

CHAPTER 21

CONFIDENTIALITY OF INFORMATION AND PROCEEDINGS RELATING TO FOSTER CARE SERVICES — COURT APPOINTED SPECIAL ADVOCATES

H.F. 372

AN ACT relating to court appointed special advocates and the confidentiality of information regarding a child receiving foster care.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 237.21, subsection 1, Code 2015, is amended to read as follows:

1. The information and records of or provided to a local board, state board, or court appointed special advocate regarding a child who is receiving foster care or who is under the court's jurisdiction and the child's family when relating to services provided or the foster care placement are not public records pursuant to chapter 22. The state board and local boards, with respect to hearings involving specific children receiving foster care and the child's family, are not subject to chapter 21.

Sec. 2. Section 237.21, Code 2015, is amended by adding the following new subsections:

NEW SUBSECTION. 2A. A court appointed special advocate may attend family team decision-making meetings or youth transition decision-making meetings upon request by the family or child and disclose case-related observations and recommendations relating to a child or a child's family while attending the meetings.

NEW SUBSECTION. 2B. A court appointed special advocate may disclose case-related observations and recommendations to the agency assigned by the court to supervise the case, to the county attorney, or to the child's legal representative or guardian ad litem.

Sec. 3. Section 237.21, subsection 3, Code 2015, is amended to read as follows:

3. Members of the state board and local boards, court appointed special advocates, and the employees of the department and the department of inspections and appeals are subject to standards of confidentiality pursuant to sections 217.30, 228.6, subsection 1, sections 235A.15, 600.16, and 600.16A. Members of the state and local boards, court appointed special advocates, and employees of the department and the department of inspections and appeals who disclose information or records of the board or department, other than as provided in subsection 2 subsections 2, 2A, and 2B, sections 232.89 and 232.126, and section 237.20, subsection 2, are guilty of a simple misdemeanor.

Approved March 31, 2015