SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket No. DRB 25-206
District Docket No. XIV-2024-0476E

In the Matter of Richard Obuch
An Attorney at Law

Argued
November 20, 2025

Decided
February 13, 2026

Tara L. Hanna appeared on behalf of the
Office of Attorney Ethics.

Benjamin J. DiLorenzo appeared on behalf of respondent.

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Introduction

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

This matter was before us on a motion for reciprocal discipline filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-14(a), following the Court's September 17, 2024 Order removing respondent, on consent, from judicial office and permanently barring him from holding judicial office in New Jersey. The Court's decision was in connection with an Advisory Committee on Judicial Conduct (ACJC) proceeding brought against him in his capacity as a municipal court judge.

The OAE asserted that, in the ACJC matter, respondent was determined to have violated the equivalent of RPC 8.4(g) (engaging, in a professional capacity, in conduct involving discrimination – sexual harassment).

For the reasons set forth below, we determine to grant the motion for reciprocal discipline and conclude that a three-month suspension, with a condition, is the appropriate quantum of discipline for respondent's misconduct.

Ethics History

Respondent earned admission to the New Jersey bar in 1992 and to the New York and District of Columbia bars in 1993. During the relevant timeframe,

he maintained a practice of law in Union Township, New Jersey, and served as a part-time judge of the Municipal Court of the City of Elizabeth.

Respondent has no prior attorney discipline. However, he has prior judicial discipline.

On December 4, 2012, the Court publicly reprimanded him for his private representation of a public employee in violation of R. 1:15-1(b). In re Obuch, 212 N.J. 474 (2012). Specifically, while serving as a judge on the municipal court of the City of Elizabeth, respondent represented the City's Director of Planning and Development in three personal legal matters. In the Matter of Richard Obuch, Judge of the Municipal Court, ACJC 2010-200 (November 15, 2012) at 3-5. The ACJC determined that, although the client matters did not relate in any way to the Director's official position, respondent's conduct nevertheless constituted a clear violation of R. 1:15-1(b). Id. at 6-7.

Effective July 8, 2024, following the filing of the ACJC's formal complaint in connection with the matter currently before us, the Court temporarily suspended respondent from the exercise of his judicial duties. The ACJC's complaint stemmed from respondent's conduct during a December 14, 2023 holiday party, as detailed below.

On July 12, 2024, respondent executed an affidavit of consent to the permanent removal from judicial office, pursuant to R. 2:15-15A(a)(2). Therein,

he acknowledged that the material facts alleged in the ACJC's formal complaint were true, the alleged unethical conduct could not be defended, and his conduct violated the charged canons of the Code of Judicial Conduct.

On September 17, 2024, the Court accepted respondent's removal by consent, removed him from judicial office, and permanently barred him from holding judicial office in New Jersey for his admitted violations of the following canons of the Code of Judicial Conduct: Canon 1, Rule 1.1 (requiring judges to observe high standards of conduct so that the integrity and independence of the Judiciary may be preserved); Canon 2, Rule 2.1 (requiring judges to avoid impropriety and the appearance of impropriety and to always act in a manner that promotes public confidence in the integrity and impartiality of the Judiciary); Canon 2, Rule 2.3(A) (prohibiting judges from lending the prestige of judicial office to advance personal or economic interests); and Canon 5, Rule 5.1(A) (requiring judges to conduct their extrajudicial activities in a manner that would not cast doubt on the ability to act impartially, demean the judicial office, or interfere with the proper performance of judicial duties).[1]

[1] Other alleged misconduct, not under scrutiny here, informed some of the charged violations of the Code of Judicial Conduct.

Facts

The material facts of this matter are undisputed.

On December 14, 2023, respondent attended a holiday party hosted by the Union County Municipal Court Judge's Association at a restaurant in Elizabeth, New Jersey. The event was open to judges and their court staff. While there, respondent consumed a substantial amount of alcohol; became intoxicated within forty-five minutes of arriving at the event; and continued to drink alcohol for more than two more hours, until he left.

