

CJ Griffin Quoted on NJ Spotlight News on Significant NJ Supreme Court Decision on Transparency

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CJ Griffin

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CJ Griffin, Director of the Justice Gary S. Stein Public Interest Center at Pashman Stein Walder Hayden, was quoted in the *NJ Spotlight News* article, "Settlement agreements are public records, Supreme Court says." The article discusses a recent New Jersey Supreme Court decision in the case of *Libertarians for Transparent Government v. Cumberland County*, in which Griffin represented the plaintiff. Plaintiff sought, pursuant to the New Jersey Open Records Act (OPRA), the settlement agreement of a correctional officer who had been allowed to retire in good standing despite his admission that he had "inappropriate relationships" with two inmates and brought contraband into the county jail. In a unanimous decision, the Supreme Court reversed the Appellate Division and ruled that settlement agreements which include a person's name, title and "date of separation and reason therefor" are government records subject to public access under OPRA, with appropriate redactions.

CJ Griffin, a lawyer specializing in open government issues who represented Libertarians for Transparent Government, called the decision "significant" in reversing the appellate ruling that had for a time put these agreements out of the public eye. Prior to that ruling, many agencies would release agreements with redactions.

"The public must have a right to view settlement agreements that public agencies enter into so we can review the terms and determine whether or not they are reasonable," Griffin said. "The Appellate Division's decision in this case made employee separation agreements confidential, which prohibited the public from playing any oversight role to ensure that employees weren't given sweetheart deals on the way out or that misconduct wasn't bargained away ... The Appellate Division's decision shut down that access. Now the Supreme Court has restored it and it will result in greater accountability and oversight."

“We recognize that some requestors may be satisfied to receive a written summary of information in response to an OPRA request. But OPRA entitles them to press for actual government records in many situations, which they can then inspect,” the decision states. “Without access to actual documents in cases like this, the public can be left with incomplete or incorrect information.”

Griffin said being able to get a copy of a document is crucial to keeping public officials and agencies honest.

“This decision prohibits agencies from lying,” she said. “They can’t tell us they terminated someone when an agreement shows they really let the person retire with a pension.”

To view the NJ Spotlight News article, [click here](#)