

## **Family C Adoption Records and Opinions**

Directive #69-62 May 29, 1963

Issued by: Edward B. McConnell  
Administrative Director

At its conference this week the Supreme Court considered a complaint which had been made to it resulting from the publication of a newspaper article referring to the opinion of the Appellate Division *In the Matter of the Adoption of a Child by N. Richard Yorke, et al.* (A-959-61). The opinion in this case had apparently been distributed to the press at the time it was filed as is customarily done with other opinions.

R.S. 9:3-31 provides, in part:

"All records of proceedings relating to adoption, including the complaint, the judgment and all petitions, affidavits, testimony, reports, briefs, orders and other documents filed in such proceedings shall be filed under seal by the clerk of the court upon good cause shown, shall otherwise order."

A check indicates that this statute apparently has not been observed by the appellate courts. Opinions in adoption cases have apparently been released for distribution in the same manner as opinions generally. In most instances, although not all, they have been edited to eliminate the names of the parties prior to being approved for publication in the official reports. The briefs and appendices, however, have been bound along with all others and are available to any one in the State Library.

The Supreme Court has concluded that it is desirable for the appellate courts to observe the provisions of R.S. 9:3-31. Accordingly it desires that in the future all papers in connection with the appeal be impounded and that all opinions in adoption cases be made anonymous prior to distribution to the press and for publication.

Your cooperation in this regard will be appreciated.

### **EDITOR-S NOTE**

No change has been made to the original text.