Respondent acknowledged that, while at the party, he inappropriately touched three female court employees of the Rahway Municipal Court, including kissing them, without their consent. He also acknowledged following female court employees to the women's restroom and making several inappropriate or sexually suggestive remarks to them. Moreover, according to the ACJC, he asked them personal questions, including about their marital status, and offered unsolicited relationship advice. Due to the offensive nature of his remarks, his conduct created discomfort and embarrassment.

Respondent invited himself into photographs that the women were taking in a photobooth and, consequently, a few photographs capture his behavior at the party. Specifically, he admitted that photographs show him kissing the women without their consent.

In addition, respondent approached one employee on the dance floor while inappropriately dancing and gyrating toward her. Consequently, she abruptly left the dance floor. Respondent then followed her to the women's restroom and jammed his foot in the doorway, thereby preventing her from closing the restroom door, while saying "wait, wait, come on, let's take a shot [of alcohol]." In addition, several court employees saw him waiting outside the restroom while the individual remained inside.

Various court employees attending the party complained to a municipal court administrator, also in attendance, and the latter asked respondent to leave the event. He apparently then left the party.

The Parties' Positions Before the Board

In its brief in support of the motion for reciprocal discipline and during oral argument, the OAE argued that respondent's unethical conduct at the December 14, 2023 holiday party constituted a violation of RPC 8.4(g) and recommended the imposition of a three-month suspension.

More specifically, citing R. 1:20-14(b)(3) and (c), which govern attorney discipline by means of a motion for reciprocal discipline based on a final determination of unethical judicial conduct by the Court, the OAE asserted that the facts established during the ACJC proceeding clearly and convincingly

demonstrated respondent's violation of RPC 8.4(g). The OAE likened the instant matter to In re Seaman, 133 N.J. 67 (1993), in which the ACJC brought charges against a Superior Court judge who repeatedly had made sexual remarks toward his law clerk and inappropriately touched her.[2] In that case, the Court noted the power imbalance between Seaman and the law clerk, as well as the clerk's likely fear of professional retaliation. Id. at 94. Here, the OAE urged, although the municipal court employees were not under respondent's direct supervision, at least one of them expressed (when interviewed by the ACJC) that she and others hesitated to confront him about his behavior for fear of seeming rude or disrespectful. Moreover, one employee recounted being so upset by his conduct in the photobooth that she initially tore up the photographs depicting his behavior.

Continuing, and addressing the standard set forth in R. 1:20-14(a)(4), the OAE asserted that R. 1:20-14(a)(4)(E) applies, in that under relevant case law, respondent's conduct warrants substantially different discipline than was

[2] Although Seaman proceeded only as an ACJC matter and, thus, did not include a charge that the judge violated RPC 8.4(g), we have cited it in the past as an example of a judge's sexual misconduct toward an employee. See In the Matter of David J. Witherspoon, DRB 08-302 (July 23, 2009) (citing In re Seaman, 133 N.J. 67 (1993), regarding occasions when an attorney's sexual misconduct has resulted in the imposition of a suspension and noting that the Court in that matter suspended a judge for sixty days without pay based on the Court's determination that he had engaged in sexual harassment by making remarks of a sexual nature to his law clerk, lifting her skirt, placing his hand under her skirt, and attempting to place her hand on his crotch).

imposed through the ACJC proceeding. More specifically, the OAE urged that attorneys who have engaged in offensive touching and sexual harassment have faced a wide range of discipline, from reprimands to suspensions.

The OAE likened respondent's misconduct to that of the attorneys in In re Pinto, 168 N.J. 111 (2001) (reprimand, with the condition of sensitivity training, for an attorney who sexually harassed a vulnerable female client, in violation of RPC 8.4(g); during a conference with the client in his office, the attorney questioned her about her physical appearance and engaged in "extremely crude," explicit conversations about what he could do sexually with her; on one occasion, the attorney massaged the client's shoulders, kissed her on the neck, and told her that she should show herself off, "show whatever you have;" on another occasion, the attorney was called upon to help the client jump start her car and, upon completing that task, he exclaimed, "[t]his is what a real man can do," and then slapped the victim on the buttocks in the presence of her son and daughter; regardless of the attorney's subjective intent, we determined, and the Court agreed, that his behavior was "demeaning, crude and vulgar," and, thus, "likely to cause harm" to his client; no prior discipline), and In re Regan, 249 N.J. 17 (2021) (censure for an attorney who sent an improper, sexually explicit e-mail to his client two days after her divorce had been finalized, in violation of RPC 3.2 (failing to treat with courtesy and consideration all persons involved in

