

**Carol Johnston, Esq.**

**CURRICULUM VITAE**

**1/2026 - Present**      **Adjunct Professor, “Professional Responsibility,” Rutgers Law School (Newark)**

**9/2025 – Present**      **Carol Johnston Ethics Law**  
Solo law firm offering advice and counseling on attorney ethics, attorney advertising, and unauthorized practice of law.

**3/2006 - 2/2025**      **Supreme Court Clerk’s Office/ Administrative Office of the Courts - Court Executive 2b**

Secretary/Counsel to Supreme Court Committees:

Advisory Committee on Professional Ethics – assisting the Committee draft opinions and informal responses to inquiries regarding application of the Rules of Professional Conduct. See Rule 1:19-1 through -9.

Committee on Attorney Advertising – assisting the Committee draft opinions and informal responses to inquiries and assisting the presenter prepare complaints for discipline for violation of attorney advertising rules. See Rule 1:19A-1 through -8.

Committee on the Unauthorized Practice of the Law – assisting the Committee draft opinions and informal responses to inquiries and helping the Committee members in their investigation of grievances. See Rule 1:22-1 through -7.

Answer the attorney ethics hotline, which attorneys may call to receive guidance and research assistance on ethics issues. See Rule 1:19-9.

Frequent lecturer on attorney ethics for the New Jersey State Bar Association, Institute for Continuing Legal Education, local bar associations, Inns of Court, Judiciary staff programs, and other organizations.

**Staff/Counsel to Other Supreme Court Committees, Including:**

Ad Hoc Committee on Law Firm Trade Names. Chair: Hon. Linda R. Feinberg. Report issued May 6, 2014.

Special Committee on Attorney Ethics and Admissions. Chair: Hon. James R. Zazzali. Report issued May 12, 2015.

Working Group on Ethical Issues Involving Metadata in Electronic Documents. Chair: Hon. Anne M. Patterson, Vice Chair: Thomas P. Scrivo. Report issued September 14, 2015.

Working Group on the Judiciary's Law Clerk Hiring Process. Chair: Hon. Mary Catherine Cuff. Report issued October 24, 2016.

Working Group to Review the Judiciary's Procedures for Responding to Courthouse Arrests of Undocumented Persons. Chair: Hon. Marlene Lynch Ford. Report issued July 31, 2018 but not made public by the Court.

Working Group on the Duty of Confidentiality and Wrongful Convictions. Chair: Hon. Jack M. Sabatino. Report issued February 12, 2020.

**5/2005 -  
2/2006**

**Ethics Compliance Officer, Executive Commission on Ethical Standards**

Initiated plan for ethics awareness and compliance by the State colleges and universities; developed ethics compliance plan for the Executive Branch.

**1994-  
2005**

**Department of Law and Public Safety (Attorney General's Office) Ethics Officer**

Advised Department attorneys and outside counsel regarding the Rules of Professional Conduct, Conflicts of Interest Law, and Department Code of Ethics. Supervised twelve Division Ethics Officers; developed and coordinated the Department's approach and response to ethics issues.

- 1997-2005**      **Prosecutors Code of Ethics Committee Member**  
Assisted in the implementation and interpretation of the Code of Ethics for County Prosecutors, which governs the Division of Criminal Justice and members of County Prosecutor Offices.
- 1997-2005**      **Department of Law and Public Safety (Attorney General's Office), Division of Law: Treasury Section**  
Senior Deputy Attorney General. Represented the Division of Taxation in State tax matters, tried cases in the New Jersey Tax Court and argued appeals in the Appellate Division and Supreme Court; handled bankruptcy matters in United States Bankruptcy Court; and assisted with Department of Treasury litigation and appeals as needed. Reviewed briefs, pleadings, discovery responses, and other work of fellow Deputies.
- 1996-1997**      **Division of Law: Education, Health and Human Services Section**  
Represented the Department of Health and Senior Services, providing counsel and defending agency decisions in the Office of Administrative Law and Appellate Division. Served as the Attorney General's designee on the Governor's Advisory Council on AIDS.
- 1993-1996**      **Office of the Attorney General: Legal Affairs Section**  
Represented the Department of Law and Public Safety, primarily the State Police, in employment and civil rights matters. Litigated in State and Federal court.
- 1992-1993**      **Division of Law: Tort Litigation Section**  
Extensive civil trial work. Defended State agencies, officers, and employees in tort cases; was trial attorney in several jury and bench trials in State and Federal court. Was the designated "special projects" lawyer, assigned to write and argue complicated motions.
- 1990-1992**      **Division of Law: Insurance Section**  
Represented the Department of Insurance (now the Department of Banking and Insurance), defending constitutional challenges to the Fair Automobile Insurance Reform Act in the Appellate Division and Supreme Court.

