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Administrative Director of the Courts

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**TO: Assignment Judges
Trial Court Administrators**

DIRECTIVE #02-22
(Supersedes Directive #18-21)

FROM: Glenn A. Grant, Administrative Director



Questions may be directed to the
Family Practice Division at
609-815-2900, ext. 55350.

**SUBJECT: Family – Revised Standard Protective Order
(CN 10485)**

DATE: April 5, 2022

This Directive supersedes Directive #18-21 and promulgates the attached revised standard Protective Order (CN 10485), to be used in all Family dockets when the court authorizes the release of records and concludes that records authorized for release should not be disclosed to others. The revisions to the form order are to memorialize the court's current practice to either conduct an *in camera* review of the documents or confirm the relevant parties' consent to the release of the documents.

The protective order provides that the documents released cannot be used in any other matter without the express written permission of the court. The protective order also includes a provision setting forth how the records are to be handled when the documents are no longer required: either destroying the records or returning them to the originating agency.

Situations in which this protective order should be used include, but are not limited to, requests for:

- 1. Records relating to matters involving the Division of Child Protection and Permanency (DCP&P) --** The court may authorize disclosure of DCP&P records to self-represented litigants in Children in Court (CIC) cases or to attorneys who request that information for use in other case types. A protective order establishes the limitations on the use of these confidential records.

2. **Juvenile court records to be used in criminal Extreme Risk Protection Order (ERPO) matters** -- In ERPO cases, evidence of a history of violence can be produced, which may include juvenile records. See N.J.S.A. 2C:58-23(f). While ERPOs are also confidential, and records may only be disclosed as set forth in N.J.S.A. 2C:58-30(a), the Family judge should have the discretion to control the redisclosure of juvenile records. The protective order permits juvenile records to be used in an ERPO proceeding while simultaneously maintaining the confidentiality of these records.

3. **Records obtained in contested custody, parenting time, and visitation matters filed in the dissolution and non-dissolution dockets.** This includes the results of custody investigations and expert evaluations resulting from the medical, mental health, social or economic examinations of any party.

Attachment

cc: Chief Justice Stuart Rabner
Criminal Presiding Judges
Family Presiding Judges
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Special Assistants to the Administrative Director
Chiefs, Family Practice Division
Chiefs, Criminal Practice Division
Criminal Division Managers and Assistant Division Managers
Family Division Managers and Assistant Division Managers
Emily Mari, Esq., Staff Attorney, Family Practice

Prepared By The Court

Superior Court of New Jersey
Chancery Division - Family Part
County of _____
Docket Number: _____

Plaintiff

v.

**Civil Action
Protective Order**

Defendant

THIS MATTER being opened to the Court, and it appearing that copies of the following confidential reports are being released to the attorneys and parties or the self-represented litigants:

- Home Inspection Report
- Social Investigation Report
- Psychological Report and
- Psychiatric Report
- Risk Assessment
-

for good cause shown;

It Is on This ____ day of _____ 20__, Ordered that

1. Copies of these documents will be released to the attorneys or self-represented litigants;
 - After in camera review; or
 - With consent of [parties] _____
2. Copies of these documents will be released with the understanding that the information contained in the documents is to be used only for distribution to experts, attorneys and self-represented litigants in the pending:
 - Custody/parent time case under Docket number(s) _____
 - Case under Docket number(s) _____
 - Extreme Risk Protective Order case (N.J.S.A. 2C:58-30(a)) under Docket number(s) _____;
3. The documents cannot be used in any other matter without the express written permission of the court;
4. This information cannot be disclosed to any other person for any reason, and cannot be given out or made public by any means, direct or indirect, without the express written permission of the court;

The court has advised the parties on the record that they are prohibited from disclosing the records referenced in this order, and the parties acknowledged receiving the court's instructions;

5. The use of the information contained in the documents for any purpose other than stated by the court shall be a violation of this court order and might be subject to sanctions at the court's discretion. Any other use of the contents of the documents that are the subject of this protective order is strictly prohibited and will be enforced by the court;

6. Upon disposition of the matter referenced in paragraph 2 above, the documents will be destroyed / returned to _____; and

7. It Is Further Ordered

J.S.C.