



JUVENILE COURT RECORDS ACCESS RULES

Effective September 30, 2016

1. **Paper and Electronic Records.** A chart describing access to paper and electronic records is provided on the back of this page. In delinquency cases, the following information is not confidential and not exempt from disclosure: the youth’s name; DOB; basis for juvenile court jurisdiction; date, time and place of proceeding; act alleged in petition (that if committed by adult would be a crime if 419C.005 jurisdiction); portion of court order providing for legal disposition (including restitution); names and addresses of youth/youth’s parents/guardians; and the court register when jurisdiction is based on ORS 419C.005. If the youth has been taken into custody under ORS 419C.080, additional information may have to be disclosed as provided in ORS 419A.255(7).

2. **Additional Access Rules.** Please see the chart below for access to audio and video recordings, county or statewide access, and records requests for research and evaluation.

Audio and Video Recordings	
Inspect	Copy
Judge and staff, CRB, attorneys (and prospective attorneys) for parties (including DOJ), DA, Juvenile Department, DHS, OYA, child (ward, youth, youth offender), parent/guardian/guardian ad litem, intervenor, service providers, surrogate, any other person or entity allowed by the court*	Victim in delinquency case (must pay actual cost of preparation). <u>Upon a finding of good cause:</u> <ul style="list-style-type: none"> • Judges and staff, CASA • Attorneys (including prospective) for parties, • DA and DOJ (if representing a party) • Juvenile department/DHS/OYA • Any other person or entity allowed by the court*
County or Statewide Access	
The OJD may grant county or statewide access to: juvenile department, DHS, OYA, DA, DOJ, OPDS, prospective appellate attorneys, public defense providers subject to some restrictions. This access is granted through the Office of the State Court Administrator (link to application).	
Research and Evaluation	
Chief Justice, Chief Judge of the Court of Appeals or PJ may grant access to ROC, SCF, audio or video recordings to researchers or evaluators in accordance with CJO 14-007 .	

*The requirements governing release of records to “any other person or entity” are provided in HB 4074 (2016), section 9, and are outlined in the handout “Releasing Juvenile Court Records to Any Other Person or Entity”.

ACCESS TO PAPER AND ELECTRONIC JUVENILE COURT RECORDS

The child and parents maintain existing access rights after the case is closed and after the child reaches the age of majority. If parental rights are terminated, parents may access the judgment terminating rights, and the materials up to that point. When access is allowed, the court is not required to redact information about siblings or other people in the ROC or SCF.

	What is in it	Who Can Access	Who Can Copy
Record of the Case	Summons, petitions, pleadings, answers, motions and other papers filed with the court, including supporting documentation, CRB findings and recommendations, guardianship report summaries, orders, judgments, transcripts, materials offered or received as exhibits, judicial notice list	Judge and staff, CRB* Child (ward, youth, youth offender) Parent or guardian Intervenor CASA Attorneys or prospective attorneys (for child, parent/guardian, intervenor, CASA) Surrogate Service providers DA/DOJ (representing a party) Juvenile department/OYA DHS	Judge and staff, CRB*, attorneys (and prospective attorneys) for parties, DOJ, DA, juvenile department, DHS, OYA, service providers, surrogate, OSB (for investigation), OPDS (investigation and audit). <u>Party (and guardian ad litem) may access copies, but are limited to:</u> <ul style="list-style-type: none"> • <u>Dependency:</u> petitions, answers, motions and “other papers” • <u>Delinquency:</u> copies of the pleadings.
Supplemental Confidential File	History and prognosis reports and materials regarding the child (ward, youth or youth offender), including DHS reports and similar reports, annual guardian’s report	Judge and staff, CRB*, attorneys (and prospective attorneys) for parties, DOJ, DA, juvenile department, DHS, OYA, service providers, school superintendent and designee (delinquency only), CASA, OPDS (investigation and audit), parent or guardian and guardian ad litem for parent (if delinquency, youth must consent or court must authorize for parent or guardian ad litem access), intervenor, surrogate	Judge and staff, CRB*, attorneys (and prospective attorneys) for parties, DOJ, DA, juvenile department, DHS, OYA, service providers, school superintendent and designee (delinquency only), CASA, OPDS (investigation and audit)

Any other person or entity access

Any person or entity not described above may file a motion to request to inspect and/or copy materials in the ROC and SCF. Please see the accompanying requirements in the attachment “Releasing Juvenile Court Records to “Any Other Person or Entity”.

* CRB has access to any records of the court which are pertinent to the case. ORS 419A.102(a)