

SUPREME COURT OF NEW JERSEY
Disciplinary Review Board
Docket No. DRB 15-333
District Docket No. XIV-2007-0570E

IN 'THE MATTER OF
VICTOR G. SISON
AN ATTORNEY AT LAW

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Decision

Argued: February 18, 2016

Decided: July 20, 2016

Jason D. Saunders appeared on behalf of the Office of Attorney Ethics.

Salvatore T. Alfano appeared on behalf of respondent.

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter was before us on a recommendation for a three-month suspension, with one month suspended, filed by the District VI Ethics Committee (DEC). The formal ethics complaint charged respondent with having violated RPC 8.4(b) (conduct involving the commission of a criminal act, specifically, N.J.S.A. 2C:30-2(a)) and RPC 8.4(d) (conduct prejudicial to the administration of

justice).¹ For the reasons detailed below, we determine that a three-month suspension is the appropriate quantum of discipline.

Respondent was admitted to the New Jersey bar in 1992 and the New York bar in 1993. He maintains a law office in Jersey City, New Jersey. He has no history of discipline.

Respondent stipulated to facts relating to his involvement in "ticket-fixing" and, therefore, his violation of RPC 8.4(d). Thus, the only issues for determination are whether respondent, as a former municipal judge, breached RPC 8.4(b) by violating N.J.S.A. 2C:30-2(a) and the proper quantum of discipline for his misconduct.

By way of background, respondent was born in the Philippines, where he obtained an undergraduate degree. Later, he lived in Rome, from approximately 1962 to 1972. In 1967, he was ordained as a priest and, thereafter, obtained a doctorate degree in Theology. He subsequently returned to the Philippines where, from 1974 to 1986, he was a professor and dean of Theology.

¹ This statute provides that a public servant is guilty of official misconduct when "with purpose to obtain a benefit for himself or another . . . [h]e commits an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act is unauthorized or he is committing such act in an unauthorized manner[.]"

In 1986, respondent tendered his resignation from the priesthood and later married. Thereafter, he settled in the United States and taught Theology at the Covenant Station School in Elizabeth, New Jersey. From 1988 to 1992, he attended Rutgers School of Law in Newark, on a part-time basis, while working full-time at the New York Transit Authority.

Respondent was a part-time municipal judge from 2004 until 2007 and, therefore, was a public servant. On October 3, 2007, he took a voluntary leave of absence from that position.²

On October 10, 2007, the OAE docketed this matter, based on a newspaper report of an investigation conducted by the New Jersey Office of the Attorney General, Division of Criminal Justice (AG), which involved ticket-fixing by several municipal court judges, including respondent. On October 25, 2007, the AG's office provided the OAE with a copy of a complaint charging respondent with the second-degree crime of Official Misconduct, in violation of N.J.S.A. 2C:30-2(a). Shortly thereafter, respondent's counsel notified the OAE about the pending criminal charges.

² Respondent was seventy-one years of age, in November 2014, when he entered into a stipulation of facts with the OAE. He admitted most of the allegations in the ethics complaint.

On August 28, 2009, respondent was admitted into the pre-trial intervention program (PTI) for a two-year period, which he successfully completed. In connection with his admission into PTI, respondent forfeited his right to hold judicial office in the future. Respondent cooperated with both law enforcement and the OAE during the criminal and ethics investigations, respectively.

The crux of respondent's wrongdoing is as follows. In 2005, he received a ticket from the Jersey City Housing Authority for debris and other materials left behind by a contractor who had completed work at his Jersey City Law office. Knowing that he could not adjudicate his own ticket, respondent took it to his superior, Municipal Court Judge Wanda Molina. According to respondent, the perception in the Jersey City Municipal Court was that judges could not dismiss their own tickets, but could give them to another judge.

