SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NO: ACJC 2011-272

IN THE MATTER OF

SURROGATE JAMES CURCIO

FORMAL COMPLAINT

FILED
OCT 03 2011
A. C. J. C.

Candace Moody, Disciplinary Counsel, Advisory Committee on Judicial Conduct ("Complainant"), complaining of Surrogate James Curcio ("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 1985.

2. At all times relevant to this matter, Respondent served as the Surrogate in Atlantic County, New Jersey.

3. In or around March 2011, Respondent, acting as "Host Committee Chairman" for Chris Brown, the Atlantic County Republican Party nominee for the New Jersey State Assembly, signed a letter inviting supporters of Mr. Brown to a fundraising event at a local restaurant in Egg Harbor Township, New Jersey.

4. In the letter, Respondent claims to speak for "the entire committee" whose names are listed under that of Respondent. At the bottom of the letter, the words, "Paid for by Friends of Chris Brown" are featured.

5. By acting as the "Chairman" of the Host Committee of a partisan political fundraiser and by speaking on that Committee's behalf while also serving as the Atlantic County Surrogate, Respondent has violated Rule 1:17-1(f), which prohibits Surrogates from engaging in partisan

political activity except as is permitted under the Code of Conduct for Judiciary Employees, and Canon 6.A.3 of the Code of Conduct for Judiciary Employees, which prohibits Surrogates from holding "an office or position of leadership in" or serving as a "spokesperson for a political party, organization or club" that supports "partisan political activity."

6. By his conduct as described above, Respondent has also violated Canons 1 and 2A of the Code of Judicial Conduct.

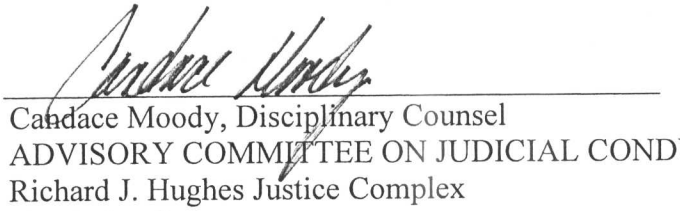
WHEREFORE, Complainant charges that Respondent, Surrogate James Curcio, has violated the following Canons of the Code of Judicial Conduct:

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 Respondent with violating Rule 1:17-1(f) and Canon 6.A.3 of the Code of Conduct for Judiciary Employees.

DATED: October 3, 2011



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