

New Jersey Government Records Council

Denial of Access Complaint

Please read these instructions before completing this form:

- This form is to be used only for claims of denial of access to government records that you want the Government Records Council (GRC) to decide. Your request must have been made on or after July 8, 2002 under "OPRA," the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).
- Please print or type your responses, and provide ALL information requested. Incomplete forms will delay processing. This form is available in downloadable format from the GRC web site at www.nj.gov/grc.
- Only one complaint is required for each OPRA request form, regardless of the number of documents sought in the request.
- *The GRC recommends that you keep a copy of this complaint for your own files.*
- **MAIL, FAX, OR E-MAIL THIS COMPLAINT AND ALL SUPPORTING DOCUMENTATION TO:**

Government Records Council
 PO Box 819
 Trenton, NJ 08625-0819

Fax: (609) 633-6337
 E-mail: grc@dca.state.nj.us

1. About the Requester of the Records:

Full Name: Libertarians for Transparent Government

Mailing Address: _____

City: _____ State: _____ ZIP _____

Please provide a phone number at which GRC staff can contact you between 8 A.M.-5 P.M., Monday-Friday: 732-873-1251

Fax Number: 732-862-4449

E-Mail Address: NTransparency@yahoo.com

If you are represented by an attorney in this matter, please provide:

Name: Richard M. Gutman Phone Number: 973-744-6038
 Address: 9 Prescott Avenue Fax Number: 973-744-6038

E-mail Address: richardmgutman@gmail.com

If you are an attorney who requested records and are filing this complaint **on behalf of a client**, please state the client's name:

2. About the Custodian of Records:

Name of the public agency from which records were requested: Summit Public Schools

Name of custodian on whom records request was submitted: Louis J. Pepe

Telephone Number: 908-273-3025 E-Mail address (if used): jdotten@summit.k12.nj.us

Name of custodian who denied records request (if different from above): _____

Telephone Number: _____ E-Mail address (if used): _____

Fax Number: 908-273-3656

3. About the Record Request:

Date your records request was provided to the custodian:

June 25, 2016

Did you receive a reply to your request? Yes [X] No []

If so, state the date your request was denied: July 7, 2016

Have you previously filed a complaint with the GRC concerning the record request that is subject of this complaint?

Yes [] No [X]

If yes, provide the GRC complaint number and a copy of the GRC decision in the matter.

Date: _____ Complaint No.: _____

Have you spoken with or written to the GRC about the record request that is subject of this complaint?

Yes [] Date: _____ No [X]

Have you filed an action in the N.J. Superior Court concerning the record request that is subject of this complaint?

No [] Yes [X] If Yes, Docket Number: _____

4. Offer of Mediation (please refer to the attached documents for details):

Are you interested in participating in mediation? Yes [] No [X]

5. Documents to submit with this Form:

- Complete the attached Records Denied List to describe the records to which you were denied access.
Attach a copy of the OPRA Records Request form you filed with the public agency and any correspondence between you and the record custodian(s) or custodial agency staff that concern the portion of your OPRA request that was denied.
Summarize the facts of this complaint by writing the content, time and date of any interaction you had with the custodian regarding the OPRA records request that is the subject of this complaint.
Provide any legal arguments, allegations or other information you would like the GRC to consider in deciding this complaint.
Sign the Agreement to Mediate if you wish to participate in the mediation process.

6. Verification of Complaint:

By signing this complaint, I affirm that:

- I am the person who submitted the OPRA request for records which is the subject of this Complaint;
The information I have provided is true to the best of my knowledge and belief;
The documents submitted with this Complaint are true copies of material which I believe is relevant to my claim;
I am not seeking disclosure of any personal information pertaining to the victim of any crime committed by me, which is an indictable offense under the laws of the State of New Jersey, or any other State, or pertaining to the family of that victim; and
I am simultaneously providing a copy of this complaint to the Custodian of Records.

Richard M. Gutman (Signature)

Signature (required)

July 8, 2016

Date

**New Jersey Government Records Council
Denial of Access Complaint - Detail Summary**

Use this form to summarize the content, time and date of any conversations regarding this complaint, along with the names of the participants and any witnesses

In a July 6, 2016, letter, custodian of records Louis J. Pepe stated, "Your request requires an extension of time until July 25, 2016 based on anticipated availability." Mr. Pepe did not ask requestor Libertarians for Transparent Government to agree to the extension of time.

