

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

Chapter 6: Records

§ 2-6-105. Inspection and disclosure of juvenile court records without court order

Cite as: 10A CNCA § 2-6-105

A. Juvenile court records which are confidential may be inspected, and their contents shall be disclosed, without a court order to the following persons upon showing of proper credentials and pursuant to lawful duties:

1. The judge of the district court having the child currently before the court in any proceeding pursuant to the Cherokee Nation Juvenile Code;
2. Employees and officers of the court in the performance of their duties, including but not limited to guardians ad litem appointed by the court;
3. The Attorney General and the employees of the office of the Attorney General in the course of their official duties;
4. The attorney representing a child who is the subject of a juvenile proceeding pursuant to the provisions of this chapter. The attorney representing a child or considering representing a child in a juvenile proceeding may also access other records listed in subsection A of Section 2-6-102 of this title for use in the legal representation of the child;
5. Employees of the Department of Juvenile Justice in the course of their official duties;
6. Employees of a law enforcement agency in the course of their official duties pertaining to the investigation of a crime committed or alleged to have been committed by a person under eighteen (18) years of age. Records or information disclosed pursuant to this paragraph may consist of summaries or may be limited to the information or records necessary for the purpose of the investigation;
7. The Department of Juvenile Justice or other public or private agency or any individual having court-ordered custody or custody pursuant to Department of Juvenile Justice placement of the child who is the subject of the record;
9. The child who is the subject of the record and the parents, legal guardian, legal custodian or foster parent of said child;
13. Any federal official of the United States Department of Health and Human Services;
14. Employees of a contract detention facility in the course of their official duties;

15. Cherokee Nation Probation and Parole employees in the course of their official duties;
and

B. Records and their contents disclosed without an order of the court as provided by the provisions of 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 section shall, upon conviction, be guilty of a misdemeanor.

C. Juvenile records shall be exempt from disclosure from FOIA [insert cite]

Historical Data

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