the legal process) and RPC 8.4(g); the attorney's e-mail constituted derogatory and demeaning sexual harassment; in mitigation, the attorney had no prior discipline; in imposing a censure, we contrasted the case with matters in which suspensions were justified by the larger number of harassed persons or accompanying violation of RPC 8.4(b) (committing a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness as a lawyer)). More specifically, the OAE asserted that the attorneys in these matters, like respondent, engaged in crude conversation and touching which did not amount to criminal sexual contact.

Focusing on Regan in particular, the OAE asserted that the attorney in that matter received a censure for sending an explicit, unwelcome letter, by e-mail, to his divorce client, inappropriately offering – in extremely graphic language – to perform oral sex on her. In the Matter of Kevin Michael Regan, DRB 20-134 (March 22, 2021) at 3-4. The OAE urged that Regan provides a censure as a baseline for unsolicited sexual harassment, absent criminal sexual contact.

However, the OAE argued that in Regan, DRB 20-134 at 23, we recognized that a suspension is justified when an attorney harasses a larger number of individuals. Here, the OAE asserted, respondent had done just that. Moreover, the OAE asserted that, like the attorney in Regan, respondent had used the respect and politeness accorded him in a position of power to bestow

unsolicited sexual advances and unsolicited physical contact, causing the victims emotional distress.

The OAE also likened respondent's conduct to that of the suspended attorney in In re Garofalo, 229 N.J. 245 (2017) (six-month suspension for an attorney who admitted he had sexually harassed two female employees of the law firm where he had worked, via hundreds of e-mails in which he used misogynist language and extended crude invitations to drink, dine, vacation, and engage in sex with him; none of the attorney's overtures or e-mails were welcomed and, in regard to one victim, continued for years following a brief relationship; the attorney's e-mail campaign continued despite one victim's explicit instruction that he stop communicating with her; further, the attorney disregarded his law firm's contemporaneous directive that he stop communicating with her; the attorney also lied to the OAE in the course of its investigation; violations of RPC 8.1(a) (knowingly making a false statement of material fact in a disciplinary matter), RPC 8.4(b), RPC 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation), and RPC 8.4(g); in aggravation, we considered the prolonged nature of the harassment and the attorney's failure to heed warnings from the victim, the police, and his law firm; no prior discipline; we recommended a censure, however, the Court determined that a six-month suspension was appropriate), and the suspended

attorney in In re Witherspoon, 203 N.J. 343 (2010) (one-year suspension for an attorney who sexually harassed three female bankruptcy clients and the adult daughter of a fourth client; in all four matters, the attorney repeatedly offered woman legal services in exchange for sexual favors; the attorney also violated RPC 5.5(a)(1) (engaging in the unauthorized practice of law) and RPC 1.15(d) (failing to comply with the recordkeeping requirements of R. 1:21-6); in aggravation, the attorney had prior discipline including an admonition, two reprimands, and a censure). The OAE asserted that here, as in Garofalo and Witherspoon, respondent's conduct involved the sexual harassment of multiple women, as he made sexually suggestive comments to them, kissed some of them, and followed one to the women's restroom.

Accordingly, the OAE argued that a suspension constituted the baseline quantum of discipline in this matter.

In mitigation, the OAE noted that respondent had no prior formal discipline in his thirty-three years at the bar, cooperated with disciplinary authorities during the ACJC investigation, and entered into a disciplinary stipulation.

The OAE asserted, in aggravation, that respondent failed to notify the OAE of his judicial discipline, as R. 1:20-14(b)(1) requires. In addition, citing In re Boylan, 162 N.J. 289, 293 (2000), the OAE urged us to give significant

aggravating weight to his role as a municipal court judge and public servant, with that role demanding higher expectations for professionalism. Similarly, citing in Seaman, 133 N.J. at 100, the OAE urged that we weigh the power dynamic between a judge and a court employee.

