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Report on Public Access to Court Records Released for Comment

The Supreme Court is seeking comments on the [report of its Special Committee on Public Access to Court Records](#). Comments on the committee's report will be accepted until March 24.

The report includes a proposed new court rule on public access to records, a history of public access to court records in New Jersey, a detailed description of court structure and automated court records, and a review of current methods of public access to court records. The report concludes with a review of the issues considered by the committee, including those incorporated into the proposed rule and those suggested for consideration in the future.

Chaired by Associate Justice Barry T. Albin, the committee was asked by the Court to conduct a comprehensive review of the Judiciary's rule on public access to court records, as well as the procedures and means by which the public may view and copy court records. The report is available at njcourtsonline.com/publicaccess/.

"The committee always kept in mind that the Judiciary serves the people and that court records, like our courtrooms, are presumed to be open to the public," said Justice Albin.

"The committee included judges, court staff, privacy advocates, media representatives, and attorneys from various practice disciplines. The committee members brought to the table a breadth of experience and differing viewpoints, which enriched our discussions on many difficult issues. The committee balanced the goal of transparency and openness of court records and judicial proceedings against the need to safeguard legitimate privacy interests. I am honored to have had the opportunity to work with the members of the committee and thank them for their extraordinary and dedicated service," Justice Albin said.

Changes proposed by the committee to the Judiciary's public access rule include

- a clear definition of court records and administrative records available to the public;
- a comprehensive list of records exempt from public access as dictated by court rule and statutes because of privacy interests and other compelling concerns;
- a rule barring attorneys and litigants from including certain personal identification numbers, such as Social Security numbers, in papers they submit to the court and;
- a process to appeal a decision denying access to a court record.

The committee also made recommendations to

- make more court records available at public access computer terminals in courthouses across the state;
- post on the Internet information about every civil case filed, as well as information about all criminal convictions;
- continue to address public access issues as circumstances change;
- create a permanent advisory committee on public access;
- launch a public education effort on issues related to open court records; and

- address the availability of electronic records, and other public access issues.

Individual comments will be posted periodically on the Judiciary's Web site throughout the comment period unless the author makes a specific request for confidentiality. Usually, comments submitted in response to reports before the Court are made public only after the Supreme Court has taken action. Because of the subject matter of the report, the Court has decided to make the comments public earlier in the process.

Details on how to submit comments are on the Web at njcourtsonline.com/publicaccess/.

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