

FILED

MAR 28 2016

A.C.J.C.

IN THE MATTER OF

JOSEPH A. PORTELLI,
JUDGE OF THE SUPERIOR COURT

SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NO. ACJC 2015-093

STIPULATIONS

Maureen Bauman, Disciplinary Counsel, Advisory Committee on Judicial Conduct ("Presenter"), and Superior Court Judge Joseph A. Portelli ("Respondent"), through counsel, Ralph J. Lamparello, Esq., hereby enter into the following stipulations:

1. Respondent is a member of the Bar of the State of New Jersey, having been admitted to the practice of law in 1981.
2. At all times relevant to this matter, Respondent served as a Judge of the Superior Court of New Jersey assigned to the Children in Courts docket for the Family Division in Passaic County.

3. The Children in Courts docket included guardianship matters involving complaints filed by New Jersey's Division of Child Protection and Permanency ("DCPP") seeking termination of parental rights of a parent or guardian to a child or children.
4. Respondent presided over the guardianship matters pending in Passaic County as part of his Children in Courts assignment.

Count I

5. On May 29, 2014, Peter Alvino ("Alvino"), Senior Attorney General assigned as Chief to the Department of Children and Families - North Section ("DCF-North") appeared before Respondent on behalf of DCPP to argue a motion to vacate a sanction entered against it by Respondent.
6. Patricia O'Dowd ("O'Dowd") Deputy Attorney General assigned as Assistant Chief to DCF-North, was present in the courtroom to observe her supervisor argue the motion.
7. Part of O'Dowd's duties included trying guardianship cases before Respondent.

8. While Respondent was reading his decision on the motion to vacate, O'Dowd made facial expressions indicating disagreement with statistics cited by the Court.
9. Respondent took note of O'Dowd's demeanor and expressed his disapproval in open court.
10. During a break in the court proceedings on May 29, 2014, Respondent invited Alvino and O'Dowd back to his chambers.
11. Once in chambers, Respondent remarked to Alvino that O'Dowd was doing a great job.

Count II

12. Melissa Medoway ("Medoway"), Deputy Attorney General assigned to DCF-North Section, represented DCCP in guardianship matters and routinely appeared before Respondent on behalf of her client.
13. Jessica Checo ("Checo") a Family Service Specialist with DCCP, was often called to testify by Medoway on behalf of DCCP as to the circumstances surrounding the parents' mistreatment of their minor child and DCCP's position on termination of parental rights in guardianship matters

before Respondent while he was serving as a judge in the Children in Courts docket for the Family Division in Passaic County.

14. During a bench trial before Respondent on August 27, 2014, Medoway call Checo as a witness to testify on behalf of DCCP as to the circumstances surrounding the parents' mistreatment of their minor child and DCCP's position on termination of parental rights.

15. During bench trial before Respondent on September 17, 2014, Medoway called Checo to testify as a witness on behalf of DCCP as to the circumstances surrounding the parents' mistreatment of their minor child and DCCP's position on termination of parental rights.

Count III

16. Kathryn Kolodziej ("Kolodziej"), Deputy Attorney General assigned to DCF-North Section, represented DCCP in guardianship matters and routinely appeared before Respondent on behalf of her client.

17. During the summer of 2013, Respondent was presiding over a Children in Court matter in which the child appeared in

court to meet with Respondent and Respondent invited the child to sit on his lap while he was on the bench.

Maureen G. Bauman

MAUREEN G. BAUMAN, ESQ.
Presenter

DATED: March 21, 2016

Ralph J. Lamparello

RALPH J. LAMPARELLO, ESQ.
Counsel for Respondent

DATED: March 23, 2016