

Cherokee Nation Code Annotated
Title 10A: Cherokee Nation Juvenile Code
Article 2

Chapter 6: Records

§ 2-6-104. Inspection and disclosure of confidential records without court order

Cite as: 10A CNCA § 2-6-104

A. The confidential records listed in subsection A of Section 2-6-102 of this title may be inspected and their contents disclosed without a court order to:

1. Participating agencies;
2. The following, provided that the inspection of records and disclosure authorized by this paragraph may be limited to summaries or to information directly necessary for the purpose of such inspection or disclosure:
 - a. pursuant to the provisions of this title, a person, agency, hospital or clinic authorized or directed by the court or by the Department of Juvenile Justice to care for, treat, examine, evaluate or supervise a child or to treat, examine or evaluate the parent, legal guardian or other adult person living in the home of the child,
 - b. a legally recognized school that is not a participating agency in which the child who is the subject of the record is currently enrolled, and
 - c. individuals or agencies engaged in legitimate research for educational, scientific or public purposes or for the purpose of an audit authorized by law. No information identifying the subjects of the records shall be made available or disclosed unless it is essential to the research or audit purpose.

B. Records and their contents disclosed without an order of the court as provided by this section shall remain confidential. The use of any information shall be limited to the purposes for which disclosure is authorized. It shall be unlawful for any person to furnish any confidential record or disclose any confidential information contained in any juvenile record for commercial, political or any other unauthorized purpose. Any person violating the provisions of this subsection shall, upon conviction, be guilty of a misdemeanor.

Historical Data

LA 11-21, eff. March 15, 2021.