

SUPREME COURT OF NEW JERSEY
D-5 September Term 2024
089838

IN THE MATTER OF
DOUGLAS H. HURD,
A JUDGE OF THE
SUPERIOR COURT

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O R D E R

1. This Order addresses the Formal Complaint the Advisory Committee on Judicial Conduct filed against the Honorable Douglas H. Hurd, a Judge of the Superior Court, on January 30, 2024.

2. Beginning in March 2020, the Supreme Court and the Acting Administrative Director of the Courts issued multiple orders and directives to enable the Judiciary to continue to serve the public throughout the COVID-19 pandemic. Much of the work of the court system was done remotely during the pandemic.

3. When employees were able to return to work in-person, the Judiciary instituted and issued written guidance about a new remote work policy. See, e.g., Broadcast Message and Remote Work Policies for Judiciary Staff (Aug. 26, 2021); Remote Work Program for Judiciary Staff (Sept. 7, 2021 -- Aug. 31,

2022); Remote Work Program for Judiciary Staff, Updated Version (effective Apr. 18, 2022). The remote work policy evolved over time. The different iterations of the policy applied to full-time employees except for judges, judicial law clerks, and judges' secretaries. Ibid.; see also Bench Book for Virtual Court Proceedings (Mar. 7, 2022).

4. All judges and staff are obligated to follow Judiciary policies. The current remote work policy, issued shortly after the complaint in this matter, extends to law clerks and judges' secretaries. See Remote Work Program for Judicial Law Clerks and Judges' Secretaries (Apr. 22, 2024). Violations of the remote work policy can subject judges and staff to discipline and ethics proceedings.

5. The complaint in this matter alleges that Judge Hurd, the Respondent, allowed his secretary to work remotely in violation of the Judiciary's then-existing policy, "believing he had the discretion to do so." Compl. ¶ 17. In his answer to the complaint, Judge Hurd similarly states that he "believed he had discretion to allow periodic remote work as [a] manager." Answer ¶ 17.

6. The complaint asserts that Respondent's conduct violated the Code of Judicial Conduct, citing Canon 1, Rule 1.1; Canon 2, Rule 2.1; and Canon 2, Rule 2.3(A). Having reviewed the record in this matter, the Court does not

find any violations of the Code of Judicial Conduct and exercises its discretion to dismiss the pending disciplinary complaint. See N.J. Const. art. IV, § 2, ¶ 3.

For the Court:



Stuart Rabner
Chief Justice

Justices Patterson, Pierre-Louis, Wainer Apter, Fasciale, Noriega, and Hoffman join in this Order.

Filed: October 16, 2024