

**SENATE, No. 1492**

# **STATE OF NEW JERSEY**

INTRODUCED SEPTEMBER 19, 1996

**By Senators MARTIN, EWING and Cafiero**

1   **AN ACT** concerning certain children's records and supplementing Title  
2       9 of the Revised Statutes.

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**4 BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7       1. a. Every parent, to the extent permitted by federal and State  
8 laws concerning privacy, shall have access to records and information  
9 pertaining to his or her unemancipated child, including, but not limited  
10 to, medical, dental, insurance, child care and educational records,  
11 whether or not the child resides with the parent, unless that access is  
12 found by the court to be not in the best interest of the child or the  
13 access is found by the court to be sought for the purpose of causing  
14 detriment to the other parent.

15        b. The place of residence of either parent shall not appear on any  
16 records or information released pursuant to the provisions of this  
17 section.

18       c. Any parent may petition the court to have the other parent's  
19 access to the records limited. If the court, after a hearing, finds that  
20 the parent's access to the record is not in the best interest of the child  
21 or that the access sought is for the purpose of causing detriment to the  
22 other parent, the court may order that access to the records be limited.

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24        2. This act shall take effect immediately.

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## STATEMENT

29 This bill would guarantee all parents equal access to their children's  
30 medical, dental, insurance, child care and school records. The bill  
31 would provide that the place of residence or other identifying  
32 information about either parent would not appear on any records  
33 distributed. The bill would also authorize the court to deny access to  
34 the records if it finds that it is not in the best interest of the child or if  
35 the access is sought only for the purpose of causing the other parent  
36 to suffer a detriment.

37 The bill clarifies that this access is subject to federal and State laws

1 governing privacy.

2 This bill embodies recommendation number 7 of the report of the  
3 Commission to Study the Law of Divorce, issued April 18, 1995.

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8 Provides parents access to children's records.