Molina adjudicated the ticket in chambers; respondent paid a \$50 fine and \$20 court costs. He considered the adjudication as a "test run," and assumed that other tickets could be handled similarly.³

³ Presumably, respondent considered an earlier ticket, that had been issued in 2004 to his son, as the "test run." Because of the length of time that transpired between the events and the drafting of the stipulated facts, ten years, it is likely that
(Footnote cont'd on next page)

Respondent also presented three tickets to Municipal Court Judge Pauline Sica: (1) an April 29, 2004 ticket issued to respondent's son, Karl Sison, for failure to observe a traffic control device, a moving violation; (2) a ticket issued to a vehicle registered in his name for violation of a municipal parking ordinance; and (3) another ticket issued to a vehicle registered to respondent and/or Irene Sison, his wife.

The tickets were not adjudicated on the record. Sica imposed judgment without regard to the actual guilt, innocence, guilty plea, hearing, or presence of the defendants. In their absence, Sica found them guilty.

As to the April 27, 2004 ticket issued to Karl Sison, Sica amended it to delaying traffic, a no-point violation, and informed respondent of the amended charge and fine. Karl was not present when the charges were amended, or the fines imposed, and was not advised of his right to appeal the determination. Sica disposed of the ticket on May 24, 2004, ordering Karl to pay a \$25 fine and \$25 in court costs, which were paid on May 25, 2004. Sica waived the \$42 fine. Karl was found guilty of the amended offenses, even though he was standing in the hallway, never

(Footnote cont'd)

respondent was mistaken about which ticket had been improperly adjudicated first.

entered the courtroom, and did not enter a guilty plea. Neither the police officer nor the municipal prosecutor was given notice or an opportunity to be heard on the traffic ticket and no factual basis for the charge was placed on the record. Respondent maintained that it never occurred to him to tell his son to retain a lawyer to contest the ticket. Respondent became aware of the impropriety of the disposition only after the ticket had been adjudicated.

For the ticket issued on January 3, 2006 to either respondent or his wife, for parking during street-cleaning, respondent was assessed \$10 in court costs, which was paid on January 10, 2006; Sica waived the \$42 fine. For the ticket issued to respondent on April 26, 2007, Sica assessed court costs of \$20, which were paid on April 30, 2007.

Respondent recalled talking to Sica after she had disposed of his son's ticket. He claimed that he "didn't expect her to do that. [He] was hoping that she would have called [him]" because, at that time, he was only "looking for direction." Respondent thought that Sica had the "judicial discretion to do what she has to do." He later began doubting that the disposition of his son's ticket was proper, but accepted the manner in which the more seasoned judges handled the tickets. In hindsight, he acknowledged that Sica's handling of the tickets was "unethical,

inappropriate, and inconsistent with the conduct expected from a lawyer and a Municipal Court Judge" and stipulated that the disposition of the tickets was prejudicial to the administration of justice, in violation of RPC 8.4(d). He expressed sincere remorse and contrition for his conduct, acknowledging that it was a "very, very bad mistake," a lapse in judgment.

The public member of the hearing panel remarked that most individuals do not have access to assistance from a judge if they receive a ticket. She, therefore, inquired why respondent intervened on behalf of his family when most individuals cannot obtain such assistance. Respondent replied that he did not intervene, he refrained from disposing of the tickets in his courtroom.

Respondent maintained that he had received little training to become a municipal court judge other than to watch another judge on the bench. Later, in 2004, he attended a lecture and some seminars on substantive law. He also received various manuals or handbooks on issues such as conflicts of interest. He did not review R. 1:12-1⁴ relating to the disqualification of

⁴ The rule, which took effect on July 13, 1994, states in relevant part that "[t]he judge of any court shall be disqualified on the court's own motion and shall not sit in any matter, if the judge (a) is by blood or marriage the second cousin of or is more closely related to any party to the action. . . ."

judges when a relative is involved in a civil or criminal matter. Respondent did not know whether the rule was referenced in the materials he received, because he had not read them in their entirety.⁵

