SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NOS. ACJC 2004-022, 2004-098, 2004-268

FILED
MAR 2 4 2005
A. C. J. C.

IN THE MATTER OF:

DAVID A. SALTMAN
JUDGE OF THE MUNICIPAL COURT

ANSWER

Respondent, David A. Saltman, by way of Answer to the Complaint, says:

1. Respondent admits the allegations of Paragraph 1.

2. Respondent admits the allegations of Paragraph 2.

COUNT I

1. Respondent denies the allegations of Paragraph 1 of Count I as he does not believe the contingent fee agreement was signed in September 2002. However, he met with Nadia and Ilya Ben in September 2002 and admits that he began an investigation to determine whether to file a suit at that time. Respondent's intake notes did not indicate the location of the accident and Respondent was unaware of that location until the Spring of 2003.

2. Respondent admits the allegations of Paragraph 2 of Count I.

3. Respondent admits the allegations of Paragraph 3 of Count I.

4. Respondent admits the allegations of Paragraph 4 of Count I.

5. Respondent admits the allegations of Paragraph 5 of Count I.

6. Respondent admits the allegations of Paragraph 6 of Count I.

7. Respondent admits the allegations of Paragraph 7 of Count I.

8. Respondent admits the allegations of Paragraph 8 of Count I, however, the first knowledge Respondent had of Daniel Cessaro was after Mr. Cessaro had reached a plea agreement with the Prosecutor and Respondent's role was confined to accepting that plea.

9. Respondent admits the allegations of Paragraph 9 of Count I, however, his role was confined to accepting a plea negotiated with the prosecutor. In addition, the Respondent does not believe that the contingent fee agreement was signed on September 20, 2002. However, Respondent did meet with the Bens in September 2002 and did undertake an evaluation of a possible case on their behalf.

10. Respondent denies the allegations of Paragraph 10 of Count I, but admits he should have been more attentive to the location of the accident.

COUNT II

1. Respondent repeats his responses to the allegations contained in Count I of the Complaint as if fully set forth at length herein.

2. Respondent admits the allegations of Paragraph 2 of Count II, but reiterates that he was unaware of the requirements of In re: Blackman, 124 NJ 547 (1991) when he represented an officer of the West Windsor Police Department in 2001.

3. Respondent admits the conduct alleged but denies that it constitutes a pattern of disregard.

4. Respondent admits the allegations of Paragraph 4 of Count II.

COUNT III

1. Respondent admits the allegations of Paragraph 1 of Count III.

2. Respondent admits the allegations of Paragraph 2 of Count III.

3. Respondent admits the allegations of Paragraph 3 of Count III.

4. Respondent admits the allegations of Paragraph 4 of Count III.

5. Respondent admits the allegations of Paragraph 5 of Count III.

6. Respondent admits the allegations of Paragraph 6 of Count III.

7. Respondent admits the allegations of Paragraph 7 of Count III.

8. Respondent denies the allegations of Paragraph 8 of Count III as he is uncertain as to the characterization of his conduct and does not believe that his conduct produced an unjust outcome. Respondent admits that he was not as patient, dignified or courteous as he should have been.

9. Respondent denies the allegations of Paragraph 9 of Count III, but admits he was not as patient, dignified or courteous as he should have been, as he was disturbed by Mrs. Warren's failure to appear in response to the Summons.

COUNT IV

1. Respondent repeats his responses to the allegations contained in the preceding Counts of the Complaint as if fully set forth at length herein.

2. Respondent admits the allegations of Paragraph 2 of Count IV.

3. Respondent admits the allegations of Paragraph 3 of Count IV.

4. Respondent admits the allegations of Paragraph 4 of Count IV.

5. Respondent admits the allegations of Paragraph 5 of Count IV.

6. Respondent admits the allegations of Paragraph 6 of Count IV.

7. Respondent admits the allegations of Paragraph 7 of Count IV.

8. Respondent admits the allegations of Paragraph 8 of Count IV.

9. Respondent denies the allegations of Paragraph 9 of Count IV as he is uncertain as to the characterization of his conduct and believes that his conduct did not produce an unjust outcome. Respondent admits he was not as patient, dignified or courteous as he should have been.

10. Respondent admits the allegations of Paragraph 10 of Count IV, but denies that he was partial or demonstrated a lack of integrity.

COUNT V

1. Respondent repeats his responses to the allegations contained in the preceding Counts of the Complaint as if fully set forth at length herein.

2. Respondent admits the allegations of Paragraph 2 of Count V.

3. Respondent admits the allegations of Paragraph 3 of Count V.

4. Respondent admits the allegations of Paragraph 4 of Count V by virtue of his failure to behave in a patient, dignified or courteous fashion as he was required to do. He admits that his conduct was unacceptable, but does not believe it produced an unjust result.

SZAFERMAN, LAKIND, BLUMSTEIN,
BLADER, & LEHMANN, P.C.

By: _____
Arnold C. Lakind

Dated: March 23, 2005