

State of Arkansas

77th General Assembly

A Bill

HOUSE BILL

Third Extraordinary Session, 1989

CALL ITEM 1036

By: Representatives Flanagan, Lipton, Newman, Glover

Forgey, and Arrington

For An Act To Be Entitled

"AN ACT TO AMEND SECTION 8 OF ACT 273 OF 1989 TO PERMIT DISCLOSURE OF IDENTITIES OF JUVENILES AND THEIR PARENTS UPON ADJUDICATION OF DELINQUENCY; TO PERMIT DISCLOSURE OF IDENTITIES OF JUVENILES CHARGED IN CIRCUIT COURT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 8 of Act 273 of 1989 is hereby amended to read as follows:

"SECTION 8. Confidentiality of Records.

(a) Except as set forth in (d) below, all records may be closed and confidential within the discretion of the court.

(b) The court may expunge at any time the records of a juvenile and shall expunge all the records of a juvenile upon his twenty-first (21st) birthday, in delinquency, dependency-neglect, or Families in Need of Services cases. For purposes of this section, 'expunge' means to destroy.

(c) Nothing in this section applies to or restricts the use or publication of statistics, data, or other materials which summarize or refer to any records, reports, statements, notes, or other information in the aggregate and which do not refer to or disclose the identity of any juvenile defendant in any proceeding when used only for the purpose of research and study.

(d) Upon final adjudication of delinquency by the court, the identity of the juvenile defendant and his parents shall be subject to disclosure."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.