

By: Ortiz, Jr.

H.B. No. 1960

A BILL TO BE ENTITLED

1 AN ACT

2 relating to access to records or files concerning a child who is
3 subject to the juvenile justice system.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 58.007, Family Code, is amended by
6 amending Subsections (b) and (e) and adding Subsection (j) to read
7 as follows:

8 (b) Except as provided by Article 15.27, Code of Criminal
9 Procedure, the records and files, including copies of the records
10 or files, of a juvenile court, a clerk of court, a juvenile
11 probation department, or a prosecuting attorney relating to a child
12 who is a party to a proceeding under this title are open to
13 inspection only by:

14 (1) the judge, probation officers, and professional
15 staff or consultants of the juvenile court;

16 (2) a juvenile justice agency as that term is defined
17 by Section 58.101;

18 (3) an attorney for a party to the proceeding;

19 (4) a public or private agency or institution
20 providing supervision of the child by arrangement of the juvenile
21 court, or having custody of the child under juvenile court order;
22 [~~or~~]

23 (5) the child;

24 (6) the child's parent or guardian; or

1 (7) with leave of the juvenile court, any other
2 person, agency, or institution having a legitimate interest in the
3 proceeding or in the work of the court.

4 (e) Law enforcement records and files, including copies of
5 law enforcement records and files, concerning a child may be
6 inspected by a juvenile justice agency as that term is defined by
7 Section 58.101, ~~and~~ a criminal justice agency as that term is
8 defined by Section 411.082, Government Code, the child, and the
9 child's parent or guardian.

10 (j) Before a child or a child's parent or guardian may
11 inspect a record or file concerning the child under Subsection (b)
12 or (e), the custodian of the record or file shall redact any
13 reference in the record or file to a juvenile who is not the child.

14 SECTION 2. This Act takes effect September 1, 2007.