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Former Presiding Judge-Municipal Courts

**FILED**  
DEC - 8 2017  
A.C.J.C.

IN THE MATTER OF

G. DOLPH CORRADINO, FORMER  
PRESIDING JUDGE-MUNICIPAL COURTS

SUPREME COURT OF NEW JERSEY  
ADVISORY COMMITTEE ON  
JUDICIAL CONDUCT  
DOCKET NO. ACJC 2016-022

Civil Action

**VERIFIED ANSWER TO COMPLAINT,  
SEPARATE DEFENSES, MITIGATING  
FACTORS AND DESIGNATION  
OF TRIAL COUNSEL**

Respondent, G. Dolph Corradino, Former Presiding Judge-Municipal Courts  
("Respondent"), by way of Verified Answer to the New Jersey Supreme Court Advisory  
Committee on Judicial Conduct's ("Complainant") Complaint, hereby states:

**FIRST DEFENSE TO PARAGRAPHS TITLED "FACTS"**

1. The allegations of paragraph 1 thereof are admitted.
2. The allegations of paragraph 2 thereof are admitted.
3. The allegations of paragraph 3 thereof are denied.
4. Answering the allegations of paragraph 4 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

5. Answering the allegations of paragraph 5 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

6. Answering the allegations of paragraph 6 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

7. Answering the allegations of paragraph 7 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

8. Answering the allegations of paragraph 8 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

9. Answering the allegations of paragraph 9 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

10. Answering the allegations of paragraph 10 thereof, insofar as same are not directed to or against Respondent, Respondent need make no response to same.

11. Answering the allegations of paragraph 11 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

12. Answering the allegations of paragraph 12 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

13. Answering the allegations of paragraph 13 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

14. Answering the allegations of paragraph 14 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

15. Answering the allegations of paragraph 15 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

16. Answering the allegations of paragraph 16 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

17. Answering the allegations of paragraph 17 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves complainant to its proofs.

18. Answering the allegations of paragraph 18 thereof, insofar as same are not directed to or against Respondent, Respondent makes no response to same and leaves Complainant to its proofs.

19. The allegations of paragraph 19 thereof are denied.

20. The allegations of paragraph 20 thereof are admitted.

21. The allegations of paragraph 21 thereof are admitted.

22. Answering the allegations of paragraph 22 thereof, Respondent did not receive payment from the DWI Fund in 2014. The balance of the allegations thereof are admitted.

23. Answering the allegations of paragraph 23 thereof, Respondent denies that he willfully failed to submit any Request for Expenditure of DWI Funds to his Assignment Judge. Respondent never saw the Guidelines promulgated on May 18, 2009, entitled "Guidelines for the Expenditure of Municipal Court Alcohol Education Rehabilitation and Enforcement Funds" and "Guidelines for the Expenditure of Parking Offenses Adjudication Act Funds" or the accompanying "Request for the Expenditure of DWI c.531 or POAA Funds" form referenced in paragraph 10 of the Complaint. The first time Respondent learned of the Guidelines or the form was on September 2, 2015, when he was told by Sonya Nieves, Municipal Division Manager, that he had not filled out the form in five years. Ms. Nieves gave him a copy of the form, which is the first time he had ever seen it. He immediately brought the form to Andrea Trombino, the Municipal Court Administrator for Little Falls, showed it to her and asked her if she had ever seen it before. She said she had never seen such a form or heard of such a form.

Furthermore, no one within the Passaic Vicinage ever advised Respondent of any obligations set forth in the Guidelines or form from 2009 through September 1, 2015, or questioned why he hadn't complied with the Guidelines and submitted the form. Ms. Nieves never brought this issue up with either Respondent or Ms. Trombino during any of her visitation reviews with the Little Falls Municipal Court during the years in question. Therefore, Respondent was unaware of the contents of the Guidelines of form or any concomitant obligations that may have been set forth in the documents.

24. Answering the allegations of paragraph 24 thereof, Respondent denies conceding that he read Judge Grant's memo and states that he never saw the Guidelines or the "Request for the Expenditure of DWI c.531 or POAA Funds" form referenced in paragraph 10 of the Complaint.