Also, in a July 7, 2016, email, Jeanine Dotten of Summit Public School stated, "Please also find attached the Government Records Request Form that we need filled out and returned - it can be faxed (908-273-3656) or emailed back." (emphasis added).

First, OPRA does not require LFTG to fill out Summit Public School's official OPRA request form. LFTG's June 25, 2016 written OPRA request was valid. Renna v. County of Union, 407 N.J. Super. 230 (App. Div. 2009).

Second, record request responses are due "as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived. In the event a custodian fails to respond within seven business days after receiving a request, the failure to respond shall be deemed a denial of the request, unless the requestor has elected not to provide a name, address or telephone number, or other means of contacting the requestor." N.J.S.A. 47:1A-5(i).

Generally, an adequate response by a custodian is to "grant access . . . or deny a request for access" or to obtain an agreement with the requestor for an extension of time to a specific date. N.J.S.A. 47:1A-5(i). If custodians could extend the seven-day deadline by simply unilaterally granting themselves an extension of time, the seven-day deadline would be meaningless.

In asserting that it has the right to unilaterally grant itself an extension of time, Summit Public School quotes out of context the OPRA provision, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that

time, access shall be deemed denied." N.J.S.A. 47:1A-5(i). In OPRA, that quotation immediately follows the sentence in the same paragraph, "If the government record is in storage or archived, the requestor shall be so advised within seven business days after the custodian receives the request." The paragraphing in the version of OPRA on the GRC's website differs from the paragraphing in the official version of OPRA. In the official version, both sentences are in the same paragraph.

Thus, it is clear that a public agency can unilaterally announce a reasonable extension of time without agreement by the requestor only in instances where the record is in storage or archived.

Because Summit Public Schools failed to assert that the requested records are in storage or archived (on the contrary, it admitted that any existing responsive records would be in the possession of Summit's attorneys), Summit has violated OPRA by granting itself a lengthy extension of time without obtaining agreement from the record requestor.

**New Jersey Government Records Council
Denial of Access Complaint – Records Denied List**

Name of Complainant: _____ This is page _____ of _____.

Please fill out this form describing the record (or portion of it) to which access has been denied, the response to your request, including the reason given for denial of access. Submit additional pages if necessary.

Item #	Description of record (or portion)	Response to request
1	Settlement records	The public agency required use of its official request form and unilaterally gave itself an extension of time to respond

OPRA Request

to Summit Board of Education

Submitted via Fax to 908-273-3656 on Saturday, June 25, 2016

Requestor: **Libertarians for Transparent Government, a NJ Nonprofit Corporation.**

Please accept this as our request under the Open Public Records Act (OPRA) and the common law right of access. Please send all responses and responsive records via e-mail to NJTransparency@yahoo.com. If you have any questions please call 732-873-1251.

Records Requested:

For the case of S.B. v. Summit City Board of Education, Federal Case No. 2:15-cv-07133, which the court's computer system shows as having settled on June 21, 2016, we would like the following records:

1. The most recently amended civil complaint filed by the Plaintiff or, if there are no amendments, please send the original civil complaint. Please do not send us summonses, case information statements, etc.
2. The agreement(s) that sets forth the terms and amount of settlement, i.e. the "settlement agreement(s)" related to this case.
3. If the Summit Board of Education provides us with all of the unredacted settlement agreement(s), as requested in #2 above, by no later than seven business days after receiving this request, then you may ignore this paragraph of this request. Otherwise, after reading the "Statement" below, please send us all informal agreements, draft agreements, correspondence, e-mails etc. related to this case that disclose the settlement amount and/or any other settlement terms. We do not want internal communications between the Summit Board of Education and/or its insurer and/or its attorneys. Rather, we want the informal agreements, draft agreements, correspondence, e-mails etc. exchanged between a) the Summit Board of Education and/or its agents/attorneys/insurers and b) the Plaintiff and/or his or her agents/attorneys/insurers.

Statement Regarding #3 of the above request.