In his brief and during oral argument before us, respondent, through counsel, did not contest the charged violation of RPC 8.4(g) but asserted that disciplinary precedent supported the imposition of a reprimand or a censure, not a three-month suspension.

Respondent compared his conduct to that of attorneys who have received discipline less than a term of suspension, citing Pinto, 168 N.J. at 111; In re Hyderally, 162 N.J. 95 (1999) (on motion for reciprocal discipline, reprimand for an attorney who made sexual advances toward two legal-aid clients); In re Pearson, 139 N.J. 230 (1995) (reprimand for an attorney who hugged his client, put his hands on her buttocks, and pushed his head into her chest, commenting about the size of her breasts); and Regan, 249 N.J. at 17. More specifically, he urged that, like the censured attorney in Regan, he engaged in a single instance of inappropriate conduct, and his case did not involve the aggravating factors present in Regan: namely, the attorney's refusal to acknowledge the inappropriate nature of his conduct, his contention that the grievant had invited his conduct, and his contacting the grievant to request that she withdraw the

ethics grievance. Here, in contrast, respondent cooperated with the investigation, acknowledged his conduct, and agreed to the most severe sanction that could be imposed in the judicial disciplinary context – permanent removal from judicial office. Moreover, in Pinto, the attorney engaged in multiple incidents of inappropriate sexual advances toward a client, including crude comments and inappropriate touching, yet the Court imposed a reprimand.

Citing additional disciplinary precedent, summarized below, respondent argued that terms of suspension have traditionally been confined to more egregious cases of sexual misconduct involving additional violations of Rules of Professional Conduct, offensive touching that is criminal or intentional, prolonged or pervasive sexual harassment, or improper personal relationships with a client. He asserted that the instant matter presented none of these hallmarks.

Respondent asserted that the factor that most distinguishes this case from the suspension cases is that his conduct was isolated. It occurred during a single three-hour municipal court holiday party, at which he consumed a significant amount of alcohol. Thus, it was not akin to the pervasive and continual instances of misconduct that have led to the imposition of suspensions in other matters. In those matters, he argued, the attorneys had time to reflect on the inappropriate nature of their conduct but consciously chose to continue their harassing

behavior. Here, in contrast, respondent did not necessarily have the opportunity to reflect on his behavior, because it was a brief span of time and his judgment was impaired by alcohol.

During oral argument, respondent's counsel was asked whether – if the first person approached by an attorney under these circumstances expressed offense, reacted in alarm, or communicated that the contact was uninvited – this response would afford the attorney opportunity to reflect before proceeding to the next victim and the next. Although counsel acknowledged that it could, he went on to argue that where, as here, alcohol played a role, it might not.

Respondent asserted, in mitigation, that he showed remorse for his conduct and, but for this incident, had an unblemished thirty-three-year career at the bar (although he acknowledged receiving a public reprimand, in 2012, in his capacity as a municipal court judge). Moreover, he cooperated with disciplinary authorities and acknowledged responsibility for his conduct. In addition, he already had received substantial punishment for his actions, in that he was removed from the bench and permanently barred from judicial office.

Respondent further asserted that his position as a municipal court judge did not warrant enhanced discipline. More specifically, he argued it would be unfair to weigh his judicial status in aggravation in the attorney disciplinary context, because the inappropriateness of his conduct in light of the standards

and expectations for judges already was vetted during the ACJC proceedings, and punishment imposed accordingly. Further, this distinguished the instant matter from Seaman, in which the Court expressed concerns regarding the judge's status in the context of an ACJC proceeding, not a motion for reciprocal discipline. Moreover, he asserted, the conduct at issue did not involve any client interests and occurred in a context separate and distinct from his position as a municipal court judge.

