Sixty-fifth Legislative Assembly of North Dakota

## SENATE BILL NO. 2098

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.

## 4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 SECTION 1. AMENDMENT. Subsection 1 of section 27-20-51 of the North Dakota Century

- 6 Code is amended and reenacted as follows:
- 7 1. Except as provided in this section, all files and records of the juvenile court, whether in
- 8 the office of the clerk of district court or juvenile court, of a proceeding under this
  9 chapter are closed to the public. Juvenile court files and records are open to
- 10 inspection <u>or disclosure</u> only by:
- 11 a. The judge and staff of the juvenile court.
- b. The parties to the proceeding or their counsel or the guardian ad litem of anyparty.
- c. A public or private agency or institution providing supervision or having custody of
  the child under order of the juvenile court, which must be given a copy of the
  findings and order of disposition when it receives custody of the child.
- Any court and its probation and other officials or professional staff and the
  attorney for the defendant for use in preparing a presentence report in a criminal
  case in which the defendant is convicted and who, prior to the criminal case, had
  been a party to the proceeding in juvenile court.
- e. The professional staff of the uniform crime victims compensation program when
   necessary for the discharge of their duties pursuant to chapter 54-23.4.
- f. A staff member of the division of children and family services of the department of
   human services or a law enforcement officer when necessary for the

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