



How to File a Motion Before a Judge to Classify a Record as Confidential or Delete Documents from the eCourts Case Jackets

(Superior Court of New Jersey)

Who Should Use This Packet?

Use this packet if you want to classify a document as confidential or delete documents from the eCourts case jacket. You **must** file a WRITTEN request with the Judge in the county where your case is being heard.

With limited exceptions, any paper filed with the court can be looked at by the public. You can only file a motion on behalf of yourself. You cannot file a motion for anyone else. A Power of Attorney does not allow you to file on behalf of anyone else. Motions filed on behalf of anyone else will be returned.

Note: These materials have been prepared by the New Jersey Administrative Office of the Courts for use by self-represented litigants. The instructions and forms will be periodically updated as necessary to reflect current New Jersey statutes and court rules. The most recent version of the forms will be available on the Judiciary's Internet site njcourts.gov. However, you are ultimately responsible for the content of your court papers.

Completed forms should be submitted electronically via mail, eCourts or the Judiciary Electronic Document Submission (JEDS) system. Learn more at njcourts.gov

Things to Think About Before You Represent Yourself in Court

Try to Get a Lawyer

CAUTION: Some court cases are very complex, and you should consider getting a lawyer. The court system can be confusing, and it is a good idea to get a lawyer if you can. The law, the proofs necessary to present your case, and the procedural rules governing cases are complex. Most likely your adversary will be represented by a lawyer. It is recommended that you make every effort to obtain the assistance of a lawyer. If you cannot afford a lawyer, you can contact the legal services program in your county to see if you qualify for free legal services. Their telephone number can be found online under “Legal Aid” or “[Legal Services](#).”

If you do not qualify for free legal services and need help in locating an attorney, you can contact the bar association in your county. Most county bar associations have a [Lawyer Referral Service](#). The County Bar Lawyer Referral Service can supply you with the names of attorneys in your area willing to handle your particular type of case and will sometimes consult with you at a reduced fee.

There are also a variety of organizations of minority lawyers throughout New Jersey, as well as organizations of lawyers who handle specialized types of cases. Ask your county court staff for a list of lawyer referral services that include these organizations.

If you decide to proceed without an attorney, these materials explain the procedures that **must** be followed to have your papers properly filed and considered by the court. Failure to follow procedures can result in a delay with processing your documents.

These materials do not provide information on the law governing your claims or defenses; information on how to conduct pretrial discovery; information on alternative dispute resolution procedures, such as mediation, that might be available or required in your case; information on the kinds of evidence you need to prove your claims or defenses at trial; or information on other procedural and evidentiary rules governing court cases.

What You Should Expect If You Represent Yourself

While you have the right to represent yourself in court, you should not expect special treatment, help, or attention from the court. The following is a list of some things the court staff can and cannot do for you. Please read it carefully before asking the court staff for help.

- We *can* explain and answer questions about how the court works.
- We *can* tell you what the requirements are to have your case considered by the court.
- We *can* give you some information from your case file.
- We *can* provide you with samples of court forms that are available.
- We *can* provide you with guidance on how to fill out forms.
- We *can* usually answer questions about court deadlines.

- We *cannot* give you legal advice. Only your lawyer can give you legal advice.
- We *cannot* tell you whether or not you should bring your case to court.
- We *cannot* give you an opinion about what will happen if you bring your case to court.
- We *cannot* recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- We *cannot* talk to the judge for you about what will happen in your case.
- We *cannot* let you talk to the judge outside of court.
- We *cannot* change an order issued by a judge.

Keep Copies of All Papers

Make and keep copies of all completed forms and documents related to your case.

Definitions of Words Used in This Packet

Adversary - Your *adversary* in a lawsuit is the person or persons whose position is opposite to you. In a case where there is only a plaintiff and a defendant and you are the plaintiff, your adversary is the defendant. Likewise, if you are the defendant, your adversary is the plaintiff. In this packet, service on your adversary means service on the attorney(s) representing your adversary or adversaries and/or on any party(ies) not represented by counsel.

