

## NOTICE TO THE BAR

### **PUBLIC ACCESS IN THE APPELLATE DIVISION: (1) ORAL ARGUMENTS OF NON-PUBLIC CASES EXCEPTED FROM LIVESTREAMING AND BRIEF POSTING; (2) PROMULGATION OF NEW FORM TO REQUEST AUDIO RECORDINGS OF ORAL ARGUMENTS; AND (3) PROCESS FOR REQUESTING ACCESS TO NON-PUBLIC RECORDS**

As guided by the Supreme Court, the New Jersey Judiciary is continuing to prioritize transparency and public access while striving to avoid dissemination of non-public information in court arguments and submissions. In furtherance of this ongoing effort, this notice announces certain exceptions to the general approach of livestreaming arguments before the Appellate Division and clarifies the scope of those appeals in which briefs are publicly posted. In conjunction with those policy refinements, this notice promulgates a new form to request, at no cost, an electronic audio recording of public Appellate Division oral arguments. Lastly, this notice sets out the protocol for requesting access to specific non-public oral arguments, records, or audio recordings, with such requests to be considered on a case-by-case basis.

#### **Oral Arguments in Cases that are Not Public – Will Not be Livestreamed**

Effective immediately, Appellate Division oral arguments arising from (1) cases in which trial court proceedings are closed (e.g., adoptions or terminations of parental rights, in which the doors to the courtroom are locked) and (2) agency proceedings in which the record is sealed pursuant to statute or other legal authority, will not be livestreamed. These appeals will continue to be listed on the calendars for appellate cases (available online at <https://www.njcourts.gov/courts/appellate><sup>1</sup>). A list of those case types is attached to this notice and also will be posted on the Judiciary's website, [www.njcourts.gov](http://www.njcourts.gov).

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<sup>1</sup> Appellate court calendars are subject to change, so call (609) 815-2950 x52627 to confirm calendar information for an appeal.

### Briefs in Cases that are Not Public – Will Not be Posted

Briefs in certain cases, including those in which the record is sealed, are not posted in the Appellate Division. This practice will continue.

### New Form for Requesting Audio Recordings of Public Appellate Division Oral Arguments (CN: 12604)

Individuals have long been able to request and obtain audio recordings of public court proceedings in the trial courts, with requests for such audio recordings submitted using a standard statewide form and directed to the applicable transcript office. Nearly all court users request and obtain electronic files of the audio recording at no cost. However, audio recordings of confidential proceedings are not automatically provided in the trial courts.

Effective immediately, a similar process will be followed for attorneys and members of the public to request electronic copies of audio recordings of Appellate Division oral arguments in public cases. Such requests should be submitted to the Appellate Division transcript office using the attached new form (CN: 12604). Media inquiries should continue to be submitted to the Office of Communications.

### Requests to Observe Oral Arguments or to Obtain Briefs in Non-Public Appellate Division Matters

Although the livestreaming of oral arguments and the posting of briefs will not extend to non-public matters in the Appellate Division, requests for access to such non-public arguments and/or briefs may be submitted in specific matters. Such requests should be submitted by email to [AppDivAccess.Mailbox@njcourts.gov](mailto:AppDivAccess.Mailbox@njcourts.gov). A new form for submitting such requests to that mailbox will be available shortly. A separate notice will promulgate that form.

### Ongoing Public Access Information

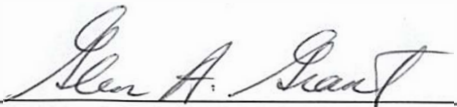
To view an Appellate Division oral argument via livestream, court users should continue to visit this page:

<https://www.njcourts.gov/courts/appellate/appellate-livestreams>. To access briefs posted for Appellate Division cases that are scheduled for oral argument, or cases that have been recently argued, go to this page:

<https://www.njcourts.gov/courts/appellate/briefs-from-argued-cases>. After 30 calendar days from the date of posting, briefs in public matters no longer are posted but are available by submitting a [records request](#).

### Questions

Questions about this notice should be directed to the Office of the Clerk of the Appellate Division at (609) 815-2950.

A handwritten signature in cursive script, reading "Glenn A. Grant", is written over a horizontal line.

Hon. Glenn A. Grant, J.A.D.

Acting Administrative Director of the Courts

Dated: March 10, 2025

**Appellate Division – Non-Public Cases**  
**(no livestreaming, no posting of briefs)**

**Category 1: Case dockets that are closed in the trial courts**

Family Division

FA – Adoption

FC – Child Placement Review

FD – Non-Dissolution (Only Hearings for Establishment of Paternity,  
N.J.S.A. § 9:17-42)

FF – Juvenile Family Crisis

FG – Termination of Parental Rights

FJ – Juvenile Delinquency

FL – Kinship & Legal Guardianship

FN – Child Abuse/Neglect

Civil Division

Civil Commitment Hearings

Criminal

Sexually Violent Predator (SVP) Act Civil Commitment Hearings

Megan's Law Hearings

**Category 2: State agency case types that are not open to the public**

- (1) decisions from New Jersey Department of Children and Families. N.J.S.A. 9:6-8.10a.
- (2) decisions from Department of Child Protection and Permanency. N.J.S.A. 9:6-8.10a.
- (3) decisions from New Jersey Department of Human Services, Division of Developmental Disabilities. R. 1:38-3(f)(8); N.J.S.A. 30:4-24.3.
- (4) decisions from New Jersey Department of Education involving student records. N.J.A.C. 6A:32-7.5.
- (5) decisions from New Jersey Department of Human Services, Division of Family Development, involving emergency assistance benefits. N.J.A.C. 10:90-7.7
- (6) decisions from New Jersey Department of Human Services, Division of Medical Assistance and Health Services, involving Medicaid benefits.

- (7) decisions from New Jersey Department of Human Services, Division of Mental Health and Addiction Services, involving administration of forced medications. N.J.A.C. 10:30-2.1(a).
- (8) decisions from New Jersey Department of Human Services, Catastrophic Illness in Children Relief Fund. N.J.A.C. 10:155-1.19.



New Jersey Judiciary

## Request for Audio Records of Appellate Division Oral Argument

Fill out all the information on this form. Incomplete or inaccurate case information may delay your request. For help with case information, please contact the Appellate Division's Transcript Unit at (609) 376-3040. Once completed, e-mail the form to [Appeal\\_Trans.mailbox@njcourts.gov](mailto:Appeal_Trans.mailbox@njcourts.gov).

You will receive an email with instructions on how to download an audio recording of the court event. There is no charge.

### Requesting Party

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| Name | Date |
|------|------|

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| Address: Street |  |  |
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| City | State | Zip Code |
|------|-------|----------|

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| Email Address |
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Requestor's Connection to the Case

☐ Appellant      ☐ Respondent      ☐ Appellant's Attorney      ☐ Respondent's Attorney

☐ Other: \_\_\_\_\_

### Case Information

|  |                                     |
|--|-------------------------------------|
| Appeal Name (Plaintiff v. Defendant or Agency caption)<br>(The trial court or agency caption continues through the Appellate Division) | Appellate Division<br>Docket Number |
|--|-------------------------------------|

| Date(s) of Oral Argument | Type of Appeal (e.g., Civil,<br>Criminal, Family, Agency, etc.) | Name of Appellate Division<br>(e.g., Part A) |
|--------------------------|---|--|
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**Any special instructions**

Please note that all requests will be fulfilled as promptly as practicable. You will be notified if fulfillment of the request is delayed.

Audio recordings of cases excluded from public access are not available.