

232.149A Confidentiality orders.

1. Notwithstanding any other provision of the Code to the contrary, upon the court's own motion or application of a person who was the subject of a complaint or petition alleging the commission of a delinquent act that would be a forcible felony if committed by an adult, the court after hearing, shall order official juvenile court records in the case to be confidential and no longer public records under sections 232.19, 232.147, and 915.25, if the court finds both of the following apply:

a. The case has been dismissed without any adjudication of delinquency and the person is no longer subject to the jurisdiction of the juvenile court in the matter.

b. The child's interest in making the records confidential outweighs the public's interest in the records remaining public records.

2. The records subject to a confidentiality order may be sealed at a later date if section 232.150 applies.

3. Unless an order sealing the records has been entered pursuant to section 232.150, official juvenile court records subject to a confidentiality order may be inspected and their contents shall be disclosed to the following without court order:

a. The judge and professional court staff, including juvenile court officers.

b. The child and the child's counsel.

c. The child's parent, guardian or custodian, court appointed special advocate, and guardian ad litem, and the members of the child advocacy board created in section 237.16 or a local citizen foster care review board created in accordance with section 237.19 who are assigning or reviewing the child's case.

d. The county attorney and the county attorney's assistants.

e. An agency, association, facility, or institution which has custody of the child, or is legally responsible for the care, treatment, or supervision of the child, including but not limited to the department of human services.

f. A court, court professional staff, and adult probation officers in connection with the preparation of a presentence report concerning a person who had been the subject of a juvenile court proceeding.

g. The child's foster parent or an individual providing preadoptive care to the child.

h. A state or local law enforcement agency.

i. The state public defender.

j. The department of corrections.

k. A judicial district department of correctional services.

l. The board of parole.

m. The statistical analysis center for the purposes stated in section 216A.136.

n. The alleged victim of the delinquent act.

o. A member of the armed forces of the United States who is conducting a background investigation of an individual pursuant to federal law.

4. Pursuant to court order, official juvenile court records subject to a confidentiality order may be inspected by and their contents may be disclosed to:

a. A person conducting bona fide research for research purposes under whatever conditions the court may deem proper, provided that no personal identifying data shall be disclosed to such a person.

b. Persons who have a direct interest in a proceeding or in the work of the court.

2006 Acts, ch 1164, §2; 2006 Acts, ch 1185, §77; 2016 Acts, ch 1002, §11, 12, 17

Referred to in §13B.4A, 216A.136, 232.11, 232.91, 232.147, 232.150, 232.151, 232C.4, 692.2, 692A.121, 915.25

2016 amendments apply to juvenile delinquency proceedings which are pending or arise on or after July 1, 2016; 2016 Acts, ch 1002, §17