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For further information contact:
Winnie Comfort; Tamara Kendig
609-292-9580

Supreme Court Creates Committee on Access to Court Records

Chief Justice Deborah T. Poritz has appointed Associate Justice Barry T. Albin to chair the newly created Supreme Court Committee on Public Access to Court Records. The Supreme Court has asked the committee to conduct a comprehensive review of the provisions of Rule 1:38, "Confidentiality of Court Records," and to recommend any changes to the rule necessary to clarify or facilitate the public's access to Judiciary records.

"The committee should start with a presumption of openness of court records," said Chief Justice Poritz. "The goal is to balance the Judiciary's obligation to keep our processes transparent and open to the public with our obligations to safeguard legitimate privacy interests."

Justice Albin said, "The committee has an extraordinary amount of work to do in a short time. Chief Justice Poritz has selected a diverse and talented group of people who will bring energy, expertise and commitment to the table. We expect to submit a report to the Supreme Court in the next several months."

The committee's 20 members represent the New Jersey Bar, the media, judges and Judiciary managers. Justice Albin recently called the group together for an opportunity to meet one another and to begin planning how to accomplish its goal. The committee will meet regularly during the next few months as a group, and subcommittees will work to address specific issues such as what records will be available to the public, electronic access to court records, privacy concerns, including identity theft, and the cost of accessing court records.

The Committee on Public Access to Court Records follows a previous working group that developed uniform statewide procedures for processing public requests for court records. The uniform procedures have been received positively by the public and by staff. This next, and more difficult step, will review the substantive rule that defines the public's access to Judiciary records.

Once the Supreme Court reviews the committee's proposal for changes to Rule 1:38, the report will be made available for public comment.

The member list is attached.

Member List

- Honorable Barry T. Albin, Associate Justice, Chair
- Honorable Mary Catherine Cuff, Presiding Judge, Appellate Division
- Honorable Francis J. Orlando, Assignment Judge, Camden
- Honorable John Sweeney, Assignment Judge, Burlington
- Honorable Amy Piro Chambers, Chancery Judge, Middlesex
- Honorable Marie E. Lihotz, Presiding Judge, Family Part, Burlington

- Honorable Thomas S. Smith, Jr., Presiding Judge, Criminal, Burlington
- Honorable Joan Robinson Gross, Presiding Judge - Municipal Courts, Union
- Honorable Harold A. Kuskin, Judge, Tax Court
- Honorable Joseph P. Brennan, Jr., Surrogate, Essex County
- Winnie Comfort, Director of Communications, Administrative Office of the Courts
- Joseph F. Davis, Trial Court Administrator, Hudson
- Toni M. McLaughlin, Esquire, Assistant Director, Administrative Office of the Courts
- Lisa Mollica, Assistant Director, Administrative Office of the Courts
- Francis W. Hoeber, Special Assistant, Administrative Office of the Courts
- Paula Montana, Family Division Manager, Cumberland/Gloucester/Salem
- Joseph A. Bottitta, Esquire, New Jersey State Bar Association
- Thomas J. Cafferty, Esquire, New Jersey Press Association
- Grayson Barber, Esquire
- Mark H. Sobel, Esquire
- Staff: Brenda Carrasquillo, Administrative Specialist, AOC