Respondent also contested the OAE's argument that he should receive a suspension because his conduct impacted multiple women, as did the conduct that resulted in the suspensions imposed in Garofalo and Witherspoon. First, he distinguished Garofalo on grounds that, in that matter, the attorney sexually harassed two female employees at his firm by sending hundred of e-mail messages; used misogynistic language and extended unwelcome invitations to drink, vacation, and engage in sex with him; continued such behavior with one of the employees for years; and continued it with the other despite her explicit instruction to stop the communications. Further, in determining to impose a six-month suspension, the Court considered that he had lied to the OAE during the investigation and failed to heed warnings from the victims, the police, and his law firm, while also weighing the prolonged nature of his harassment. In contrast, respondent urged, his matter involved isolated misconduct, occurring

during a three-hour period, which did not match the severity of the conduct at issue in Garofalo.

Second, he distinguished his case from Witherspoon, in which an attorney received a one-year suspension for sexually harassing three female clients and the adult daughter of a fourth. He emphasized that, in that matter, the attorney repeatedly offered the clients legal services in exchange for sexual favors, in violation of RPC 1.7(a)(2) (engaging in a concurrent conflict of interest) as well as RPC 8.4(g). Further, the attorney in Witherspoon violated other RPCs and had a lengthy disciplinary history.

In conclusion, based on Regan and Pinto, respondent asserted that he should receive a reprimand or a censure for his misconduct.

Analysis and Discipline

Following a review of the record, we determine to grant the OAE's motion for reciprocal discipline. In New Jersey, judicial discipline serves as the basis for reciprocal attorney discipline. In accordance with R. 1:20-14(c), where a judge has been removed or disciplined pursuant to R. 2:14 or R. 2:15, "those proceedings shall be conclusive of the conduct on which that discipline was based in any subsequent disciplinary proceeding brought against the judge arising out of the same conduct." R. 1:20-14(c). In such circumstances, attorney

disciplinary proceedings may be taken in accordance with R. 1:20-14(a)(2) through (5) and "[t]he sole issue to be determined . . . shall be the extent of final discipline to be imposed." R. 1:20-14(b)(2) and (3). See also In re Yaccarino, 117 N.J. 175, 183 (1989) ("determinations made in judicial-removal discipline proceedings are conclusive and binding in subsequent attorney disciplinary proceedings").[3]

Like attorney disciplinary proceedings, New Jersey judicial disciplinary proceedings are subject to a clear and convincing standard of proof. R. 2:15-15(a). Here, respondent stipulated to his judicial misconduct by means of his signed stipulation and affidavit of consent to removal from judicial office, pursuant to R. 2:15-15A(a)(2).

An affidavit of consent to removal shall include, among other standardized provisions, the following acknowledgments:

> (D) the judge is aware that there is presently pending an investigation or proceeding involving allegations of unethical judicial conduct, which allegations are set forth in the consent form; and

[3] Although R. 1:20-14(c) states that the judicial discipline proceeding "shall be conclusive of the conduct on which the discipline was based in any subsequent disciplinary proceeding," the Court has held that fairness to the attorney required it "to conduct a painstaking de novo reexamination of the underlying record, just as it does in other attorney disciplinary matters in which the initial hearing is held before a District Ethics Committee." In re Breslin, 171 N.J. 235, 240-41 (2002). The Court, in reaching this conclusion, reasoned that the standards of conduct implicated by the Code of Judicial Conduct are more generalized than the standards set forth in the Rules of Professional Conduct.

> (E) an acknowledgment that the material facts so alleged are true; and
>
> (F) an acknowledgment that the allegations of unethical judicial conduct could not be successfully defended[.]
>
> [R. 2:15-15A(a)(2).]

On receipt of a request for removal by consent, the ACJC "shall submit the request and all supporting documentation to the . . . Court." R. 2:15-15A(a)(3). The Court "may accept the tendered removal by consent and enter an order of removal with supporting documentation, to include the affidavit of the judge and other documents referenced in connection therewith." R. 2:15-15A(a)(4).

In this matter, after careful consideration of the record, the ACJC recommended to the Court that respondent's consent to permanent removal from judicial office be accepted. Thereafter, the Court accepted the tendered removal by consent; removed respondent from judicial office; and permanently barred him from judicial office.