25. The allegations of paragraph 25 thereof are denied. Respondent never saw the Guidelines or the "Request for the Expenditure of DWI c.531 or POAA Funds" form referenced in paragraph 10 of the Complaint. Furthermore, no one within the Passaic Vicinage ever advised Respondent of any obligations set forth in the Guidelines or form from 2009 to September 1, 2015. Therefore, Respondent was unaware of the contents of same or any concomitant obligations that may have been set forth in the documents.

26. Answering the allegations of paragraph 26 thereof, Respondent admits that he orally requested payment from the Little Falls Township Manager for monies from the Fund. The balance of the allegations thereof are denied.

27. Answering the allegations of paragraph 27 thereof, Respondent denies receiving any payment in 2014. The balance of the allegations thereof are admitted.

28. The allegations of paragraph 28 thereof are denied. Respondent admits, however that at a meeting on September 3, 2015, attended by Respondent, Judge Caposela, Ms. Nieves and Bob Tracy, he told Judge Caposela that he had always used the DWI funds at his discretion and never filled out a form. He explained that he had previously held special sessions and did most of the research and issued decisions outside court hours. He told Judge Caposela he was taught to do that by his predecessor and that no one had ever told him otherwise. Ms. Nieves admitted at the meeting that in past years the funds were loosely supervised and rarely, if ever, reviewed. That meeting is the

first time he saw the Guidelines. Respondent told everyone at the meeting he had never before seen the Guidelines or the attachment thereto. Judge Caposela advised that the Guidelines had been sent directly to the Treasurer of each town. However, Respondent never received it.

29. The allegations of paragraph 29 thereof are denied.

### **SEPARATE DEFENSES**

#### **FIRST SEPARATE DEFENSE TO ALL COUNTS**

The Complaint fails to state a cause for action under the New Jersey Code of Judicial Conduct (“CJC”) against Respondent and Respondent reserves the right to move at or before the hearing in this matter to dismiss same.

#### **SECOND SEPARATE DEFENSE TO ALL COUNTS**

Respondent’s conduct did not violate Canon 1, Rule 1.1, or Canon 2, Rule 2.1 of the Code of Judicial Ethics.

#### **THIRD SEPARATE DEFENSE TO ALL COUNTS**

At all times relevant hereto, Respondent personally observed the highest standards of conduct.

#### **FOURTH SEPARATE DEFENSE TO ALL COUNTS**

At all times relevant hereto, Respondent acted in the manner that promoted public confidence in the independence, integrity and impartiality of the judiciary and took reasonable efforts to avoid impropriety and the appearance of impropriety.

#### **FIFTH SEPARATE DEFENSE TO ALL COUNTS**

At all times relevant hereto, Respondent did not in any way use or attempt to use his position to gain personal advantage or deferential treatment of any kind.

**SIXTH SEPARATE DEFENSE TO ALL COUNTS**

Any misconduct that may be found is only minor misconduct.

**SEVENTH SEPARATE DEFENSE TO ALL COUNTS**

Complainant cannot prove the allegations set forth in the Complaint by clear and convincing evidence.

**EIGHTH SEPARATE DEFENSE TO ALL COUNTS**

Respondent reserves the right to amend his Verified Answer to assert additional separate defenses prior to or at the hearing of this matter.

**NINTH SEPARATE DEFENSE TO ALL COUNTS**

Complainant cannot show that Respondent would have been denied the DWI funds had he completed the DWI form referenced in the Complaint during the years 2009-2015 or that he was not otherwise permitted to receive the funds in question.

**WHEREFORE**, G. Dolph Corradino, Former Presiding Judge-Municipal Courts, asserts that discipline in this instance is inappropriate and demands that the Complaint be dismissed.

**MITIGATING FACTORS**

**FIRST MITIGATING FACTOR**

Respondent has fully cooperated with the investigation of this matter.

**SECOND MITIGATING FACTOR**

Respondent has engaged counsel to assist him in this matter.