As to the RPC 8.4(b) charge, respondent stated that, throughout his entire life, including his twenty years as a priest, he has tried to live an ethical, moral, and honest life and continues to be guided by the precepts of his priesthood. He made a mistake submitting tickets to the judges, whom he believed could help him. He did not ask for any benefit or any favors. He simply sought guidance from the judges regarding what he believed was a conflict of interest. He relied on (1) the advice he had received from Judge McGill concerning an earlier conflict of interest, when McGill told him to send it to another municipal judge, and (2) the manner in which his first ticket was handled. When he asked the judge whether he should plead guilty in that matter, she replied that she would adjudicate it in chambers. He maintained that he was not looking for a "favor," but rather was simply asking for direction and paid the fine she imposed.

⁵ Following the charges against the Jersey City judges, the Court issued an administrative directive clarifying the procedure for the handling of tickets involving relatives.

As to the remaining tickets, respondent believed that, because he was employed by Jersey City, he could not hear his own or his family's ticket and asked his clerk to give them to another judge.⁶ He was not seeking a benefit for himself or his family by having another judge dispose of the tickets and never sought preferential treatment. He believed that, if he had appeared in court, it would have resulted in a conflict of interest and now he is being charged "for being a criminal" for perhaps a couple of hundred dollars. He asserted that "they are judges ahead of me," presumably, judges with more experience on whom he relied and from whom he sought advice on how to handle the tickets.

The OAE pointed out, however, that when then Presiding Judge Maurice J. Gallipoli and the AG's office interviewed respondent, he did not mention having given the tickets to his clerk. Instead, he told Judge Gallipoli that he had taken his son's ticket to Sica while his son waited "outside" and, the following day, Sica told him about the ticket's disposition.

⁶ Throughout the DEC hearing, the term clerk and court clerk were used interchangeably by both respondent and the OAE. Therefore, at times, it was not clear whether respondent was referring to his own legal assistant or to the court clerk.

Respondent attributed the discrepancy in his statements to his English not being "accurate" at the time of the interview. He asserted that he did not give the ticket directly to Sica, claiming that he always gave the tickets to his law clerk to present to "any" judge. He believed that was what he had told the investigating panel. He maintained that it was the law clerk's "call" to give the tickets to Judge Sica. He had asked the clerk to give them to the "next" judge. Respondent later stated that, after having reached a certain age, he did not recall all of the details. He also asserted that he had been unprepared for the court's investigation and that his recollection of the events was better at the DEC hearing because he was more prepared than he had been during the 2007 interview. Respondent credited his better recollection, in part, to having had an opportunity to review the tickets. He also maintained that he had felt intimidated during his interview with the presiding judge.

Later, after a break at the ethics hearing, respondent clarified that he had given the tickets to his "law administrator" to whom he said "go to the other side. And what I meant is go to Judge Sika [sic]." He did not deny that it was his decision to send the tickets to Judge Sica. When asked by his counsel, respondent stated that, previously, he must have misunderstood the OAE's question because he "must be a little bit

tired. I must have misunderstood, I apologize." He, then, unequivocally admitted that it was his decision to have the tickets referred to Sica.

Respondent testified further that, in 2007, after rumors began circulating about the improper handling of tickets, he realized that his tickets fell "under the category." He, therefore, asked the administrative clerk about vacating the tickets that Sica had adjudicated. He was prepared to pay the maximum fines for each of the tickets. The clerk, however, told him that a ticket could not be vacated "once it was in the system."

Respondent attributed his improper conduct to his inexperience as a judge and his understanding that it was "just the way things are being done around here." He asserted, however, that he never sought preferential treatment.

As to respondent's relationship with Sica, he maintained that, prior to becoming a municipal court judge, he did not know her; he became acquainted with her when she asked to share office space with him.

Ultimately, respondent conceded that Sica worked for him in private practice. He paid her for services she performed on his behalf, and she was listed on his letterhead as "of-counsel."