Answer - An *answer* is a defendant's written response to a plaintiff's initial court filing.

Brief - A *brief* is a written argument submitted to the court where you present the facts and the history of your case and the legal argument supporting the request you have made to the court in your motion.

Caption - A *caption* is the name of the case; it lists the name of both the plaintiff(s) and the defendant(s). For example: ABC Mortgage Company, Plaintiff v. Mary Smith, Defendant.

Certification - A *certification* is statement that certain facts are true to the best of the knowledge of the person making the statement. It is like an affidavit but is not sworn before a notary or other authorized person.

Defendant - The *defendant* is the person against whom the complaint or legal action is filed.

Discovery Motion - A *discovery motion* asks the court for a ruling on some point of the discovery process such as a motion for more specific answers to interrogatories or a motion to require depositions. Before filing a discovery motion, the person who is bringing the motion must try to resolve the matter with the other party(ies) in the case.

Docket Number - A *docket number* is the number the court assigns to a case so that it may be identified and located easily. You **must** include the docket number on all your communications regarding your case. **Note: Documents without a docket number cannot be filed.**

File - To *file* means to give the court the appropriate documents, forms and fees.

Motion - A *motion* is an application to the court for a specific order or ruling to be made in favor of the person making the motion (the movant).

Motion Day - Courts hear motions on specified days (usually Fridays) on the court calendar called *motion days*. You should obtain the motion schedule online from the judiciary website at: njcourts.gov. It is your responsibility to contact the courthouse in the county where the case is filed to inquire about the motion day and to confirm if a case is scheduled for a hearing.

Definitions of Words Used in This Packet (continued)

Movant or moving party - The *movant or moving party* is the person who is bringing the motion.

Notice of Motion - A *Notice of Motion* is the form used to inform the court and all opposing parties that the person filing the motion is seeking a specific ruling or order from the court. A Notice of Motion must identify the courthouse where the motion will be heard (the courthouse in the county where the case is filed).

Oral Argument - *Oral argument* refers to the appearance in court by the parties to present their positions to the judge in person. Either side may request oral argument, but the decision on whether there will be oral argument is up to the judge. If oral argument is not requested by either of the parties or the judge, the motion will be decided “on the papers.”

Plaintiff - The *plaintiff* is the person who files a complaint or brings a legal action.

Pro se - *Pro se* is a Latin term that means “on one’s own behalf.” A plaintiff or defendant in a court case who does not have an attorney is said to be appearing *pro se*.

Proof of Mailing - *Proof of mailing* is the form in which you provide the dates and method you used to give the other parties copies of the papers that you filed in court.

Proposed Form of Order - A *proposed order* is a form that the judge can use to either grant or deny the relief sought in the motion. Every motion must be accompanied by a proposed form of order.

Redaction - the censoring or “blacking out” of part of a text for legal or security purposes is called *redaction*. **Note:** Any documents received by the Clerk’s office will be processed and placed in the case jacket which, with limited exceptions, is available for public view.

Relief - *Relief* is the assistance or remedy sought by a complainant from a judge.

Return date - The *return date* is the date on which the court will consider the motion. If you request oral argument, you must appear before the judge. If no oral argument is requested, the matter will be decided “on the papers.” That is, the judge will decide the motion on what has been submitted in the moving papers and in the opposition papers, without having anyone appear in court.

Service - *Service* refers to the delivery of the complaint or any other paper in a case to the other parties in the case. Formal legal service requires that the service be made by an officially authorized person or by mail.

Venue - the *venue* is the location where a case is heard.

The numbered steps listed below tell you what forms you will need to fill out and what to do with them. Each form should be typed or printed clearly on 8.5” x 11” white paper only. Forms may not be filed on a different size or color paper.