Generally, reciprocal discipline proceedings in New Jersey are governed by R. 1:20-14(a)(4), which provides in pertinent part:

> The Board shall recommend the imposition of the identical action or discipline unless the respondent demonstrates, or the Board finds on the face of the record on which the discipline in another jurisdiction was predicated that it clearly appears that:

> (A) the disciplinary or disability order of the foreign jurisdiction was not entered;
>
> (B) the disciplinary or disability order of the foreign jurisdiction does not apply to the respondent;
>
> (C) the disciplinary or disability order of the foreign jurisdiction does not remain in full force and effect as the result of appellate proceedings;
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> (D) the procedure followed in the foreign matter was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or
>
> (E) the unethical conduct established warrants substantially different discipline.

We conclude that subsubsection (E) applies in this matter because the unethical conduct established by the record warrants substantially different discipline. In our view, pursuant to disciplinary precedent, respondent's violations of the Rules of Professional Conduct warrant the imposition of a three-month suspension, and not the discipline (removal from judicial office and a permanent bar from judicial office in New Jersey) imposed in connection with the judicial disciplinary proceeding, which is governed by different Rules and precedent than those governing attorney discipline in New Jersey.

Violations of the Rules of Professional Conduct

Turning to the charged violation, we determine that the record contains clear and convincing evidence that respondent violated RPC 8.4(g). In

December 2023, when the underlying conduct occurred, that Rule provided that it is professional misconduct for a lawyer to

> engage, in a professional capacity, in conduct involving discrimination . . . because of race, color, religion, age, sex, sexual orientation, national origin, language, marital status, socioeconomic status, or handicap where the conduct is intended or likely to cause harm.

Further, the Court's official comment (May 3, 1994) to RPC 8.4(g) provides:

> [t]his rule amendment (the addition of paragraph g) is intended to make discriminatory conduct unethical when engaged in by lawyers in their professional capacity. It would, for example, cover activities in the court house, such as a lawyer's treatment of court support staff, as well as conduct more directly related to litigation; activities related to practice outside of the court house, whether or not related to litigation, such as treatment of other attorneys and their staff; bar association and similar activities; and activities in the lawyer's office and firm. . . .
>
> "Discrimination" is intended to be construed broadly. It includes sexual harassment, derogatory or demeaning language, and, generally, any conduct toward the named groups that is both harmful and discriminatory.

Respondent's conduct toward three female employees of the Rahway municipal court included sexually charged and inappropriate statements, non-consensual physical contact (including by kissing two individuals on the cheek), suggestive dancing, and an attempt to follow one of them into the women's restroom when she sought refuge from his unwanted conduct. Moreover, he

engaged in his conduct in his professional capacity by definition of the Rule, in that he was attending an event arranged by a county Municipal Court Judge's Association, in the county where he served as a municipal court judge, and he directed his conduct toward the staff of a municipal court on which he occasionally served. Further, his conduct was both likely to cause harm and was harmful, in that it caused the individuals discomfort and embarrassment.

In sum, we find that respondent violated RPC 8.4(g). The sole issue left for our determination is the appropriate quantum of discipline for respondent's misconduct.

Quantum of Discipline

Discipline for sexual misconduct involving offensive touching, sexual harassment, and criminal sexual contact has ranged from a reprimand to a term of suspension.

Among other cases, discipline less than a term of suspension was imposed in In re Jimenez, __ N.J. __ (2025), 2025 N.J. LEXIS 1219 (on motion for reciprocal discipline, reprimand for a municipal prosecutor who was found to have violated RPC 3.2 and RPC 8.4(g) in interactions with a municipal police officer; the prosecutor referred to the police officer as "mi amor" ("my love") and made other comments that were sexual in nature, making her uncomfortable;

on one occasion, the attorney, through a security officer, requested that she visit his office at the courthouse to discuss a case but then met her in the lobby outside his office and said, "come into my office and make love to me;" in aggravation, the attorney was a public official who abused his access to the police officer and his conduct caused the officer harm, including loss of income when she removed herself from a position at the courthouse to avoid interactions with him; in mitigation, the attorney had no disciplinary history in nearly thirty years at the bar, showed contrition by entering into a stipulation, and agreed to complete sexual harassment training); Pinto, 168 N.J. at 111 (reprimand; described in detail above); Regan, 249 N.J. at 17 (censure; described in detail above).[4]