Respondent testified that, when he was being interviewed by the AG and realized that it was an investigation, he was shocked, upset, and nervous. He also commented about the emotional toll that the criminal and ethics proceedings took on him and his family. He blamed himself for the death of his sister who was involved in a car accident and for his wife's near death due to heart problems.

As to mitigating factors, respondent stated that, notwithstanding having left the priesthood, he retained a spiritual sense and, thus, performed and continues to perform a considerable amount of pro bono work in the Filipino community for which he has received awards from various organizations.

Because of his strong involvement in the Filipino community, respondent receives referrals from FALDEF, the Filipino American Legal Defense League associated with the Filipino Embassy. His practice comprises immigration, family, bankruptcy, and real estate law. For twenty years, he has been a member of the Hudson County Early Settlement Panel. Respondent is also involved with St. Mary's Catholic Action, which he founded thirty-five years ago, and the Knights of Rizal. He is president and former grand marshal of the Philippine American Friendship Committee; is the legal advisor to the Federation of Filipino Societies of New Jersey and to the Pan American Concerned Citizens League (senior

citizens); and is vice president of the Jersey City Chamber of Commerce.

As of the date of the DEC hearing, respondent continued to perform pro bono services, to sit on the Early Settlement Panel, and to participate in the Filipino community.

Respondent submitted several character letters and certifications from the following individuals: (1) Victor Mayningo-Arenas, an associate pastor in Staten Island who has known respondent for fifty-five years dating back to their high school years in the Philippines; he underscored respondent's reputation for honesty, integrity, and engaging in charitable endeavors; he noted that, from the time respondent was young, he was trained to be a "man for others;" he was committed to his family and the Filipino community; and he is a good man always willing to lend a helping hand to those in need; (2) Deacon Cesar Sarmiento, who has known respondent for almost forty years, noted respondent's participation in the church, his contributions to the Filipino community in which he is held in high esteem, and his generosity and pro bono services in the community; and (3) various attorneys and the Jersey City Tax Assessor, all of whom have known respondent for periods ranging from fifteen to twenty years; all commented on respondent's reputation in the legal community for honesty, professionalism, diligence, civility, and

generosity with his time to both attorneys and those with limited financial means; his hard work; his leadership roles in the Filipino community; his expression of sincere remorse and contrition to them over his ethics problems; and his fairness and patience with both attorneys and pro se litigants. Respondent presented additional character letters that were submitted in connection with his PTI application, which expressed similar views about his good character.

At the DEC hearing, the OAE characterized respondent's conduct as an obstruction of justice, arguing that respondent's conduct provided one tier of justice to the general public and another tier to municipal court judges and their relatives. Although the OAE credited respondent's efforts in the community, both through his legal contributions and his earlier years as a priest, it, nevertheless, urged the DEC to find that respondent violated N.J.S.A. 2C:30-2A, official misconduct and, thus, RPC 8.4(b). The OAE reasoned that, at the relevant time, respondent was a municipal court judge, and, thus, a public servant who committed an act relating to his office in an unauthorized manner, knowing that it was unauthorized and knowing that he would derive a pecuniary benefit from directing tickets to Municipal Court Judge Sica.

The OAE contended that respondent's argument, that he was trying to avoid a conflict of interest by engaging in the improper conduct, was without merit. The OAE argued that, under the totality of the circumstances, no reasonable person could believe that the manner in which the tickets were adjudicated was proper, ethical, or consistent with the law, regardless of respondent's perception of the culture in Jersey City. Rather, respondent knew that by routing the tickets to Sica, he stood to gain a benefit.

The OAE distinguished respondent's case from In re Molina, 216 N.J. 551 (2014) (six-month suspension) on the basis that Molina, having pleaded guilty to tampering with official records in connection with ticket-fixing, had been convicted of a crime, while respondent was not, but, rather, was accepted into the PTI program. The OAE argued, thus, that the appropriate range of discipline for respondent is a censure to a six-month suspension.

