

SUPREME COURT OF NEW JERSEY  
ADVISORY COMMITTEE ON  
JUDICIAL CONDUCT  
DOCKET NO: ACJC 2010-200

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IN THE MATTER OF

RICHARD OBUCH,  
JUDGE OF THE ELIZABETH  
MUNICIPAL COURT

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STIPULATIONS

The undersigned Disciplinary Counsel ("Presenter") to the Advisory Committee on Judicial Conduct and Richard Obuch, Esq. ("Respondent"), through counsel, hereby enter into these Stipulations:

1. Respondent is a member of the Bar of the State of New Jersey, having been admitted to the practice of law in 1992.
2. At all times relevant to this matter, Respondent served as a part-time judge in the Municipal Court of the City of Elizabeth, a position he continues to hold.
3. Upon his judicial appointment, Respondent attended the 2003 New Judges Orientation seminar for municipal judges over a period of several days, on March 6, 2003, March 7, 2003, April 11, 2003, May 1, 2003, and May 2, 2003.
4. A portion of the New Judges Orientation seminar held on April 11, 2003 focused on judicial conduct under the New Jersey Rules of Court and the Canons of the Code of Judicial Conduct, and included a discussion on R. 1:15, the prohibition against a part-time municipal judge acting as attorney for any municipality served by that judge's court or any agency or officers thereof.

5. Mr. Oscar Ocasio was an employee of the City of Elizabeth from January 12, 1994 to March 3, 2010.

6. On September 23, 1997, the Elizabeth City Council appointed Mr. Ocasio as the Director of Planning and Community Development (also referred to as Department of Policy and Planning) for the City of Elizabeth pursuant to Chapter 2.48 of the Elizabeth City Code.

7. Between February 2008 and March 2010, Respondent, in his capacity as a practicing attorney, represented Mr. Ocasio in three legal matters: (1) Homebuilders Group, LLC v. Ocasio, American Arbitration Association Case No. 18-473-00-26708; (2) Oscar Ocasio Valle, et al. v. Antonio Rivera Colon, et al., United States District Court, District of New Jersey, Civil Action No. 08-4697; and (3) Oscar Ocasio v. Antonio Rivera, et al., Docket No. PAS-L-3361-08 (“Ocasio matters”)

8. Mr. Ocasio was Elizabeth’s Director of Planning and Community Development during the time of Respondent’s legal representation.

9. The Ocasio matters concerned private matters unrelated to Mr. Ocasio’s position as the Director of Planning and Community Development for the City of Elizabeth.

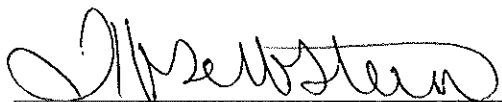
10. On March 23, 2010, Respondent learned that there was an ongoing criminal investigation involving Mr. Ocasio and the subject matter of the Ocasio cases.

11. Respondent reached out to Chief Judge Roman Montes and Presiding Judge Joan Robinson Gross to discuss potential judicial ethics violations should Respondent continue his representation of Mr. Ocasio.

12. On March 25, 2010, Respondent informed Mr. Ocasio that he must withdraw as his attorney in light of the criminal investigations.

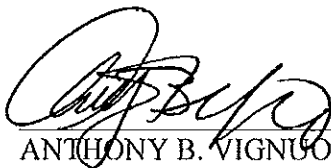
13. On March 29, 2010, Respondent filed a motion to be relieved as counsel in the Passaic County matter, which was denied on April 16, 2010.

14. On April 26, 2010, Respondent filed an Order of Consent in the Passaic County matter withdrawing as Mr. Ocasio's attorney. The other two Ocasio matters had previously been dismissed.



TRACIE H. GELBSTEIN, ESQ.  
Advisory Committee on Judicial Conduct

DATED: September 17, 2012



ANTHONY B. VIGNUOLO, ESQ.  
Attorney for Respondent, Richard Obuch

DATED: September 17, 2012