

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                   department of human services, and county social service agencies, shall properly
- 2                   reply that no record exists with respect to the child.