



AVVO, INC.  
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December 20, 2007

**Sent via fax - (609) 396-9056**

Stephen W. Townsend  
Clerk of the Supreme Court  
8<sup>th</sup> Floor/North Wing  
25 W Market Street  
Trenton, NJ 08625

Dear Mr. Townsend:

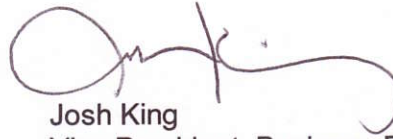
Thank you for your letter of December 20. I disagree with your assessment that the New Jersey judiciary is not covered by the Open Public Records Act. While the OPRA definition of "public agency" does not include the judiciary, the OPRA's definition of "government records" (upon which all of the operative provisions of the OPRA turn) is far more expansive, covering any "officer, commission, agency or authority of the State." I would also note that the court's own form for judicial financial reporting requests implies that the courts are subject to OPRA.

Moreover, there is no question that judiciary records are public records under NJ Court Rule 1:38. While there can be statutory exceptions to this general presumption of openness, the rule you cite (Rule 1:23-3(a); providing for the confidentiality of files and records of the Committee of Bar Examiners and Committee on Character), cannot reasonably be extended to cover the basic licensing information we are seeking.

I remain puzzled by the issues related to the attorney database the judiciary is working on. I understand this is a new application, and that you don't want to make it available to the public until it has been thoroughly tested. However, what I don't understand is how this renders the underlying data completely unavailable. To have a database and retrieval mechanism, the underlying data must be available somewhere, even if it takes the form of multiple pieces of electronic data or paper records. I would like to have a brief call with the Court's technical staff to understand how the data is stored and what the obstacles are to its retrieval. I'm happy to have this call after the 1<sup>st</sup> of January if necessary given the holidays. As I've mentioned earlier, we are flexible as to the format in which we receive the information.

You can reach me at (206) 734-4113 or [josh@avvo.com](mailto:josh@avvo.com). I look forward to your reply.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Josh King', with a large, stylized initial 'J' and a long, sweeping horizontal stroke extending to the right.

Josh King  
Vice President, Business Development &  
General Counsel