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ACJC

SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

IN THE MATTER OF
ROSEMARIE R. WILLIAMS,
JUDGE OF THE SUPERIOR COURT

DOCKET NO.: ACJC 2006-100
FORMAL COMPLAINT

In accordance with Rule 2:15-12, Patrick J. Monahan, Jr., Secretary, Advisory Committee on Judicial Conduct ("Complainant"), complaining of Superior Court Judge Rosemarie R. Williams (Respondent), says:

1. Respondent is a member of the Bar of the State of New Jersey, having been admitted to the practice of law in 1981.
2. At all times relevant to this matter, Respondent was a Judge of the Superior Court of New Jersey, assigned as Presiding Judge of the General Equity Part of the Chancery Division in the Somerset vicinage.
3. At approximately 11:20 p.m. on December 13, 2005, Respondent was operating her vehicle on South Branch Road in Hillsborough Township, Somerset County, when Officer Thomas McClain of the Hillsborough Township Police Department observed her driving, conducted a traffic stop, and cited her for failure to keep to the right, in violation of N.J.S.A. 39:4-82.
4. After conducting field sobriety tests, Officer McClain determined that Respondent was driving while intoxicated, in violation of N.J.S.A. 39:4-50.

5. Officer McClain placed Respondent under arrest and transported her to the Hillsborough Township Police Department, where Respondent underwent Breathalyzer tests.
6. The Breathalyzer tests administered to Respondent resulted in blood alcohol readings of .16 percent.
7. Officer McClain cited Respondent for driving while intoxicated in violation of N.J.S.A. 39:4-50.
8. On January 30, 2006, Respondent appeared before Superior Court Judge John A. Sweeney, Assignment Judge of the Burlington vicinage, who was sitting as a judge of the Hillsborough Township Municipal Court by order of the Chief Justice.
9. Respondent entered a plea of guilty to the charge of DWI, and the municipal prosecutor moved to merge and dismiss the charge of failure to keep to the right.
10. Judge Sweeney found Respondent guilty and imposed the standard penalties: a fine of \$300, \$6 surcharge, \$200 in DWI surcharges, \$50 VCCB penalty, and \$75 safe neighborhood penalty. Judge Sweeney also suspended Respondent's driving privileges for a period of seven months and directed that she spend 12 hours at the Intoxicated Driver Resource Center.
11. By driving while intoxicated in violation of N.J.S.A. 39:4-50, Respondent violated Canon 1 of the Code of Judicial Conduct, which requires judges to observe high standards of conduct so that the integrity and the independence of the Judiciary may be preserved.
12. By the same conduct, Respondent also violated Canon 2A of the Code of Judicial Conduct, which requires judges to respect and comply with the law and to act at all times in a manner that promotes public confidence in the integrity and impartiality of the Judiciary.
13. Respondent's conduct also constitutes conduct prejudicial to the administration of justice that brings the judicial office into disrepute, in violation of Rule 2:15-8(a)(6).

14. In ACJC 97-246, the Advisory Committee on Judicial Conduct sent Respondent a letter of caution because certain remarks she had made to a defendant in a criminal matter detracted from the dignity of the judicial office.

15. In 2001 the Supreme Court suspended Respondent without pay for a period of three months for her failure to “conform her behavior to the social norms expected of ordinary citizens in our society and certainly not to the heightened standard we expect of judges.” In re Williams, 169 N.J. 264, 274.

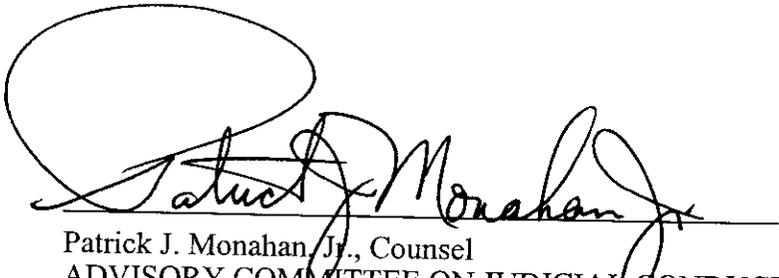
WHEREFORE, Complainant charges that, by the conduct set forth above, Respondent, Superior Court Judge Rosemarie R. Williams, has violated the following Canons of the Code of Judicial Conduct:

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

Canon 2A, which requires judges to respect and comply with the law and to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Complainant also charges that Respondent has engaged in conduct prejudicial to the administration of justice that brings the judicial office into disrepute, in violation of Rule 2:15-8(a)(6).

DATED: 1 May 2006



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