[4] See also In the Matter of James P. Sloan, a matter that came before us on a motion for final discipline, with the attorney charged only with violating RPC 8.4(b), but in which we weighed, in aggravation, that the attorney's conduct could be considered sexual discrimination, in violation of RPC 8.4(g). DRB 24-263 (April 29, 2025) at 16, so ordered, 261 N.J. 591 (2025). There, we determined that a censure was the appropriate quantum of discipline for an attorney who, while acting in his capacity as a municipal court judge, (1) when exiting the bench behind a court administrator, grabbed and pulled her hair, causing her head to fall backward; (2) later, as the court administrator was standing near another employee's desk in a quasi-public portion of the court, approached her from behind and turned her by the shoulders, then stood directly in front of her, effectively blocking her exit; and (3) at the end of the day, asked the court administrator what her plans were for that evening and, when she said she would be taking her daughter to soccer practice, replied that "if I thought soccer practice for you, I'd cancel my lecture . . . to watch you run up and down a field." DRB 24-263 at 2-3, 17. In aggravation, in addition to weighing that the judge's conduct could be considered sexual discrimination, we weighed that the attorney, as a municipal court judge, held a position of authority over the court administrator, as well as all other individuals who were present in the courtroom at the time, and those in the adjoining courthouse offices; moreover, as a public official, he was vested with the public's trust. Id. at 16. However, in mitigation, he had no disciplinary history in his thirty-two-year career at the bar, and we also accorded mitigating weight to his lifetime forfeiture of public office and his ban on future public employment. Ibid.

In contrast to the above reprimand and censure cases, terms of suspension ranging from three months to one year were imposed for an attorney's sexual misconduct in In re Addonizio, 95 N.J. 121 (1984) (three-month suspension for an attorney who pleaded guilty to fourth-degree criminal sexual contact, in violation of 2C:14-3(b); violation of former DR 1-102(A)(6) (now RPC 8.4(b)); in imposing a three-month suspension, and not the reprimand recommended by us, the Court concluded that the seriousness of the misconduct warranted a suspension, and that the "public and [the] profession will be best served by a period of suspension;" although the attorney's association with the victim arose from an attorney-client relationship, the offense was not related to the practice of law; in mitigation, the Court considered that the conduct was aberrational and unlikely to recur); In re Warren, 256 N.J. 363 (2024) (six-month suspension for an attorney who, for four months, sent a client, with whom he was in a romantic relationship, lewd and demeaning text messages; the attorney rejected the client's attempt to end the relationship, despite his own observation that the client appeared "scared" and would "freeze up" when she declined his sexual advances; the attorney had a disciplinary history, including a reprimand for engaging in a sexual relationship with an appointed client in a municipal court matter; the attorney violated six other RPCs in two matters); Garofalo, 229 N.J. at 245; In re Wolfson, 178 N.J. 457 (2004) (six-month suspension for an attorney

who pleaded guilty to fourth-degree criminal sexual contact, in violation of N.J.S.A. 2C:14-3(b), and was admitted to pretrial intervention, for intentionally touching the breast of a female employee at his doctor's office; no prior discipline); In re Falcone, 256 N.J. 361 (2023) (one-year suspension; although the attorney contested the allegations against him, we found that he engaged in criminal sexual conduct and discrimination by grabbing and squeezing the breasts of a client's employee without her consent, for the purpose of sexual gratification, in violation of RPC 8.4(b) and RPC 8.4(g); immediately following the sexual contact, the attorney offered the woman money and asked her to not inform her employer about what he had done, a violation of RPC 8.4(c); the attorney was a municipal judge at the time; in aggravation, the attorney previously had received a reprimand and a censure); In re Becker, __ N.J. __ (2022) (one-year suspension for an attorney who made sexually explicit statements to his minor, appointed client during a single in-person meeting, in violation of RPC 1.14(a) (failing, as far as reasonably possible, to maintain a normal client-lawyer relationship with a client whose capacity to make adequately considered decisions in connection with the representation is diminished) and RPC 8.4(g); no prior discipline); Witherspoon, 203 N.J. at 343; In re Gernert, 147 N.J. 289 (1997) (on motion for final discipline, one-year suspension for a borough prosecutor who pleaded guilty to petty disorderly

