

HOUSE BILL NO. 1047

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 inspection of juvenile court files and records.

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

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

- 6 1. Except as provided in this section, all files and records of the juvenile court, whether in
7 the office of the clerk of district court or juvenile court, of a proceeding under this
8 chapter are closed to the public. Juvenile court files and records are open to
9 inspection only by:
- 10 a. The judge and staff of the juvenile court.
 - 11 b. The parties to the proceeding or their counsel or the guardian ad litem of any
12 party.
 - 13 c. A public or private agency or institution providing supervision or having custody of
14 the child under order of the juvenile court, which must be given a copy of the
15 findings and order of disposition when it receives custody of the child.
 - 16 d. Any court and its probation and other officials or professional staff and the
17 attorney for the defendant for use in preparing a presentence report in a criminal
18 case in which the defendant is convicted and who, prior to the criminal case, had
19 been a party to the proceeding in juvenile court.
 - 20 e. The professional staff of the uniform crime victims compensation program when
21 necessary for the discharge of their duties pursuant to chapter 54-23.4.
 - 22 f. A staff member of the division of children and family services of the department of
23 human services or a law enforcement officer when necessary for the
24 performance of that person's duties under section 50-11.1-06.2 or the National

- 1 Child Protection Act of 1993 [Pub. L. 103-209; 107 Stat. 2490; 42 U.S.C. 5119 et
2 seq.].
- 3 g. An employee or agent of the department of human services when necessary for
4 performance of that individual's duty under chapter 50-11 or 50-11.1 to
5 investigate the background of an individual living or working in the facility, home,
6 or residence for which licensure is sought.
- 7 h. A criminal justice agency if the juvenile is required to register under section
8 12.1-32-15.
- 9 i. The staff of a children's advocacy center if the juvenile or a victim of the juvenile
10 has been referred for or has received services at the children's advocacy center.
- 11 j. A victim of the delinquent child or the victim's guardian. All records including
12 medical, educational, and school information must be redacted before inspection.
13 For purposes of this subdivision, only records pertaining to the specific offense
14 between the victim and the delinquent child may be inspected.
- 15 k. The information technology department to the extent authorized by the supreme
16 court for use in the statewide longitudinal data system.