

SUPREME COURT OF NEW JERSEY  
D-51 September Term 2020  
085351

**FILED**

SEP 29 2021

*Heather J. Baker*  
CLERK

IN THE MATTER OF :  
THERESA E. MULLEN, :  
A JUDGE OF THE SUPERIOR COURT :  
OF THE STATE OF NEW JERSEY :

**ORDER TO SHOW CAUSE**

The Advisory Committee on Judicial Conduct having filed a presentment recommending that removal proceedings be instituted against Superior Court Judge Theresa E. Mullen pursuant to Rule 2:14 and N.J.S.A. 2B:2A-1 to -11, and good cause appearing;

It is ORDERED that respondent show cause why she should not be removed from office or otherwise disciplined for conduct evidencing unfitness for judicial office as set forth in the Complaint attached to this Order; and it is further

ORDERED that a panel shall be designated, pursuant to N.J.S.A. 2B:2A-7, to conduct a hearing, take evidence, and report its findings to this Court, unless respondent exercises her right to waive a further evidentiary hearing before a panel and requests instead to rest on the record developed before the ACJC and to

present argument to the Supreme Court as to why she should not be removed from office or otherwise disciplined; and it is further

ORDERED that, pursuant to N.J.S.A. 2B:2A-4, the Attorney General or his representative is designated to prosecute the proceedings; and it is further

ORDERED that the respondent shall, at all stages of this proceeding, be entitled to be represented by counsel; and it is further

ORDERED that the prosecuting attorney and respondent shall have the right to compulsory process to secure the attendance of witnesses and the production of evidence at the hearing before the panel, which process shall be in the same form and issued and enforced in the same manner as any subpoena issued out of the Superior Court.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 29th day of September, 2021.

  
CLERK OF THE SUPREME COURT

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COMPLAINT FOR REMOVAL  
FROM OFFICE

Heather Joy Baker, Clerk of the Supreme Court of New Jersey, on behalf of the Supreme Court of New Jersey pursuant to Rule 2:14 and N.J.S.A. 2B:2A-1 to -11, brings this Complaint for Removal from judicial office and says:

1. Theresa E. Mullen, (respondent) has been a Judge of the Superior Court at all times relevant to the allegations contained in this Complaint.


2. This Complaint incorporates and makes a part hereof as allegations the findings of fact of the Advisory Committee on Judicial Conduct regarding the matters contained in the Presentment of the Committee filed February 3, 2021 (ACJC 2017-364), and incorporates by reference the record before the Supreme Court.

3. The allegations concerning the conduct of respondent in the above matters, if true, show clear violations of Canon 1, Rule 1.1 and 1.2, Canon 2,

Rule 2.1 and Rule 2.3(A), and Canon 5, Rule 5.1(A) of the Code of Judicial Conduct, and demonstrate respondent's unfitness for judicial office.

The filing of this Complaint constitutes the institution of formal removal proceedings as provided for by N.J.S.A. 2B:2A-3 and Court Rule 2:14.

Respondent shall file an Answer with the Clerk of the Supreme Court and the prosecuting attorney on or before October 29, 2021.

  
Heather Joy Baker, Clerk  
Supreme Court of New Jersey

Sworn and subscribed to  
before me this 29<sup>th</sup> day  
of September, 2021





**SUPREME COURT OF NEW JERSEY**  
**D-51 September Term 2020**  
**085351**

**IN THE MATTER OF** :

**THERESA E. MULLEN,** :

**A JUDGE OF THE SUPERIOR COURT :**

**OF THE STATE OF NEW JERSEY :**

**PANEL**  
**ASSIGNMENT ORDER**

The Court, on September 29, 2021, having instituted formal removal proceedings against Superior Court Judge Theresa E. Mullen, as provided for by N.J.S.A. 2B:2A-1 to -11 and Rule 2:14, through the filing of a Complaint for Removal from judicial office and an Order to Show Cause why she should not be removed from office, pursuant to N.J.S.A. 2B:2A-3 and Rule 2:14;

It is ORDERED that pursuant to N.J.S.A. 2B:2A-7, the following named judges, Carmen Alvarez, P.J.A.D., Presiding, Marlene Lynch Ford, A.J.S.C., and Benjamin C. Telsey, A.J.S.C., are hereby designated to conduct a hearing, take evidence, and report their findings to the Court, and the report as well as the transcript of the testimony taken, along with the original of any exhibits, shall be filed with the Clerk of the Court as soon after the conclusion of the hearing as reasonably practicable; and it is further

ORDERED that the Presiding Judge designated above shall schedule the hearing as soon as possible, giving the prosecuting attorney and the respondent a reasonable time within which to prepare.



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Chief Justice Stuart Rabner

September 29, 2021