

SUPREME COURT OF NEW JERSEY  
M-179 September Term 2019  
082636

**FILED**

SEP 20 2019

*Heather J. Baker*  
CLERK

IN THE MATTER OF :  
JOHN F. RUSSO, JR., :  
A JUDGE OF THE SUPERIOR COURT :  
OF THE STATE OF NEW JERSEY :

**ORDER**

Under the Constitution, the Chief Justice heads the Supreme Court and serves as the administrative leader of the State Judiciary. As jurists, the Chief Justice and Associate Justices resolve individual disputes presented to the Court. As the administrative head of the court system, the responsibilities of the Chief Justice also cover a broad array of duties.

Respondent John F. Russo, Jr., a Judge of the Superior Court, has moved to disqualify the Chief Justice from participating in all aspects of the disciplinary proceedings against Respondent. He also seeks to vacate an order entered by the Chief Justice on July 24, 2019, appointing a three-judge panel to conduct a hearing in the matter. The plain language of N.J.S.A. 2B:2A-7 empowers the Chief Justice to designate “three justices or judges, or a combination thereof” to conduct such a hearing.

The basis for Respondent's motion is a statement the Chief Justice issued on July 17, 2019. It reiterates the Court's order -- which directed the Clerk to file a complaint for removal against Judge Russo and suspended him without pay -- and the process that will follow. The Statement next expressly notes that it

does not address the merits of the upcoming proceeding or the discipline that should be imposed. By law, Respondent has the right to a formal hearing before a three-judge panel. See N.J.S.A. 2B:2A-6, -7. Its findings will then be presented to the Court for consideration.

The comments that follow do not prejudge the outcome of the hearing. Instead, they apply to the work of the Judiciary and the disciplinary process more generally.

Alerting judges and the public to the purpose of judicial discipline, and announcing mandatory training for judges, do not present a basis for disqualification.

Respondent's motion, having been referred to the full Court, is denied.



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Chief Justice Stuart Rabner  
For the Court

September 20, 2019