



NJ court: Municipal group subject to record law

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HADDONFIELD, N.J. (AP) — The state's open records law applies to the [New Jersey League of Municipalities](#), New Jersey's top court said Tuesday in an opinion that could expand the law's reach to several other organizations that are closely tied to government.

The unanimous decision overruled two lower courts. Those courts had said that [the league](#), a group that provides services to mayors and other local elected officials, was not covered by the law, which seeks to allow public scrutiny of government actions.

The high court said that reasoning was wrong: The League was founded in 1915 by an act of the Legislature, sometimes files lawsuits in hopes of benefiting local governments across the state, relies partly on fees from local governments for its funding, and has elected officials as its members. Its staff even participates in the pension system for state government employees.

"Any document kept on file or received in the course of the official business of an 'agency' of a political subdivision is a government document. The League is such an 'agency' and therefore the term 'government record' applies to it," [Justice Barry Albin](#) wrote in the court's opinion.

The case in question began when the [Fair Share Housing Center](#), a Cherry Hill-based group that advocates for more affordable housing, wanted to check out the league's claim three years ago that a new affordable housing law would cost local governments and builders nearly \$19 billion.

The group made requests under the state Open Public Records Act for supporting documents.

When the League said the public records law didn't apply because it wasn't a government entity, the advocates sued.

Now, lawyers on both sides say it could have a wider ranging effect on other groups, such as the [New Jersey Association of Counties](#), the [New Jersey State Municipal Prosecutors Association](#) and several other organizations made up of and serving public officials.

Matt Weng, staff lawyer for the League, said that it was disappointed in the ruling but would comply.

Weng said "it would be difficult to come to the conclusion that it does not affect" the similar groups.

Fair Share's [Kevin Walsh](#) agreed that the ruling would apply to other groups — a potential boon for journalists and other watchdogs.

"They're doing things with taxpayer money," Walsh said.

In the case of the records Fair Share was seeking from the League, it's up to a lower court to sort out what should be handed over.