**Awards**            New Jersey Institute for Continuing Legal Education (NJICLE)  
Distinguished Service Award (2017)

**Clerkship**

**1989-1990**            Law Clerk for Chief Justice Robert N. Wilentz  
New Jersey Supreme Court

**Education**

**1984**                Hamilton College  
Clinton, New York  
Bachelor of Arts: Major in English Literature, Minor in Music (Voice)

**1989**                New York Law School  
New York, New York  
Juris Doctor, Magna Cum Laude (2<sup>nd</sup> in class)

**Articles**

“Confidentiality: The (Perhaps Surprising) Breadth and Scope of RPC 1.6,” (New Jersey Lawyer December 2011)

## REPORTED CASES:

### FIRST AMENDMENT CASES

Virginia v. Black, 538 U.S. 343 (2003)(counsel of record for amicus New Jersey Attorney General)

Chez Sez VII v. Poritz, 297 N.J. Super. 331 (App. Div.), certif. den. 149 N.J. 409, cert. den. 522 U.S. 932, 118 S.Ct. 337, 139 L.Ed.2d 262 (1997)

### ETHICS CASES

R.M. v. Supreme Court of New Jersey, 185 N.J. 208 (2005)

In re Advisory Committee on Professional Ethics Docket No. 18-98, 162 N.J. 497 (2000)

### TAX CASES

American Fire and Casualty Co. v. New Jersey Div. of Taxation, 189 N.J. 65 (2006)

American Fire and Casualty Co. v. New Jersey Div. of Taxation, 375 N.J. Super. 434 (App. Div. 2005)

River Systems, Inc. v. State, Dep't of Treasury, Div. of Taxation, 358 N.J. Super. 287 (App. Div. 2003)

L&L Oil Service, Inc. v. Director, Div. of Taxation, 340 N.J. Super. 173 (App. Div. 2001)

Amplicon, Inc. v. Director, New Jersey Div. of Taxation, 19 N.J. Tax 45 (App. Div. 2000)

Lucisano Bros, Inc. v. Director, New Jersey Div. of Taxation, 21 N.J. Tax 110 (Tax 2003)

Eiszner v. Director, Div. of Taxation, 19 N.J. Tax 498 (Tax 2001)

### INSURANCE CASES

In re "Plan for Orderly Withdrawal from N.J." of Twin City Fire Ins. Co., 129 N.J. 389 (1992)

American Fire & Casualty Co. v. New Jersey Dept. of Insurance, 256

N.J. Super. 423 (App. Div. 1992)

In re Market Transition Facility of New Jersey, 252 N.J. Super. 260 (App. Div. 1991)

In re American Reliance Ins. Co., 251 N.J. Super. 541 (App. Div. 1991)

In re Aetna Casualty & Surety Co., 248 N.J. Super. 367 (App. Div. 1991)

#### **BANKRUPTCY COURT CASES**

Legriede v. Pulley (In re Pulley), 303 B.R. 81 (D.N.J. 2003)

Pulley v. Legriede (In re Pulley), 295 B.R. 28 (Bankr. 2003)

State v. United States (In re Johns), 242 B.R. 265 (D.N.J. 1999)

#### **OTHER CASES**

Matturri v. Board of Trustees of the Judicial Retirement System, 173 N.J. 368 (2002)

State Troopers Fraternal Ass'n v. State, 149 N.J. 38 (1997)

Southern NJ Newspapers v. Twp. of Mt. Laurel, 141 N.J. 56 (1995)

In re Adoption of 2003 Low Income Housing Tax Credit Qualified Allocation Plan, 369 N.J. Super. 2 (App. Div. 2004)

Brown v. State, 356 N.J. Super. 71 (App. Div. 2002)

Turner v. Department of Human Services, 337 N.J. Super. 474 (App. Div. 2001)

In re Div. of Criminal Justice State Investigators, 289 N.J. Super. 426 (App. Div. 1996)

Korostynski v. State, Div. of Gaming Enforcement, 266 N.J. Super. 549 (App. Div. 1993)