Steps to Classify a Record as Confidential or Delete Documents from eCourts

STEP 1: Complete the *Notice of Motion* (Form A)

In the *Notice of Motion*, you inform the court and all parties that you have asked for a specific ruling or order and specify the ruling you want - to classify the record as confidential or delete documents from the eCourts case jacket.

Motions are heard in court on specified days. You should obtain the motion schedule either from the clerk’s office or online from the judiciary website at njcourts.gov. You should pick a motion day at least 3 weeks from the date you mail your motion papers, in order to give your adversary 16 days before the return date as required by the court rules.

If the Motion is currently pending, contact the judge’s chambers to ask when your motion will be heard and how you should inform the other parties in the case that you are making the motion on short notice.

STEP 2: Complete the *Certification in Support of the Motion* and the *Certification of Service* (Form B)

The *Certification in Support of the Motion* tells the court the reasons why the court should grant your request. You must also complete the *Certification of Service* that tells the court the date you mailed (or delivered) copies of the documents to the other parties in the case.

STEP 3: Fill out the top portion of the *Proposed Form of Order*

Fill out the top portion of the Order. Do not fill out anything that appears under the text “**For Court Use Only.**” The judge will complete the bottom half of the Order when the motion is decided.

STEP 4: Mail or Deliver the *Notice of Motion*, *Certification in Support Motion* and *Proposed Form of Order*

You must serve the other parties to the case no later than 16 days before the specified return date on your notice of motion. While the court rules do not require you to use certified mail, it is suggested that you send your motion and supporting papers by regular and certified mail, return receipt requested. You will then have the green card when it is returned to you as proof of service.

STEP 5: Mail, Deliver or electronically submit the forms to the court

You can file your documents electronically through JEDS, by mail or in person with the court. To electronically submit your documentation in to new or existing cases to the court, use the Judiciary Electronic Document Submission (JEDS) system. For more information about the JEDS system (including FAQs) and how to register to use the system go to njcourts.gov. **Note: Attorneys must file through eCourts.**

If you mail the papers, we recommend that you use certified mail, return receipt requested. Forms may be submitted via postal mail or in-person to the applicable division in the county where your case is filed. Those addresses are available at njcourts.gov.

Keep copies of all papers you provide to the court or any other party. Make and keep for yourself copies of all completed forms and any canceled checks, money orders, receipts, bills, contract estimates, letters, leases, photographs, and other important papers that relate to your case.

Step 6: Appear in Court

The Court will notify you when the matter will be heard by the judge. You will also be told whether to appear in person or virtually. Since the applications are time sensitive, most appearances are conducted virtually.

The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at njcourts.gov.

The New Jersey Judiciary provides court-interpreting services. If you need an interpreter, notify the court as soon as possible: njcourts.gov.

Instructions for Completing the Notice of Motion (Form A)

1. At the top left of the form, enter your name, address, email address, and daytime phone number. If you are not an attorney, leave the *Attorney ID* field blank. **Note: the email address is required.**
2. On the line labeled *Plaintiff(s)*, enter the plaintiff's name.
3. On the line labeled *Defendant(s)*, enter the name(s) of the defendants listed on the complaint.
4. On the line labeled *Division*, enter the court division name (*i.e.* Family, Chancery, Civil Law, etc.).
5. On the line labeled *County*, enter the county where the case is filed.
6. On the line labeled *Docket Number*, enter the docket number. This information can be found in the complaint that was served on you.
7. To the right of *To*, enter the names and addresses of all person who will be served with a copy of this motion. Attach additional sheets if necessary.
8. On the line following *Court located at*, enter the address of the court where you want your Motion to be heard.
9. After the word *on*, enter the date the motion will be heard. A motion schedule is available online at njcourts.gov.
10. After the words *for an **Order** to*, select whether you are requesting to *classify a record as confidential* **or** *delete documents from the eCourts case jacket*. On the lines that follow, list the documents you want classified as confidential **or** deleted.
11. Select the applicable option regarding oral argument.
12. Date and sign the form and print your name under the signature.

Form A

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, active credit card number or military status.