We often encounter situations where, in response to a records request for an agreement memorializing a recent settlement of a lawsuit against a government agency, we are told that the settlement agreement is "not yet available" even though a meeting of the minds has been reached among the parties and the matter has been marked "settled" in the court's records. The typical justification for the denial is that the settlement agreement has not yet been formalized or that it has not received the signatures of all parties.

The practice of a blog that we communicate with (<http://njcivilsettlements.blogspot.com/>) is to report on settlements of lawsuits against local government officials and employees and then direct newspaper journalists to those reports. In some case, the newspapers, having

**BEING A LIBERTARIAN
IS LIKE BEING THE
ONLY SOBER PERSON IN THE CAR**



**AND NO ONE WILL
LET YOU DRIVE!**

been alerted to a settlement by way of the blog, will publish their own articles on the settlements. We desire this because the newspapers are able to reach wider audiences than the blog. The problem is that the news value of settlements, and thus the blog's chance of having articles about a given settlement published in the regular news media, decreases as time elapses.

We don't think that our (and the public's) right to know the amount and terms of lawsuit settlement should depend on how high of a priority the lawsuit parties' attorneys and insurers place on getting the settlement agreement reduced to writing and signed by all parties. Accordingly, we are making this request to gain disclosure of any other documents, such as letters and e-mails between the parties and/or their lawyers or insurers, that disclose the agreed upon settlement terms. It seems to us that after a meeting of minds between the lawsuit parties has been reached, there ought to be some sort of documentation, even if it is only an e-mail from your agency's lawyer to plaintiff's lawyer saying "OK, this is to confirm our discussion last Friday where we agreed that our government agency will pay your client \$175,000 in return for a full release with a standard confidentiality agreement." It is this sort of correspondence that we seek.

Important notes regarding your response to # 3 of this request.

Several records custodians, in responding to #3, have failed or refused to identify which settlement documents are responsive to our request and often fail to even confirm or deny that such responsive records exist. For example, they may respond "Draft settlement agreements or settlement communications are exempt from disclosure because they are attorney-client privileged." But, such a response does not let us know whether any responsive records exist. So, when responding to #3 of our request, recognize that you are required by OPRA to:

First, find out from the Summit Board of Education's agents, attorneys and insurers whether any responsive records exist. It is, of course, very likely that responsive records would not be located at your agency's headquarters but held by the attorney(s) who defended the civil suit and/or agency's insurer(s)¹. Then, in your response to #3 of our request, set forth in detail your efforts to gain the cooperation with your agency's attorneys, insurers and agents and inform us of the extent of their cooperation. Without being informed whether these attorneys and insurers searched their records, we are unable to conclude that the Summit Board of Education's search was adequate.

Second, you are required by OPRA to identify the records within the scope of #3 above even if you claim that they are exempt from disclosure. If no records are within the scope of #3, you are required to plainly state in your response that no such records exist.

Third, for each record that is suppressed in its entirety or partially (i.e. redacted), you are required by OPRA to explain your justification for the suppression or redaction with enough detail and precision to allow us to judge for ourselves whether your decision to suppress or redact was correct.

¹ The Summit Board of Education is under a duty to seek out and retrieve responsive records from its attorneys, insurers or other agents when responding to an OPRA request. Burnett v. Gloucester, 415. N.J. Super. 506, 517 (App. Div. 2010).

From: Jeannine Dotten <jdotten@summit.k12.nj.us>
Date: Thu, Jul 7, 2016 at 8:40 AM
Subject: Summit OPRA Request
To: NJTransparency@yahoo.com

Attached please find the response from Summit Public Schools' Custodian of Records, Louis J. Pepe.

Please also find attached the Government Records Request Form that we need filled out and returned - it can be faxed (908-273-3656) or emailed back.

Just give me a call if you have any questions,
Jeannine Dotten



SUMMIT PUBLIC SCHOOLS

Board of Education • 14 Beekman Terrace • Summit New Jersey 07901-1702 • 908-273-3025

Louis J. Pepe, RSBA, Assistant Superintendent

July 6, 2016

Libertarians for Transparent Government, a NJ Nonprofit Corporation
NJTransparency@yahoo.com

Dear _____,

The Summit Public Schools received your Open Public Records Act (OPRA) request on June 27, 2016 (Monday). The official Records Custodian, Mr. Louis J. Pepe, RSBA, received your OPRA request on June 29, 2016. As such, the seven (7) business day deadline to respond to your request is July 11, 2016. This response to your request is being provided to you on the 5th business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

See attached OPRA request.