Respondent's counsel acknowledged that discipline was warranted and conceded that the fact that respondent was not convicted of a crime did not preclude a finding that he violated RPC 8.4(b). Counsel distinguished the Molina case, noting: (1) that Molina was only fifty-one years old at the time of her suspension, while respondent was approaching seventy-two; (2) that Molina tampered with public records when she dismissed

tickets for her significant other, which was clearly official misconduct; and (3) that Molina was the chief judge of the municipal court.

Counsel further pointed to respondent's significant mitigating circumstances, including the character letters written on his behalf from lawyers and the Jersey City tax assessor, his impeccable reputation in the legal community, the significant amount of pro bono services he provided in the community, his substantial service to the Filipino community, his cooperation with law enforcement and ethics authorities, his sincere contrition and remorse, his lack of a prior or subsequent ethics history, and the passage of time since his offenses occurred (as of the DEC hearing, eight to ten years). Counsel maintained that a censure is fitting discipline in this case. He noted that, because respondent was approaching seventy-two years of age, a six-month suspension would be equivalent to shutting down his practice. Citing In re Alum, 162 N.J. 313 (2000), counsel requested that, if a suspension were found warranted, it be suspended, as it would be senseless to prevent respondent from continuing to serve the Filipino community.

The DEC considered ten letters in support of respondent's good character, his exemplary background, his significant pro

bono work, his extreme remorse, and the fact that he "appeared to acknowledge the gravity" of his conduct.

The DEC found that Sica, a fellow judge in the same court, shared office space with respondent and made court appearances for him for which she was paid.

The DEC found it implausible that respondent did not believe that he and his family members would receive a benefit from giving their tickets to Sica, with whom he had a business relationship, and specifically found that respondent gave Sica the tickets to obtain a pecuniary benefit for himself, his wife, and his son. The DEC, thus, found clear and convincing evidence that respondent violated RPC 8.4(b).

In recommending discipline, the DEC considered: (1) the substantial passage of time that elapsed since the ethics grievance was docketed (more than seven years); (2) the absence of an ethics history; (3) respondent's past accomplishments and character letters; (4) his pro bono work in the community; (5) the unlikelihood that he would repeat the conduct, particularly since he "voluntarily agreed to never sit as a judge in the future;" and (6) the desire not to disrupt the benefits conferred on his pro bono clients for any significant length of time. The DEC, thus, recommended the imposition of a three-month suspension, one month of which should be suspended.

Respondent's counsel subsequently wrote to the Board, stating that respondent "consented" to the discipline recommended by the DEC and further relied on the substantial evidence of mitigation submitted to the DEC and advanced in respondent's March 10, 2015 written summation, highlighting the mitigating factors previously proffered.

Following a de novo review of the record, we are satisfied that the DEC's conclusion that respondent was guilty of unethical conduct was fully supported by clear and convincing evidence.

Respondent readily admitted that his conduct violated RPC 8.4(d). The RPC 8.4(b) violation, relates to the second-degree crime of official misconduct, N.J.S.A. 2C:30-2(a).

Official misconduct occurs when a public servant commits an unauthorized act for the purpose of obtaining a benefit for himself or another. Respondent's testimony and the stipulated facts established that, as a municipal court judge, he was a public servant. Respondent's assertion that he was not seeking a benefit when he asked Sica to adjudicate his tickets is belied by the stipulated facts and his conduct: he stipulated that the perception in the Jersey City Municipal Court was that one could not dismiss one's own ticket, but could give it to another judge; that the first ticket he gave to a municipal court judge was a "test run" and he assumed that other tickets could be handled

similarly; and that he, thereafter, presented three additional tickets for adjudication.

