



## **New Jersey Government Records Council**

### **What To Do If Your Request for a Record Has Been Denied**

The New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) permits a person who believes he or she has been illegally denied access to a public record to file a complaint with the Government Records Council (GRC), or file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking these actions.

#### **To file a complaint with the Government Records Council:**

- Contact the GRC by phone at: **1-866-850-0511**, by e-mail at **[grc@dca.state.nj.us](mailto:grc@dca.state.nj.us)**, or review the GRC web site at **[www.nj.gov/grc](http://www.nj.gov/grc)** for information and to register your complaint.
- The GRC staff may be able to help resolve the problem over the phone. If not, you can receive a complaint form through the mail or from the web site.
- When you file the written complaint, the GRC will offer you and the public agency non-adversarial, impartial mediation.
- If mediation is not agreed to or fails, the GRC will investigate the complaint.
- The investigation may result in findings or a formal decision by the GRC, which may include a hearing by the Council.
- In some cases, the Council can award attorneys fees or fine a records custodian for failing to provide records.
- Details of this process are available from the GRC.
- There is no fee to file a complaint with the GRC.

#### **To file a complaint in Superior Court:**

- A requester may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.
- The court requires a \$200 filing fee, and you must serve the lawsuit papers on the appropriate public officials.
- The court will schedule a hearing and resolve the dispute.
- If you disagree with the court's decision, you may appeal the decision to the Appellate Division of Superior Court.
- If you are successful, you may be entitled to reasonable attorney fees.
- You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.



For more information, contact the **Government Records Council** toll-free at 866-850-0511 or **[grc@dca.state.nj.us](mailto:grc@dca.state.nj.us)**,

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