Your request requires additional time beyond the seven (7) business days to fulfill because of the need to determine applicability and availability of requested information with our attorneys. OPRA allows custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5.i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied."

Your request requires an extension of time until July 25, 2016 based on anticipated availability.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the [insert name of Agency] to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

Louis J. Pepe, RSBA
Custodian of Records
Summit Public Schools



State of New Jersey
The City of Summit Public Schools
GOVERNMENT RECORDS REQUEST FORM



14 Beekman Terrace, Summit, NJ 07901
 Mr. Louis J. Pepe, RSBA, Custodian of Records

Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information - Please Print

First Name _____ MI _____ Last Name _____
 E-mail Address _____
 Mailing Address _____
 City _____ State _____ Zip _____
 Telephone _____ FAX _____
 Preferred Delivery: Pick Up _____ US Mail _____ On-Site Inspect _____ Fax _____ E-mail _____

If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I **HAVE / HAVE NOT** been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

Signature _____ Date _____

Payment Information

Maximum Authorization Cost \$ _____

Select Payment Method

Cash Check Money Order

Fees: Letter size pages - \$0.05 per page
 Legal size pages - \$0.07 per page

Delivery: Delivery / postage fees additional depending upon delivery type.

Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

AGENCY USE ONLY

Est. Document Cost _____
 Est. Delivery Cost _____
 Est. Extras Cost _____
 Total Est. Cost _____
 Deposit Amount _____
 Estimated Balance _____
 Deposit Date _____

AGENCY USE ONLY

Disposition Notes
 Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.

In Progress - Open _____
 Denied - Closed _____
 Filled - Closed _____
 Partial - Closed _____

AGENCY USE ONLY

Tracking Information		Final Cost	
Tracking #	_____	Total	_____
Rec'd Date	_____	Deposit	_____
Ready Date	_____	Balance Due	_____
Total Pages	_____	Balance Paid	_____
Records Provided			
Custodian Signature		Date	

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. Response is due to requestor as soon as possible, but no later than seven business days.)

N.J.S.A. 47:1A-1.1

- Inter-agency or intra-agency advisory, consultative or deliberative material
- Legislative records
- Law enforcement records:
 - Medical examiner photos
 - Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)
 - Victims' records
- Trade secrets and proprietary commercial or financial information
- Any record within the attorney-client privilege
- Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein
- Security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software
- Information which, if disclosed, would give an advantage to competitors or bidders
- Information generated by or on behalf of public employers or public employees in connection with:
 - Any sexual harassment complaint filed with a public employer
 - Any grievance filed by or against an employee
 - Collective negotiations documents and statements of strategy or negotiating
- Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- Information that is to be kept confidential pursuant to court order
- Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- Social security numbers
- Credit card numbers
- Unlisted telephone numbers
- Drivers' license numbers
- Certain records of higher education institutions:
 - Research records
 - Questions or scores for exam for employment or academics
 - Charitable contribution information
 - Rare book collections gifted for limited access
 - Admission applications
 - Student records, grievances or disciplinary proceedings revealing a students' identification
- Biotechnology trade secrets N.J.S.A. 47:1A-1.2
- Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
- Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) N.J.S.A. 47:1A-3.a.
- Public defender records N.J.S.A. 47:1A-5.k.
- Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
- Personnel and pension records (however, the following information must be disclosed):
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

N.J.S.A. 47:1A-1

- "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- Records exempted from disclosure by State agencies' proposed rules.

Executive Order No. 26 (McGreevey 2002)

- Certain records maintained by the Office of the Governor
- Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- Information in a personal income or other tax return
- Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

- Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.
2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the **Summit Board of Education**, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.
3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the **Summit Board of Education**.
5. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The **Summit Board of Education** custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.
6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.
7. By law, the **Summit Board of Education** must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
9. If the **Summit Board of Education** 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 or other written correspondence and send you a signed and dated copy.
10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
11. If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the **Summit Board of Education** to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.
12. Information provided on this form may be subject to disclosure under the Open Public Records Act.