New Jersey Courts
Independence • Integrity • Fairness • Quality Service

Administrative Office of the Courts

GLENN A. GRANT, J.A.D.
Acting Administrative Director of the Courts

www.njcourts.com • Phone: 609-376-3000 • Fax: 609-376-3002

DIRECTIVE # 04-19
[Questions or comments may be directed to 609-815-2900 ext. 55202]

TO: Assignment Judges

FROM: Glenn A. Grant, J.A.D.

SUBJ: Deletion of Documents in eCourts and Correction of Data in Associated Databases – Guidelines; Required Form Orders

DATE: May 15, 2019

This Directive promulgates standard procedures and guidelines for the deletion of documents from an eCourts case jacket and the correction of data in the associated database or mainframe system (i.e. ACMS, FACTS, PromisGavel). These guidelines set forth the circumstances under which documents either should be deleted or may be deleted from an eCourts case jacket and define the distinctions between a motion to delete a document and a motion to correct the data associated with a filing.

Directive #01-14 ("Electronic Records Management Guidelines") requires the Judiciary to "have systems in place to track, audit and certify the capture of an electronic record." The integrity of the electronic record must be maintained, in part by ensuring that a notation on the docket is made whenever a document is deleted. A signed order is required before a document can be deleted from a case jacket or data associated with a filing can be corrected. That order should be filed and available through eCourts.

An order for deletion of a document or for correction of data can be submitted either by motion on notice to the other parties in the case or by consent order. Such orders can also be issued *sua sponte* by the court. If the court enters an order to delete or to correct data, such deletion or correction should be promptly completed by appropriate vicinage staff. Court staff is under no obligation to review filings to determine whether a document should be deleted or to search for discrepancies between data and documents that would necessitate an Order to Correct.

Order to Delete

An Order to Delete is required when one or more documents within a filing are sought to be deleted from an eCourts case jacket. The following types of documents should be deleted from eCourts:

- Documents that improperly contain confidential personal identifiers in violation of R. 1:38-7;
- Documents that should have been filed as confidential pursuant to R. 1:38-3 but were not; and
- Documents that are the subject of an order to seal pursuant to R. 1:38-11 or a protective order pursuant to R. 3:13-3(e), R. 4:10-3, R. 5:3-2, R. 5:12-4(b), or R. 5:12-6.

Other types of documents, though not technically appropriate for inclusion in the case jacket, are not required to be deleted from eCourts, but may be deleted in the discretion of the judge:

- Documents misfiled into the wrong case jacket;
- Duplicate filings;
- Documents that are extraneous to or are not required to be filed into the case jacket; and
- Other misfiled documents.

eCourts allows for deletion of a document within a filing without having to remove the entire filing, but individual pages within a document cannot be deleted or redacted. If a page within an individual document must be deleted, the entire document must be deleted from the case jacket and, if necessary, replaced with an appropriate document. Likewise, if a document has to be redacted, the entire document must be deleted from the case jacket and replaced by a redacted version. Any replacement document must be attached as an exhibit to the motion or consent order.

Orders to Delete shall be in the form of the attached template and must contain the following information with regard to the document to be deleted: filed date; description of the document; transaction ID; and reasons for deletion. Providing this information will ensure that the case jacket accurately reflects the nature of the document deleted. For tracking purposes, the name and/or user ID of the person completing the deletion will be displayed in the case jacket.

Where an Order to Delete is entered that requires a replacement document, a clerk's note will be sent to the filer that will include instructions on how to upload a replacement document to the case jacket. If a replacement document is necessary and the filer fails to upload a replacement document, the filer risks the consequences of an incomplete filing, such as denial of a motion.

Order to Correct Data

An Order to Correct Data is necessary when data entered through eCourts to complete a filing, which is stored in an associated database or mainframe system (i.e. ACMS, FACTS, PromisGavel), is incorrect, missing, and/or does not match the information displayed in the image of the filing. Note that "data" in this context refers to information, such as a party name, address, or case type, submitted to eCourts directly by the filer. This is not to be confused with "metadata" which is defined by Rule 1:32-2A(d) as information embedded in electronic documents.

Orders to Correct Data shall be in the form of the attached template and must contain the following information: description or type of data to be corrected; description, filed date and transaction ID of the document filed when the incorrect data was entered into eCourts; the incorrect data to be replaced; the correct data; and the reason for the correction.