offense of harassment by offensive touching for kissing the victim on the cheek and intentionally touching her breast, in violation of N.J.S.A. 2C:33-4(b); in aggravation, the victim was the attorney's teenaged client; in further aggravation, the attorney was a public official; no prior discipline in twenty-three years at the bar).

Lengthier terms of suspension and disbarment are reserved for more egregious sexual offenses, including those involving the use of force or the threat of force, and sexual crimes against children, facts not present here.

Here, the starting point for assessing the appropriate quantum of discipline is Regan, in which an attorney sent a sexually harassing communication, in the form of an e-mail message, to his client. Here, respondent made inappropriate statements, and while they were more numerous than Regan's, they were far less graphic than his e-mail, in which he used vulgar language to express his sexual desires to his client. However, unlike Regan, respondent subjected multiple individuals to sexual harassment and, further, also engaged in inappropriate touching.

Accordingly, although Regan suggests that a censure could be the appropriate quantum of discipline in this matter, we view it as a point of comparison rather than a baseline for the misconduct. To craft the appropriate discipline in this matter, we also consider aggravating and mitigating factors.

In aggravation, as stated above, respondent sexually harassed multiple women, not just one, and he did so by touching them, not just subjecting them to harassing communications. In so doing, he caused them discomfort and embarrassment. Beyond that, his conduct became so alarming that one woman sought to sequester herself from him in the women's restroom. Instead of moderating his conduct at that point, he followed her to the restroom and jammed his foot in the restroom door to prevent her from closing it. He then continued to stand outside the restroom door, essentially ensuring that she could not exit the restroom without him having access to her again.

In further aggravation, as a municipal court judge, respondent held a position of authority over the municipal court employees. Moreover, as a public official, he was vested with the public's trust. As we have recognized in the past,

> [a]ttorneys who hold public office are vested with the public trust. Because of their higher visibility to the public, their conduct is subject to closer scrutiny. Similarly, in the event of misconduct, the degree of discipline imposed must be higher in order to assure the public that any transgressions will be harshly sanctioned and, thus, maintain the public's confidence in the integrity of the system.
>
> [In the Matter of Richard C. Gernert, DRB 95-435 (July 15, 1996) at 4-5.]

In mitigation, respondent has no formal attorney discipline in his thirty-three-year career at the bar, a factor that both we and the Court have accorded considerable weight. In re Convery, 166 N.J. 29, 308 (2001).

In further mitigation, respondent cooperated fully with the ACJC's investigation, admitted his wrongdoing, and filed an affidavit of consent to removal from judicial office with the ACJC.

Conclusion

On balance, we find that the serious aggravating factors outweigh the mitigating factors and, thus, determine that a three-month term of suspension is the appropriate quantum of discipline necessary to protect the public and preserve confidence in the bar.

Further, as a condition to his discipline, we recommend that respondent be required to attend, within ninety days of the Court's disciplinary Order in this matter, an OAE-approved training program on sexual harassment.

Vice-Chair Boyer and Members Campelo, Modu, and Rodriguez voted to impose a censure, with the same condition.

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
Hon. Mary Catherine Cuff, P.J.A.D. (Ret.),
Chair

By: */s/ Timothy M. Ellis*
Timothy M. Ellis
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Richard Obuch
Docket No. DRB 25-206

Argued: November 20, 2025

Decided: February 13, 2026

Disposition: Three-Month Suspension

Members	Three-Month Suspension	Censure
Cuff	X	
Boyer		X
Campelo		X
Hoberman	X	
Menaker	X	
Modu		X
Petrou	X	
Rodriguez		X
Spencer	X	
Total:	5	4

/s/ Timothy M. Ellis
Timothy M. Ellis
Chief Counsel