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Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1159

Introduced by

Judiciary Committee

(At the request of the Department of Human Services)

1   A BILL for an Act to amend and reenact section 27-20-54 of the North Dakota Century Code,

2   relating to the destruction of juvenile court records.

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

4   **SECTION 1. AMENDMENT.** Section 27-20-54 of the North Dakota Century Code is

5   amended and reenacted as follows:

6   **27-20-54. Destruction of juvenile court records.**

7   1.   Except as otherwise required under section 25-03.3-04, all juvenile court records

8   must be retained and disposed of pursuant to rules and policies established by the

9   North Dakota supreme court.

10   2.   Upon the final destruction of a file or record, the proceeding must be treated as if it

11   never occurred. The juvenile court shall notify each agency named in the file or

12   record of the destruction. All index references, except those which may be made

13   by the ~~director~~ directors of the department of transportation, the department of

14   human services, and county social service agencies, must be deleted. Each

15   agency, except the ~~director~~ directors of the department of transportation, the

16   department of human services, and county social service agencies, upon

17   notification of the destruction of a file or record, shall destroy all files, records, and

18   references to the child's apprehension, detention, and referral to the juvenile court

19   and any record of disposition made by the juvenile court. The department of

20   human services and county social service agencies may not keep a juvenile file or

21   record longer than is required by the department's or agencies' records retention

22   policies. Upon inquiry in any matter the child, the court, and representatives of

23   agencies, except the ~~director~~ directors of the department of transportation, the

1   <u>department of human services, and county social service agencies,</u> shall properly

2   reply that no record exists with respect to the child.