

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

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SENATE BILL 69

Short Title: Juv. Record Open.

(Public)

Sponsors: Senators Simpson; Kincaid, Cochrane, Shaw, and Forrester.

Referred to: Juveniles/Prevention.

February 11, 1994

A BILL TO BE ENTITLED

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2 AN ACT TO PROVIDE THAT THE RECORD OF A JUVENILE ADJUDICATED
3 DELINQUENT OF AN OFFENSE THAT WOULD BE EITHER A FELONY OR
4 A CERTAIN CLASS 1 MISDEMEANOR IF COMMITTED BY AN ADULT BE
5 OPEN FOR PUBLIC INSPECTION.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 7A-675(a) reads as rewritten:

8 "(a) The clerk of superior court shall maintain a complete record of all juvenile
9 cases filed in ~~his~~ the clerk's office to be known as the juvenile record, which shall be
10 withheld from public inspection except as provided in this subsection and may be
11 examined only by order of the judge, except that the juvenile, ~~his~~ the juvenile's parent,
12 guardian, custodian, or other authorized representative ~~of the juvenile shall have~~ has a
13 right to examine the juvenile's ~~record.~~ record regardless of whether the record is
14 withheld from public inspection. The record shall include the summons, petition,
15 custody order, court order, written motions, the electronic or mechanical recording of
16 the hearing, and other papers filed in the proceeding. The recording of the hearing shall
17 be reduced to a written transcript only when notice of appeal has been timely given.
18 After the time for appeal has expired with no appeal having been filed, the recording of
19 the hearing may be erased or destroyed upon the written order of the judge.

20 The record of a juvenile who has been adjudicated delinquent for one of the
21 following offenses is open for public inspection:

22 (1) A felony if committed by an adult; or

1 (2) One of the Class 1 misdemeanors set forth in G.S. 14-34, 14-54, 14-
2 69.2, 14-127, 14-136, 14-190.5, 14-204.1, 14-256, 14-258.1, 14-259,
3 14-277.3, 14-288.6, 14-318.2, 14-394, or 90-95."

4 Sec. 2. This act becomes effective at the time the Structured Sentencing Act,
5 Chapters 538 and 539 of the 1993 Session Laws become effective, and applies to
6 offenses arising on or after that date.