neither admits nor denies the allegations of paragraph 15. The Respondent reserves the right to amend his answer upon receipt of additional discovery.
16. Respondent neither admits nor denies the allegations of paragraph 16, Respondent lacks information to form an opinion as to the truthfulness of the allegation and leaves complainant to her proofs.
17. Admit
18. Admit
19. Deny

WHEREFORE, Respondent requests that the Formal Complaint be dismissed.

Separate Defenses

First Separate Defense

Respondent reserves the right to amend his answer and to assert any additional defenses upon receiving discovery in this matter, particularly Respondent has not received any discovery including reports, written statements and/or audio tapes which hinders his ability to provide full and complete answers and defenses herein.

### Second Separate Defense

Any misconduct that may be found is minor and does not meet the clear and convincing standard required for a formal discipline of Respondent.

### Third Separate Defense

The Complainant failed to state an ethical violation under the New Jersey Code of Judicial Conduct that rises to a level of proof beyond clear and convincing evidence.

### Fourth Separate Defense

Respondent's statement did not violate Canon Rule 1.1, Canon 2, Rule 2.1 or Canon 3, Rule 3.5 of the Code of Judicial Conduct.

### Mitigating Factors

#### First Mitigating Factor

Respondent has a good reputation and character. Respondent respects and complies with the law and acts in a manner that promotes confidence in the judiciary. Respondent was consistently respectful courteous and informative to those he deals with in a judicial capacity. Respondent works hard, is caring and passionate about litigants, handles cases efficiently and effectively reduced the backlog in Franklin Township. Respondent's reputation in the community is a judge who is professional, comforting and well-liked by all attorneys and litigants who come in to his court.

#### Second Mitigating Factor

The Defendant in the complaint has not complained of any statements made to her by the Respondent on December 5, 2017.

#### Third Mitigating Factor

The circumstance shows no likelihood of any similar alleged conduct and this matter was an isolated incident.

DESIGNATION OF COUNSEL

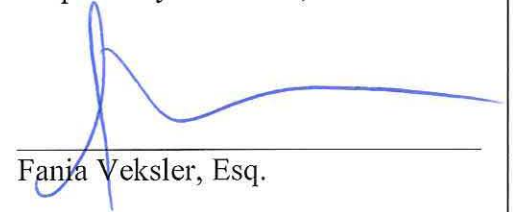
Respondent hereby designates Fania Veksler, Esq., as counsel of record in this matter.

DEMAND FOR DISCOVERY

Respondent hereby requests the following discovery:

1. All audio tapes, written statements and/or investigation reports made by any witnesses or investigators.
2. Identity and contact information for all witnesses who could be called to testify.

Respectfully submitted,



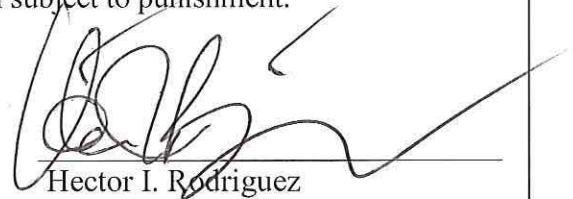
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Fania Veksler, Esq.

Dated: December 28, 2018

VERIFICATION

I, Hector I. Rodriguez, am the Respondent in this Answer. I hereby certify that I have read the foregoing answer to the complaint Docket No.: ACJC 2017-398 and verify that the statements therein are true based on my personal knowledge. I am aware that if any statements made by me are willfully false, I am subject to punishment.



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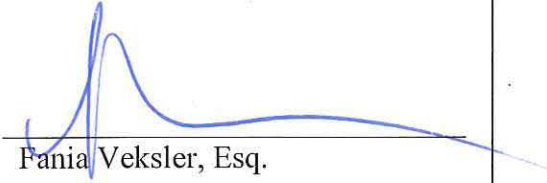
Hector I. Rodriguez

Dated: December 28, 2018

CERTIFICATION OF SERVICE

I certify that copies of this Answer on behalf of the Respondent, Hector I. Rodriguez were sent by e-mail and overnight mail on December 28, 2018, to the ACJC and to Mauren G. Bauman, Esq.

Dated: December 28, 2018

  
Fania Veksler, Esq.