

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached amendments to Rules 1:38-3, 1:38-7, 1:38-11, and 4:5-1 and the attached new Rule 1:38-13 of the Rules Governing the Courts of the State of New Jersey are adopted to be effective July 1, 2010.

For the Court,

/s/ Stuart Rabner

Chief Justice

Dated: June 23, 2010

1:38-3. Court Records Excluded from Public Access

The following court records are excluded from public access:

(a) ... no change

(b) ... no change

(c) ... no change

(d) Records of Family Part Proceedings.

(1) Family Case Information Statements required by R. 5:5-2 and
Financial Statements in Summary Support Actions required by R. 5:5-3,

including all attachments;

(2) ... no change

(3) ... no change

(4) ... no change

(5) ... no change

(6) ... no change

(7) ... no change

(8) ... no change

(9) ... no change

(10) ... no change

(11) ... no change

(12) ... no change

(13) ... no change

(14) ... no change

(15) ... no change

(16) ... no change

(17) ... no change

(e) ... no change

(f) ... no change

Note: New Rule 1:38-3 adopted July 16, 2009 to be effective September 1, 2009; subparagraph (b)(1) amended December 9, 2009 to be effective immediately; paragraphs (e) and (f) amended January 5, 2010 to be effective immediately; subparagraph (c)(11) amended, subparagraph (c)(12) adopted, and subparagraph (d)(1) amended February 16, 2010 to be effective immediately; subparagraph (d)(1) amended June 23, 2010 to be effective July 1, 2010.

1:38-7. Confidential Personal Identifiers

(a) ... no change

(b) ... no change

(c) Compliance.

(1) ... no change

(2) In General Equity Part, Probate Part, and Special Civil Part matters, where no Case Information Statement is required, parties shall include the following language in the first filed pleading as provided in R. 4:5-1(b)(3), "I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)."

(3) ... no change

(d) ... no change

(e) ... no change

(f) ... no change

Note: New Rule 1:38-7 adopted July 16, 2009 to be effective September 1, 2009; paragraph (e) amended September 22, 2009 to be effective immediately; subparagraph (c)(2) amended June 23, 2010 to be effective July 1, 2010.

1:38-11. Sealing of Court Records

(a) ... no change

(b) ... no change

(c) ... no change

(d) Documents or other materials not exempt from public access under

Rule 1:38 may not be filed under seal absent a prior court order mandating the sealing of such documents, and should not be submitted to the court with the motion, which may be filed on short notice, requesting an order to seal.

Note: New Rule 1:38-11 adopted July 16, 2009 to be effective September 1, 2009; new paragraph (c) adopted January 5, 2010 to be effective immediately; new paragraph (d) adopted June 23, 2010 to be effective July 1, 2010.

1:38-13. Records Available Only in the Form Maintained by the Judiciary

Court records and administrative records are available only in the form in which they are maintained or indexed by the Judiciary. Requests by private individuals or entities for programming, searching, or compilation of records in a form other than as used for the Judiciary's purposes will not be granted.

Note: New Rule 1:38-13 adopted June 23, 2010 to be effective July 1, 2010.

4:5-1. General Requirements for Pleadings

(a) ... no change

(b) Requirements for First Pleadings.

(1) ... no change

(2) ... no change

(3) Certification of Compliance with Rule 1:38-7(c). The first filed pleading of any party in an action in the Chancery Division, General Equity Part, the Chancery Division, Probate Part, or in the Law Division, Special Civil Part shall include a certification of compliance as required in R. 1:38-7(c) that states, "I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)."

(c) ... no change

Note: Source—R.R. 4:7-1; amended July 26, 1984 to be effective September 10, 1984; caption and text amended November 26, 1990 to be effective April 1, 1991; paragraph (c) added July 13, 1994 to be effective September 1, 1994; paragraph (b)(2) amended July 10, 1998 to be effective September 1, 1998; paragraph (b)(1) amended July 5, 2000 to be effective September 5, 2000; paragraph (b)(1) amended July 9, 2008 to be effective September 1, 2008; paragraph (b)(3) adopted July 16, 2009 to be effective September 1, 2009; paragraph (b)(3) amended June 23, 2010 to be effective July 1, 2010.