§ 2604. Disqualification of judge

1. In addition to his general disqualifications as a judicial officer, a judge of the surrogate's court is also disqualified.

(a) from acting upon an application for the probate of a will where he is an attesting witness or is necessarily examined or to be examined as a witness,

(b) where he files a certificate that his relations to the parties or subject matter is such that it is improper for him to act.

2. An objection to the power of a judge of the surrogate's court to act based upon a disqualification is waived by an adult party unless it is taken at or before the joinder of issue by that party or, where an issue is not framed, at or before the submission of the matter to the court.