

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL ~~for an Act to amend and reenact subsection 1 of section 27-20-51 of the North Dakota~~
2 ~~Century Code, relating to adding victim services providers to the list of persons to which juvenile~~
3 ~~court files and records are open to inspection.~~ for an Act to create and enact a new subsection to
4 section 27-20-51 of the North Dakota Century Code, relating to the disclosure of juvenile court
5 records.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 ~~— **SECTION 1. AMENDMENT.** Subsection 1 of section 27-20-51 of the North Dakota Century~~
8 ~~Code is amended and reenacted as follows:~~

9 ~~— 1. Except as provided in this section, all files and records of the juvenile court, whether in~~
10 ~~the office of the clerk of district court or juvenile court, of a proceeding under this~~
11 ~~chapter are closed to the public. Juvenile court files and records are open to~~
12 ~~inspection or disclosure only by:~~

13 ~~— a. The judge and staff of the juvenile court.~~

14 ~~— b. The parties to the proceeding or their counsel or the guardian ad litem of any~~
15 ~~party.~~

16 ~~— c. A public or private agency or institution providing supervision or having custody of~~
17 ~~the child under order of the juvenile court, which must be given a copy of the~~
18 ~~findings and order of disposition when it receives custody of the child.~~

19 ~~— d. Any court and its probation and other officials or professional staff and the~~
20 ~~attorney for the defendant for use in preparing a presentence report in a criminal~~
21 ~~case in which the defendant is convicted and who, prior to the criminal case, had~~
22 ~~been a party to the proceeding in juvenile court.~~

23 ~~— e. The professional staff of the uniform crime victims compensation program when~~
24 ~~necessary for the discharge of their duties pursuant to chapter 54-23.4.~~

- 1 ~~f. A staff member of the division of children and family services of the department of~~
2 ~~human services or a law enforcement officer when necessary for the~~
3 ~~performance of that person's duties under section 50-11.1-06.2 or the National~~
4 ~~Child Protection Act of 1993 [Pub. L. 103-209; 107 Stat. 2490; 42 U.S.C. 5119 et~~
5 ~~seq.].~~
6 ~~g. An employee or agent of the department of human services when necessary for~~
7 ~~performance of that individual's duty under chapter 50-11 or 50-11.1 to~~
8 ~~investigate the background of an individual living or working in the facility, home,~~
9 ~~or residence for which licensure is sought.~~
10 ~~h. A criminal justice agency if the juvenile is required to register under section~~
11 ~~12.1-32-15.~~
12 ~~i. A staff member of any state, regional, or local agency to the extent~~
13 ~~necessary to ensure the provision of services or benefits under chapter 12.1-41.~~

14 **SECTION 1.** A new subsection to section 27-20-51 of the North Dakota Century Code is
15 created and enacted as follows:

16 To the extent necessary to provide victim services or benefits under chapter 12.1-41,
17 the judge and staff of the juvenile court may disclose information to refer a juvenile,
18 who may be a victim of human trafficking, to a staff member of a state or federally
19 administered program for runaway and homeless youth which is located in the state.
20 Information disclosed under this subsection must remain confidential and may not be
21 copied or further disclosed.