Respondent's testimony regarding the routing of his tickets to Judge Sica was both contradictory and incredible. During the AG's, the court's and the OAE's investigation, respondent stated that he had given the tickets to Sica. It was not until the DEC hearing that he attempted to blame his law clerk or the court clerk for directing the tickets to Sica for disposition. Only after a break at the DEC hearing, however, did respondent unequivocally admit that he had given the tickets to Sica himself, that he shared office space with her, that he paid her to perform services on his behalf, and that she was listed as "of-counsel" on his letterhead.

The tickets were not issued in short succession. They were issued over a period of years - April 27, 2004, January 3, 2006, and April 26, 2007. Respondent then immediately turned them over to Sica. It was not until 2007, when rumors began circulating about an investigation into the improper practices of Jersey City municipal judges, that respondent sought to rectify his conduct. The inescapable inference is that respondent was well aware that he and his family received an improper benefit by arranging for Sica, his employee of sorts, to dispose of the tickets. Respondent and his family avoided paying higher fines and his son

avoided having points assessed against his license and, therefore, possible increased insurance costs. Thus, respondent's conduct clearly violated RPC 8.4(b). Indeed, like Sica, respondent was admitted into PTI for his second-degree crime. See In re Sica, 222 N.J. 23 (2014). In the end, the immediate benefit to respondent and his family was small in comparison to the consequences: criminal charges, ethics charges, forfeiture of his judicial position, and the attendant emotional toll that the proceedings took on respondent and his family.

Ticket-fixing cases generally have resulted in a term of suspension. See, e.g., In re De Lucia and In re Terkowitz, 76 N.J. 329 (1978) (companion cases; one-year suspension imposed on municipal court judges involved in fixing a ticket for one of their secretaries; when the prosecutor's office investigated the conduct, the judges arranged to back-date the secretary's affidavit, conduct that amounted to "arranging for the filing of a false document"); In re Hardt, 72 N.J. 160 (1977) (municipal judge - reprimand), and In re Weishoff, 75 N.J. 326 (1978) (municipal prosecutor - one-year suspension) (companion cases; judge dismissed a traffic ticket after the prosecutor engaged the deputy clerk to pose as the defendant and instructed her to enter a not guilty plea; the judge had no advance knowledge of the plot but, nevertheless, entered a not guilty verdict); In re

Spitalnick, 63 N.J. 429 (1973), and In re Sgro, 63 N.J. 539 (1973) (companion cases; municipal judges received two-year and six-month suspensions, respectively, for the dismissal of a ticket for DWI; Spitalnick approached Sgro about dismissing the ticket, claiming that his client had been under medical treatment at the time, rather than intoxicated, but did nothing to verify his client's condition; Sgro improperly relied on the attorney's representations concerning his client's medical information).

The above cases were decided more than forty years ago. In the more recent case of In re Molina, 216 N.J. 551 (2014), the attorney, who was the chief judge of the Jersey City Municipal Court, received a six-month suspension for adjudicating nine parking tickets issued to her significant other. Molina entered a guilty plea to the third-degree crime of tampering with public records or information and the fourth-degree crime of falsifying records. Molina either dismissed the tickets outright or wrote "Emergency" on them and then dismissed them, knowing that no emergency had existed. The purpose of her actions was to avoid her significant other's payment of fines to the city. Molina conceded that, as the chief judge, she either should have requested a change of venue, because of the conflict, or ensured that the tickets were paid.

Molina presented significant mitigation at her sentencing hearing and before us: she deeply regretted and was embarrassed by her misconduct; she served her community and helped women and minorities for the majority of her life; she intended to compensate the city for the improperly dismissed tickets; she had no criminal history; her conduct was unlikely to recur; she resigned from her position as chief judge; she cooperated with law enforcement; she accepted responsibility for her conduct; she submitted eighteen character letters on her behalf; and she apologized publicly for her conduct.