Plaintiff or Filing Attorney Information:

Name _____

NJ Attorney ID Number _____

Address _____

Email Address _____

Telephone Number _____

Superior Court of New Jersey

_____ Division

_____ County

Docket Number _____

_____,
Plaintiff(s)

v.

Civil Action

_____,
Defendant(s)

To: _____

**Notice of Motion to
Classify a Record as Confidential or
Delete Documents from the
eCourts Case Jacket**

TAKE NOTICE that the undersigned will apply to the above-named Court located at _____ on

_____ at 9:00 a.m. for an **Order** to (select one) classify the following documents as confidential or delete the following documents from the case jacket:

I will rely on the attached certification, which contains the grounds for the relief sought.

Pursuant to *R. 1:6-2(d)*, the undersigned (check one):

- Waives oral argument and consents to disposition on the papers.
- Requests oral argument if this matter is contested.
- Requests oral argument for the following reasons:

Date

Signature

Print Name

Instructions for Completing the Certification in Support of Motion (Form B)

1. At the top left of the form enter your name, address, email address, and daytime phone number. If you are not an attorney, leave the *Attorney ID* field blank. **Note: the email address is required.**
2. On the line labeled *Plaintiff(s)*, enter the plaintiff's name.
3. On the line labeled *Defendant(s)*, enter the name(s) of the defendants listed on the complaint.
4. On the line labeled *Division*, enter the court division name (*i.e.* Family, Chancery, Civil Law, etc.).
5. On the line labeled *County*, enter the county where the case is filed.
6. On the line labeled *Docket Number*, enter the docket number. This information can be found in the complaint that was served on you.
7. Enter your name and role on the line that says *I _____, am the _____ (state your role in the case) in the above-captioned matter.*
8. Identify whether you are requesting to classify documents as confidential OR delete documents.
9. List all documents to be deleted from the case jacket or classified as confidential. Include the date the document(s) was filed and the transaction ID(s) of the documents(s) on the line that says *the following document(s) were filed in/uploaded to the eCourts case jacket in this matter on the identified date(s) and bearing Transaction ID(s).*

IMPORTANT NOTES:

- Documents are identified to be classified confidential or deleted based on the transaction ID of the filing. **Please verify the accuracy of the transaction ID.**
 - Single pages **cannot** be removed from a filing. Instead, the entire filing will be deleted.
 - In order to delete an exhibit to a motion, the exhibit must have been filed as a separate component to the motion. Otherwise, the entire motion will be deleted.
10. Select the reason(s) why the identified document(s) must be classified as confidential or deleted. Additional space is provided to list any additional reasons/arguments in support of the motion. Use additional sheets, if necessary.
 11. Date and sign the form and print your name under the signature. **Note:** when you sign this form, you are certifying that the statements made on the form are true. If you willfully make false statements, you may be subject to punishment.

Instructions for Completing the Certification of Service (Form B)

1. Enter the date you mailed copies of the documents to the other parties in the case.
2. Select the mailing method you used (regular or certified mail). If you sent it by both regular and certified mail, return receipt requested, check both.
3. List the name and address for each party to the lawsuit. If the party is represented by an attorney, enter the attorney's name and address and enter which party the attorney represents.
4. Date and sign the form and print your name under the signature.

Form B

Plaintiff or Filing Attorney Information:

Name _____

NJ Attorney ID Number _____

Address _____

Email Address _____

Telephone Number _____

Superior Court of New Jersey

_____ Division

_____ County

Docket Number _____

_____,
Plaintiff(s)

v.

