

PUBLIC ACCESS TO GOVERNMENT RECORDS

1. State law requires that in order to request access to government records, you must complete, sign and date this request and deliver it in person or by mail during regular business hours to the appropriate Custodian of the recorded requested. Your request is not considered filed until the appropriate custodian of the record requested has received the request form. If you submit the request form to any other officer or employee that the officer or employee does not have the authority to accept your request form on behalf of the custodian and you will be directed to the appropriate custodian.
2. The term "public records" generally includes those records determined to be public in accordance with N.J.S.A. 47:1A-1.
3. If you submit a request for access to government records to someone other than the other then the appropriate custodian, do not complete the proper request form, or attempt to make a request for access by telephone or fax, the Open Public Records Act and its deadlines, restriction and remedies will not apply to your request.
4. The fees for duplication of a government record in printed form are listed on the front of the form. We will notify you of any special charges, special service charges, or any additional charges authorized by the State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the government entity.
5. A 50% deposit must accompany request with estimated fees exceeding \$25.00. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.
6. There is no fee involved in simply inspecting a document during normal business hours.
7. **By State Law, a custodian must deny access to a person who is convicted of an indictable offense in New Jersey, any other State, or the United States, who is seeking government records containing personal information pertaining to the person's victim or the victim's family.**
8. Some records will be immediately available during normal business hours. By law, the custodian must notify you that it grants or denies a request for access to the government records or fills your request within seven (7) business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage or archived. The day the request is received is not counted as the first day. If the record requested is not currently available and not in storage or archived, the custodian will advise you within seven (7) business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for granting or denying your request or making records available.
9. Immediate access is ordinarily available for budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public meetings will generally be available immediately after the minutes have been approved.
10. When a request is for a copy format other than a photocopy, reasonable efforts will be made to provide the information in the format requested. The cost will be based on the cost of producing the format requested.
11. You may be denied access to the government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you. Where legal determination must be made as to whether records are "public records" as provided by the law, the request will be reviewed by the Municipal Attorney.
12. If the custodian is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.
13. Except as otherwise provided by law or by agreement with the requestor, if the custodian of the record requested fails to respond to you within 7 business days of receiving a written, signed request form, the failure to respond will be considered a denial of your request.
14. If your request for access to a government record has been denied or unfilled within the time permitted by law, you have the right to challenge the decision by the custodian to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC) located in the Department of Community Affairs.
15. The GRC can be contacted by toll free phone at 1-866-850-0511 or Trenton 609-292-6830, Fax 609-633-6337, or email at grc@dca.state.nj, and finally on the internet at www.nj.gov/grc or by mail at Government Records Council, Box 819, Trenton, N.J. 08625-0819.

The Right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of providing that the denial of access is authorized by the law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

EXCEPTIONS TO THE PUBLIC ACCESS TO GOVERNMENT RECORDS

Privileged or Protected Category	Authority
Autopsy Reports	N.J.S.A. 47:1A-1.1, et seq.
Child abuse or sex assault victim Name or address	N.J.S.A. 2A:82-46b
Court records sealed	Executive Order 69
Computer security information	N.J.S.A. 47:1A-1.1, et seq.
Criminal investigatory records	N.J.S.A. 47:1A-1.1, et seq.
Credit Card Numbers	N.J.S.A. 47:1A-1.1, et seq.
Grand Jury Testimony, information	Court Rules 3:6-7
Grievance Information with public employer	N.J.S.A. 47:1A-1.1 et seq.
Domestic Violence records	N.J.S.A. 2C:25-33
Driver's License numbers	N.J.S.A. 47:1A-1.1 et seq.
DYFS Information	N.J.S.A. 9:6-8.10
Electronic Surveillance Materials	N.J.S.A. 2A:156A-19
Emergency or security information Or procedures	N.J.S.A. 47:1A-1.1 et seq.
Employee sexual harassment complaints	N.J.S.A. 47:1A-1.1 et seq.
Fingerprint Cards	Executive Order 69
Inter-agency or intra agency Advisory communications	N.J.S.A. 47:1A-1.1 et seq.