Questions regarding this Directive may be directed to Jennifer M. Perez, Director of Trial Court Services, at (609) 815-2900 x55202 or Michelle M. Smith, Superior Court Clerk, at 609-815-2900 x54200.

G.A.G.

Attachments:

Attachment A: Order to Delete (CN 12438)
Attachment B: Consent Order to Delete (CN 12439)
Attachment C: Order to Correct Data (CN 12440)
Attachment D: Consent Order to Correct Data (CN 12441)

cc: Chief Justice Stuart Rabner
Civil Presiding Judges
Criminal Presiding Judges
Family Presiding Judges
General Equity Presiding Judges
Supervising Special Civil Part Judges
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Trial Court Administrators
Special Assistants to the Administrative Director
Civil Division Managers
Criminal Division Managers
Family Division Managers

Attachment A

_____	Superior Court of New Jersey
_____	_____ Division
Plaintiff(s),	_____ County
v.	Docket Number _____
_____	**Civil Action**
_____	**Order to Delete**
Defendant(s).	

THIS MATTER having been opened by: (select one)

☐ the court, *sua sponte*,

☐ (law firm/attorney name) _____, attorney for (moving party's name) _____,

for an Order to Delete the (description of document) _____ filed in/uploaded to the eCourts case jacket on (file date) and bearing Transaction ID (transaction ID) _____, which: (select one)

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

☐ was filed under a sealing/protective order;

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

☐ Other basis for deletion (enter reason) _____;

and for other good cause appearing; **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 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.

_____

(Judge name and title)

Attachment B

_____	Superior Court of New Jersey
_____	_____ Division
Plaintiff(s),	_____ County
v.	Docket Number _____
_____	**Civil Action**
_____	
Defendant(s).	**Consent Order to Delete**

THIS MATTER having been opened by (law firm/attorney name) _____, attorney for (requesting party's name) _____, for an Order to Delete the (description of document) _____ filed in/uploaded to the eCourts case jacket on (file date) _ and bearing Transaction ID (transaction ID) _____, which: (select one)

- ☐ improperly contains confidential personal identifiers as defined by *Rule* 1:38-7;
- ☐ was filed under a sealing/protective order;
- ☐ contains the full name of a party whose name was impounded by court order;
- ☐ Other basis for deletion (enter reason) _____;

and all parties having consented to the entry and form of this Order pursuant to *Rule* 4:42-1(d); and for other good cause appearing; **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.

_____
(Judge name and title)

_____	_____
Plaintiff's Attorney	Plaintiff
_____	_____
Defendant's Attorney	Defendant

Attachment C

_____	Superior Court of New Jersey
_____	_____ Division
Plaintiff(s),	_____ County
v.	Docket Number _____
_____	**Civil Action**
_____	**Order to Correct Data**
Defendant(s).	

THIS MATTER having been opened by: (select one)

☐ the Court, *sua sponte*,

☐ (law firm/attorney name) _____, attorney for (party's name) _____,

for an Order to Correct the (description of data) _____ entered into eCourts incorrectly upon the filing of a (description of document) _____ on (file date) _____ and bearing Transaction ID (transaction ID) _____, which (basis for correction) _____; and for other good cause appearing;

IT IS on this _____ day of _____, 20__;

ORDERED that the (description of data) _____,

" (enter incorrect data) _____" be replaced with

" (enter correct data) _____" in the appropriate Electronic Court System(s), 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.

_____

(Judge name and title)

Attachment D

_____	Superior Court of New Jersey
_____	_____ Division
Plaintiff(s),	_____ County
v.	Docket Number _____
_____	**Civil Action**
_____	
Defendant(s).	**Consent Order to Correct Data**

THIS MATTER having been opened by (firm/attorney name) _____, attorney for (requesting party's name) _____, for an Order to Correct the (description of data) _____ entered into eCourts incorrectly upon the filing of a (description of document) _____ on (file date) and bearing Transaction ID (transaction ID) _____, which (basis for correction) _____; and all parties having consented to the entry and form of this Order pursuant to *Rule* 4:42-1(d); and for other good cause appearing;

IT IS on this _____ day of _____, 20__;

ORDERED that the (description of data) _____,

"(enter incorrect data) _____" be replaced with

"(enter correct data) _____" in the appropriate Electronic Court System(s), 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.

_____
(Judge name and title)

_____	_____
Plaintiff's Attorney	Plaintiff
_____	_____
Defendant's Attorney	Defendant