FILED
SEP 17 2013
A. C. J. C.

SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NO: ACJC 2013-093

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| IN THE MATTER OF<br><br>GERALD KEEGAN,<br>JUDGE OF THE MUNICIPAL COURT | FORMAL COMPLAINT |

Tracie H. Gelbstein, Disciplinary Counsel, Advisory Committee on Judicial Conduct ("Complainant"), complaining of Municipal Court Judge Gerald Keegan ("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 1980.

2. At all times relevant to this matter, Respondent served as a part-time Judge in the Municipal Court of the City of Paterson, a position he continues to hold.

3. On February 1, 2011, Anthony T. Ardis ("Ardis"), the former Director of Management Services and Clerk to the Board of the Passaic Valley Sewerage Commission ("PVSC"), was arrested and charged with official misconduct for using his power and influence as senior administrator at PVSC to exploit subordinates as free labor for personal home improvement projects while on agency time.

4. On June 29, 2011, the State Grand Jury indicted Ardis for official misconduct, conspiracy, and theft by unlawful taking of PVSC property in connection with his conduct while employed at PVSC.

5. The arrest and indictment of Ardis were highly publicized events.

6. Several of the newspaper articles detailing the arrest and indictment included Ardis's photograph.

7. The criminal charges against Ardis were pending in the Criminal Division in the Passaic County Vicinage while Respondent served as a municipal court judge in that same county.

8. Respondent and Ardis were friends having known each for approximately twenty-five years.

9. Respondent and Ardis both joined a religious group that gathered for mass every Thursday evening.

10. Respondent, Ardis and a few other members of the religious group routinely met for dinner at various public restaurants in Passaic County prior to attending mass on Thursday evenings.

11. Respondent continued to dine with Ardis, along with other individuals, on Thursday evenings in public restaurants after Ardis was arrested in February 2011.

12. Respondent's conduct of routinely dining at public restaurants with Ardis subsequent to Ardis's arrest and indictment for official misconduct, conspiracy, and theft by unlawful taking of property under the circumstances created an appearance of impropriety that had the potential to weaken public confidence in the integrity and impartiality of the Judiciary in violation of Canons 1 and 2A of the Code of Judicial Conduct.

13. Respondent's extra-judicial activity of routinely dining with Ardis in public restaurants after Ardis was arrested and indicted for official misconduct, conspiracy and theft by unlawful taking of property also demeans the judicial office in violation of Canon 5A(2) of the Code of Judicial Conduct.

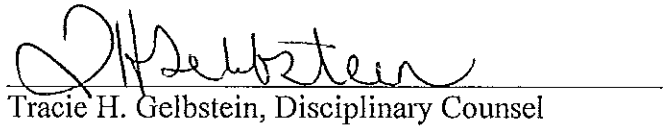
WHEREFORE, the Complainant charges that the Respondent, Municipal Court Judge Gerald Keegan, violated the following Canons of the Code of Judicial Conduct by engaging in the misconduct set forth above:

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

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; and

Canon 5A(2), which requires judges to conduct all of their extra-judicial activities so that they do not demean the judicial office.

DATED: September 17, 2013



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