

Introduced: 1/13/86
Referred: Health, Education &
Social Services, Judiciary
and Finance

1 IN THE HOUSE

BY TAYLOR BY REQUEST

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HOUSE BILL NO. 457

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - SECOND SESSION

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A BILL

6 For an Act entitled: "An Act relating to children's records."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.10.090(a) is repealed and reenacted to read:

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(a) The court shall keep records of all proceedings before it.

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Court records may be inspected only by court personnel, the minor who

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is the subject of the proceeding, the minor's parents or guardian, the

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attorneys for each party, and other persons by order of the court.

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All information and records pertaining to a minor are privileged and

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may not be disclosed without the court's permission, except that

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information may be disclosed to a state or local law enforcement

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agency responsible for providing information to the court.

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* Sec. 2. AS 47.10 is amended by adding a new section to read:

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Sec. 47.10.092. SEALING AND DESTRUCTION OF RECORDS. (a) At any

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time after the minor reaches the age of 18 or, if the court retains

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jurisdiction over a minor past the age of 18, at any time after the

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court's jurisdiction over the minor is terminated, the minor or the

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department may petition the court to seal all information and records

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pertaining to that minor in the possession of the court, or a state or

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local government agency, except for motor vehicle offenses. If, after

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hearing, the court finds that the minor has not been convicted of a

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felony, and that a recommended plan of rehabilitation has been suc-

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cessfully completed, the court shall order sealed all the court's

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information and records pertaining to the minor. These sealed records

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may not be used for any purpose, except the court may order their use

1 for good cause shown or may order their use by an officer of the court
2 in making a presentencing report for the court.

3 (b) The court shall give the minor written notice of the right
4 to petition for sealing of records under (a) of this section when the
5 minor reaches the age of 18 or when the court's jurisdiction is
6 terminated.

7 (c) Five years after the records have been sealed, the court
8 shall order the destruction of the records unless for good cause the
9 court determines that the records shall be retained.