In imposing a sentence, the judge in Molina noted that judges should be held to the highest standards to maintain the integrity of the judicial system and the public's faith in the system, and cited the need to deter Molina and others from engaging in similar conduct. The judge sentenced Molina to three years' probation, "364 [days] in the Bergen County Jail as a reverse split;" ordered her to perform 500 hours of community service; prohibited her from holding public employment; and directed her to pay restitution and penalties.

In Molina, we balanced the fact that suspensions were imposed on other municipal court judges who had been involved in only one instance of ticket fixing, who received no personal benefit from their conduct, and who forfeited their positions,

against Molina's compelling mitigation and her lack of a disciplinary history. We determined to impose a six-month suspension. The Court agreed with that measure of discipline.

In In re Sica, 222 N.J. 23, supra, a default matter, the municipal court judge who disposed of respondent's tickets received a one-year retroactive suspension to the date of her temporary suspension. She was found guilty of violating RPC 8.4(b), RPC 8.4(c), and RPC 8.4(d). We found that Sica's adjudication of respondent's three traffic tickets had financial and non-financial consequences attached to it and that, in adjudicating the tickets, she had violated N.J.S.A. 2C:30-2(a).

Sica had performed legal work for respondent, on a per diem basis. We, thus, inferred that Sica's conduct was aimed at self-benefit, in the sense that she disposed of three tickets for her employer, with whom she wished to maintain a professional relationship.

Unlike some of the other cases, neither Molina nor Sica embroiled others in their ticket-fixing schemes. Nevertheless, unlike Molina, Sica advanced no mitigating circumstances. In addition, she showed no contrition or remorse for her acts. During the criminal proceedings, she stated that, although there was no legitimate reason to waive the fine, "that's the culture." Furthermore, her letter to the OAE did not acknowledge any

wrongdoing on her part, but implied that she had been pursued unfairly, since no action had been taken against respondent.

In addition, Sica did not provide the OAE with a reply to the grievance and then permitted the matter to proceed as a default. We, thus, imposed enhanced discipline, finding that her default was an aggravating factor under In re Kivler, 193 N.J. 332, 342 (2008). We found that the aggravating factors and the default nature of the proceedings warranted discipline harsher than that imposed on Molina. We, thus, determined to impose a one-year suspension, retroactive to the effective date of her temporary suspension, which was imposed for failure to cooperate with the OAE's investigation into the matter.

Respondent's case does not include the aggravating factors found in Sica, other than his inconsistent testimony during the DEC hearing. Thus, his misconduct warrants comparison to Molina's: (1) Molina was the chief judge in the vicinage, while respondent was a relatively new judge at the time of the misconduct; (2) Molina adjudicated nine parking tickets for her significant other, respondent had only four tickets adjudicated for himself and family members; (3) Molina tampered with public records by falsifying information on the tickets, respondent did not do so; (4) both presented compelling mitigating circumstances; (5) both were regretful and contrite for their


conduct (6) neither had an ethics history; and (7) Molina was one of the first attorneys prosecuted as a result of the Jersey City investigation, while there has been a significant passage of time since respondent engaged in the improper conduct and was charged with ethics violations.

Considering these factors, and notwithstanding respondent's testimony, which, at times, lacked credibility, we determine to impose a three-month suspension.

Member Hoberman voted to impose the same discipline recommended by the DEC - a three-month suspension, but with one month suspended. Member Gallipoli recused himself.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
Bonnie C. Frost, Chair

By: 
Ellen A. Brodsky
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD


In the Matter of Victor G. Sison
Docket No. DRB 15-333

Argued: February 18, 2016

Decided: July 20, 2016

Disposition: Three-month suspension

Members	Disbar	Three-month Suspension	Three-month Suspension (one month suspended)	Dismiss	Disqualified	Did not participate
Frost		X				
Baugh		X				
Boyer		X				
Clark		X				
Gallipoli					X	
Hoberman			X			
Rivera		X				
Singer		X				
Zmirich		X				
Total:		7	1		1	


Ellen A. Brodsky
Chief Counsel