Civil Action

_____,
Defendant(s)

**Certification in Support of Motion
to Classify a Record as
Confidential or Delete Documents**

1. I _____ am the _____ (state your role in the case)
in the above-captioned matter.

2. The documents listed below must be: (select one) classified as confidential/ deleted.

3. These document(s) were filed in/uploaded to the eCourts case jacket on the identified date(s)
and bearing the following Transaction ID(s) (list all document(s) to be classified as
confidential or deleted with the date(s) filed and the transaction ID(s))

4. I am requesting that these documents be classified as confidential or deleted, because (select
all that apply):

improperly contains confidential personal identifiers as defined by *Rule 1:38-7*;

are otherwise protected from public access pursuant to *Rule 1:38-3* and *Rule 1:38-5*;

was filed under a sealing/protective order;

contains the full name of a party whose name was impounded by court order;

Other basis for requested relief: (state any additional reasons/information in support of
the application to delete document)

Form B

I certify that the above statements made by me are true and that if any of the statements are willfully false, I am subject to punishment.

Date

Signature

Print Name

Form B

Certification of Service

I certify that on _____, I sent a copy of the Notice of Motion, Certification in Support of Motion to Classify a Record as Confidential or Delete Documents, and Proposed Form of Order to the following parties by: (Check which mailing method you chose. If you sent it by both regular and certified mail, return receipt requested, check both.)

regular mail certified mail, return receipt requested

List each party to the lawsuit; use the attorney's name and address if the party is represented by counsel.

Name _____ Name _____

Address _____ Address _____

Attorney for _____ Attorney for _____

Date _____

Signature

Print Name

Instructions for Completing the Proposed Form of Order (Form C)

1. At the top left of the form, enter your name, address, email address, and daytime phone number. If you are not an attorney, leave the *Attorney ID* field blank. **Note: the email address is required.**
2. On the line labeled *Plaintiff(s)*, enter the plaintiff's name.
3. On the line labeled *Defendant(s)*, enter the name(s) of the defendants listed on the complaint.
4. On the line labeled *Division*, enter the court division name (*i.e.* Family, Chancery, Civil Law, etc.).
5. On the line labeled *County*, enter the county where the case is filed.
6. On the line labeled *Docket Number*, enter the docket number. This information can be found in the complaint that was served on you.
7. In the space following “... *before the Court on Motion of...*,” set forth your filing role in the case, and select whether you are seeking to delete documents or to classify them as confidential.
8. On the lines provided, list the document(s).
9. Enter the dates the files were filed/uploaded into eCourts on the line provided.
10. Enter the transaction ID(s).
11. Select the reason(s) why the identified document(s) must be deleted or classified as confidential.
12. **DO NOT** fill out anything that appears under the text “**For Court Use Only.**” The judge will complete the remaining information.

Form C

Plaintiff or Filing Attorney Information:

Name _____

NJ Attorney ID Number _____

Address _____

Email Address _____

Telephone Number _____

Superior Court of New Jersey

_____ Division

_____ County

Docket Number _____

_____,
Plaintiff(s)

v.

Civil Action

_____,
Defendant(s)

**Order To Classify a Record as
Confidential or Delete Documents
from eCourts**

This matter having been brought before the Court on Motion of _____ for an
Order to (select one) classify as confidential or delete the following document(s):

filed in/uploaded to the eCourts case jacket on _____ and bearing transition ID(s):
_____ which:

- improperly contains confidential personal identifiers as defined by *Rule 1:38-7*;
- are otherwise protected from public access pursuant to *Rule 1:38-3* and *Rule 1:38-5*;
- was filed under a sealing/protective order;
- contains the full name of a party whose name was impounded by court order;
- Other basis for requested relief: (state any additional reasons/information in support of the application to delete document)

and the Court having considered the matter and for good cause appearing,

Form C

(Do not write below this line, For Court Use Only)

It is on this ____ day of _____, 20__, **ORDERED** that the above-referenced document be deleted from the electronic case jacket, and

IT IS FURTHER ORDERED that, if necessary, a replacement document, which is attached hereto, shall be filed within ____ days of the date of this Order, and

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties who have not been electronically served through an approved Electronic Court System pursuant to *Rule 1:32-2A*, nor served personally in court within ____ days of the date of this Order.

This motion was:

Opposed **Unopposed**

P.J. Ch.