NOTICE TO THE BAR

TAX COURT – NEW PROCEDURES AND FORMS FOR DELETION OF DOCUMENTS AND CORRECTION OF DATA

This notice announces new standard procedures for the deletion of documents in a Tax Court case jacket and for the correction of data in the associated electronic database (eCourts-Tax and/or the Tax Court Management System).

Directive #01-14 ("Electronic Records Management Guidelines") requires all courts including the Tax Court to have systems in place to track, audit, certify, and maintain the integrity of electronic records. One way that the Judiciary ensures the integrity of electronic records is by requiring a notation on the docket whenever a document is deleted, or whenever there is a change to data in an associated database. This is most effectively accomplished by requiring signed orders in all cases.

Effective October 15, 2019, a signed order is required before a document can be deleted from a Tax Court case jacket and/or data associated with a filing can be corrected. Once filed, that order will be available in the eCourts case jacket. An order for deletion of a document or for correction of data can be submitted either by motion on notice to the other parties or by consent order. Order also may be issued on the court's own motion.

An Order to Delete is required to remove documents within a filing. Individual pages cannot be removed; rather, the entire document must be deleted (and, if appropriate, replaced with a substitute document). Deletion is necessary if a filed document contains confidential personal identifiers, or information that is confidential or intended to be sealed. The filing party must submit a motion or a consent order to delete the document, with the proposed replacement document attached. This notice promulgates two new model Tax Court forms for this purpose:

- Order to Delete (CN 12470); and
- Consent Order to Delete (CN 12469).

An Order to Correct Data is required to correct electronic data that was entered in error by the filing party. Tax Court staff are not authorized to correct this data without a signed order. Rather, the filing party must submit a motion or a consent order to correct the data, consistent with the following two new model Tax Court forms:

- Order to Correct Data (CN 12468); and
- Consent Order to Correct Data (CN 12467).

The four new forms are available in the Forms Catalog on the Judiciary's public website (njcourts.gov). They are provided as models and may be customized as appropriate.

The procedures and forms announced by this notice are consistent with the principles set forth in Directive #04-19, which applies to other court divisions. They will remain in effect pending recommendation and adoption of amendments to the Rules of Court.

Questions regarding these procedures or the attached forms should be directed to Cheryl A. Ryan, Tax Court Clerk, at (609) 815-2922, option 1.

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: October 2, 2019

_____

_____
                    Plaintiff(s),

        v.

_____

_____
                    Defendant(s).

Tax Court of New Jersey
Docket Number _____

Civil Action

Order to Delete

THIS MATTER having been opened by _____, attorney for
_____, on notice to _____ for an Order to
Delete the _____ filed in/uploaded to the eCourts case jacket
on _____ and bearing Transaction ID _____, which (select one)

☐ improperly contains confidential personal identifiers as defined by *Rule* 1:38-7;

☐ was filed under a sealing/protective order;

☐ contains the full name of a party whose name was impounded by court order;

☐ other basis for deletion _____;

and for other good cause appearing; **IT IS on this** _____ **day of** _____, 20___;

ORDERED that the above-referenced document be deleted from the electronic case jacket, and

IT IS FURTHER ORDERED that, if necessary, a replacement document shall be filed within
_____ days of the date of this Order, and

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties who have not been
electronically served through an approved Electronic Court System pursuant to *Rule* 1:32-2A, nor served
personally in court within _____ days of the date of this Order.

_____
Hon.
Tax Court of New Jersey

_____
_____
                    Plaintiff(s),

        v.

_____
_____
                    Defendant(s).

Tax Court of New Jersey
Docket Number _____

Civil Action

Consent Order to Delete

THIS MATTER having been opened by _____, attorney for
_____, on notice to _____ for an Order to
Delete the _____ filed in/uploaded to the eCourts case jacket
on _____ and bearing Transaction ID _____, which: (select one)

☐ improperly contains confidential personal identifiers as defined by *Rule* 1:38-7;

☐ was filed under a sealing/protective order;

☐ contains the full name of a party whose name was impounded by court order;

☐ other basis for deletion _____;

and all parties having consented to the entry and form of this Order pursuant to *Rule* 4:42-1(d); and for other
good cause appearing; **IT IS on this _____ day of _____, 20___;**

ORDERED that the above-referenced document be deleted from the electronic case jacket, and

IT IS FURTHER ORDERED that, if necessary, a replacement document shall be filed within _____ days of
the date of this Order, and

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties who have not been
electronically served through an approved Electronic Court System pursuant to *Rule* 1:32-2A, nor served
personally in court within _____ days of the date of this Order.

_____
Hon.
Tax Court of New Jersey

_____   _____
For Plaintiff   For Defendant

_____
_____
                          Plaintiff(s),

          v.

_____
_____
                          Defendant(s).

Tax Court of New Jersey
Docket Number _____

Civil Action

Order to Correct Data

THIS MATTER having been opened by _____, on notice to
_____ for an Order to Correct the _____,
entered into eCourts incorrectly upon the filing of a _____ on
_____ and bearing Transaction ID _____, which
_____; and for other good cause appearing;

IT IS on this _____ **day of** _____, 20___;

ORDERED that the _____,

     "_____" be replaced with

     "_____" in the Tax Court Electronic Court System (s),
     AND

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties who have not been
electronically served through an approved Electronic Court System pursuant to _Rule_ 1:32-2A, nor served
personally in court within _____ days of the date of this Order.

                                        _____
                                        Hon.
                                        Tax Court of New Jersey

<table>
<tr><td>_____
_____
Plaintiff(s),

v.

_____
_____
Defendant(s).</td><td>Tax Court of New Jersey
Docket Number _____

Civil Action
Consent Order to Correct Data</td></tr>
</table>

THIS MATTER having been opened by _____, on notice to _____ for an Order to Correct the _____, entered into eCourts incorrectly upon the filing of a _____ on _____ and bearing Transaction ID _____, which _____; and all parties having consented to the entry and form of this Order pursuant to *Rule* 4:42-1(d); and for other good cause appearing;

IT IS on this _____ day of _____, 20___;

ORDERED that the _____,

"_____" be replaced with

"_____" in the Tax Court Electronic Court System(s), AND

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties who have not been electronically served through an approved Electronic Court System pursuant to *Rule* 1:32-2A, nor served personally in court within _____ days of the date of this Order.

_____
Hon.
Tax Court of New Jersey

_____   _____
For Plaintiff   For Defendant