

Introduced by

Senators W. Stenehjem, Holmberg

Representatives DeKrey, Mahoney

1 A BILL for an Act to amend and reenact subsection 5 of section 27-20-24 and subsection 6 of
2 section 27-20-51 of the North Dakota Century Code, relating to juvenile court hearings and
3 records; to provide an effective date; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 27-20-24 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 5. ~~Except in hearings~~ Hearings are open to the public if the purpose of the hearing is
8 to declare a person in contempt of court, the or to consider a petition alleging an
9 offense identified under subdivision b of subsection 1 of section 27-20-34 or
10 subsection 2 of section 27-20-34. The general public must be excluded from other
11 hearings under this chapter. Only In hearings from which the general public is
12 excluded, only the parties, their counsel, witnesses, victims, and other persons
13 accompanying a party for ~~his~~ that person's assistance, and any other persons as
14 the court finds have a proper interest in the proceedings or in the work of the court
15 may be admitted by the court. The court may temporarily exclude the child from
16 the hearing except while allegations of ~~his~~ that child's delinquency or unruly
17 conduct are being heard.

18 **SECTION 2. AMENDMENT.** Subsection 6 of section 27-20-51 of the 1997
19 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20 6. Notwithstanding that juvenile court records are closed to the public, nothing in this
21 section may be construed to limit the release upon request of general information
22 ~~upon request~~ not identifying the identity of any juvenile, witness, or victim in any
23 proceeding under this chapter. ~~However, upon a third adjudication of delinquency~~
24 ~~involving an offense which if committed by an adult would constitute a felony and~~

1 ~~upon a second adjudication of delinquency involving an offense defined in section~~
2 ~~12.1-20-03, 12.1-20-03.1, 12.1-20-04, or 12.1-20-07, the name of the juvenile~~
3 ~~adjudicated delinquent may be disclosed~~ Files in the clerk of court's office are
4 open to public inspection if the related hearing was open to the public under
5 section 27-20-24.

6 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on June 1, 1999.

7 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.