

## TOWNSHIPOFWESTMILFORD

## ORDINANCE NO. 2003 - 50

## ORDINANCE CONCERNING ATTORNEY ACCOUNTABILITY

WHEREAS, the Council of the Township of West Milford finds and declares it to be in the best interests of the public that each licensed attorney appointed or reappointed to Township office, or retained to provide legal advice or services to the Township or any of its agencies, be required to waive confidentiality of his or her disciplinary history as a condition for holding such office or being so retained, and that such attorneys' Certificates of Ethical Conduct be available as public records; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that:

1. Within seven days after being appointed, reappointed or retained, any attorney within the scope of this ordinance shall execute a "Disciplinary Authorization and Release" form, or other superseding form promulgated by the Supreme Court of New Jersey, Office of Attorney Ethics. The municipal clerk shall forthwith submit the signed form to the Office of Attorney Ethics, or other appropriate agency of the New Jersey Judiciary, with a request that a "Certificate of Ethical Conduct" or other superseding certificate be furnished. Upon receipt of the "Certificate of Ethical Conduct" or other superseding certificate, the Clerk shall file it in his or her office where it will remain as a public record.
2. Any attorney within the scope of this Act who does not comply with the provisions of the Act within the specified seven-day period shall automatically forfeit his or her office or be discharged, as the case may be.
3. The provisions of this ordinance shall apply to appointments and reappointments to the following offices: Township Attorneys, Township Prosecutors, Municipal Court Judges, Public Defenders, Planning Board Attorneys,, Board of Adjustment Attorneys, Bond Attorneys, Labor Attorneys, as well as the attorneys for other commissions, committees, boards, authorities and other agencies of, in or created by the Township and any other attorneys retained to provide legal advice or services to the Township or any of its commissions, committees, boards, authorities and other agencies.

This act is remedial and shall be liberally construed to effectuate its purposes.

If any part of this Act is declared invalid, the remainder of the Act is valid and effectual.

This Ordinance shall take effect as provided by law.

Adopted this 11<sup>th</sup> day of  
December, 2003.

/s/ Kevin J. Byrnes, Township Clerk

/s/ Philip Weisbecker, Mayor