**THIRD MITIGATING FACTOR**

Respondent has a good reputation and character.

**FOURTH MITIGATING FACTOR**

When Respondent learned of the existence of the Guidelines and “Request for the Expenditure of DWI c.531 or POAA Funds” form, he raised the issue immediately with the Assignment Judge and told him that he had not been submitting the forms.

**FIFTH MITIGATING FACTOR**

Respondent has readily admitted his conduct to the ACJG and Attorney General’s office.

**SIXTH MITIGATING FACTOR**

Respondent has shown contrition and remorse, including in his interview with the ACJC.

**SEVENTH MITIGATING FACTOR**

Respondent gives service to the community.

**EIGHTH MITIGATING FACTOR**

Respondent has had exemplary conduct both prior to and since the incident.

**NINTH MITIGATING FACTOR**

The circumstances show no likelihood of repeat offenses.

**TENTH MITIGATING FACTOR**

This was an isolated incident.

**ELEVENTH MITIGATING FACTOR**

Respondent did not in any way act for personal gain.



### **TWELFTH MITIGATING FACTOR**

Respondent volunteered at the Presiding Judges Conference for several years, which included giving seminars on such topics as bail, immigration, evidence and motions to suppress.

### **DEMAND FOR HEARING**

Respondent, G. Dolph Corradino, Former Presiding Judge-Municipal Courts, hereby requests a hearing on all issues raised in the Complaint.

### **DEMAND FOR DISCOVERY**

Respondent hereby requests the following discovery:

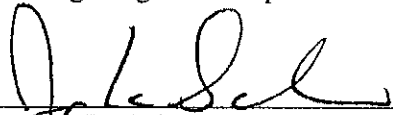
1. All writings as defined by N.J.R.E. 801(e) or other tangible objects including audiotapes, transcripts or those obtained from or belonging to Respondent.
2. Written statements including any memoranda, reporting or summarizing oral statements made by any witness including Respondent.
3. Identity and contact information for fact witnesses and list of all persons who will be called as witnesses.
4. Investigation reports.
5. Identity of expert witnesses and opinions.
6. Any and all documents Complainant intends to rely on at the hearing in this matter or that relate in any way to the allegations of the Complaint.

**DESIGNATION OF TRIAL COUNSEL**

Respondent, G. Dolph Corradino, Former Presiding Judge-Municipal Courts,  
hereby designates Joseph P. La Sala, Esq., as trial counsel of record in this matter.

**MCÉLROY, DEUTSCH, MULVANEY & CARPENTER, LLP**  
Attorneys for Respondent, G. Dolph Corradino,  
Former Presiding Judge-Municipal Courts

By: \_\_\_\_\_

  
Joseph P. La Sala, Esq.  
William F. O'Connor, Jr., Esq.

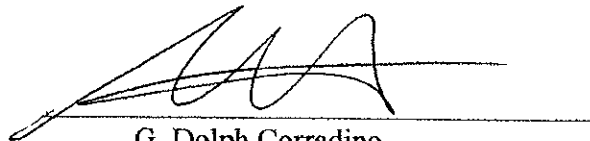
Dated: December 7, 2017

**VERIFICATION**

I, G. Dolph Corradino, am the Respondent in the within disciplinary action and hereby certify as follows:

1) I have read every paragraph of the foregoing Answer to the Complaint and verify that the statements therein are true and based on my personal knowledge.

2) I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
G. Dolph Corradino

Dated: December 7, 2017

**CERTIFICATE OF SERVICE**

I certify that an original and one copy of the foregoing Verified Answer, Separate Defenses, Mitigating Factors, Demand for Hearing, Demand for Discovery and Designation of Trial Counsel have been filed by Electronic Delivery and Regular Mail with the Advisory Committee on Judicial Conduct on this 7<sup>th</sup> day of December, 2017.

**McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP**  
Attorneys for Respondent, G. Dolph Corradino,  
Former Presiding Judge-Municipal Courts

By: \_\_\_\_\_



Joseph P. La Sala, Esq.  
William F. O'Connor, Jr., Esq.

Dated: December 7, 2017

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