

1995 SESSION

INTRODUCED

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HOUSE BILL NO. 1785

Offered January 19, 1995

A *BILL to amend and reenact § 16.1-307 of the Code of Virginia, as it is effective and as it may become effective, relating to confidentiality of juvenile records.*

Patrons—Katzen, Cox, Dudley, Griffith, Newman and Wilkins; Senator: Miller, K.G.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §16.1-307 of the Code of Virginia, as it is effective and as it may become effective, is amended and reenacted as follows:

§ 16.1-307. (For effective date) Confidentiality of circuit court records.

A. In proceedings against a ~~child~~ *juvenile* in the circuit court in which the ~~circuit court~~ deals with the ~~child in the same manner as a case in juvenile has appealed a verdict from~~ the juvenile court, the clerk of the court shall preserve all records connected with the proceedings in files separate from other files and records of the court as provided in § 16.1-302. Except as provided in §§ 19.2-389.1 and 19.2-390, such records shall be open for inspection only in accordance with the provisions of § 16.1-305 and shall be subject to the expungement provisions of § 16.1-306.

B. *In proceedings in which a juvenile is before the circuit court for reasons other than an appeal from the juvenile court, the clerk of the court shall preserve all records connected with the proceedings and files in the same manner as other files and records of the court. These records and files shall be open for public inspection in accordance with § 17-43.*

§ 16.1-307. (Delayed effective date) Confidentiality of circuit court records.

A. In proceedings against a ~~child~~ *juvenile* in the circuit court in which the ~~circuit court~~ deals with the ~~child in the same manner as a case in juvenile has appealed a verdict from~~ the family court, the clerk of the court shall preserve all records connected with the proceedings in files separate from other files and records of the court as provided in § 16.1-302. Except as provided in §§ 19.2-389.1 and 19.2-390, such records shall be open for inspection only in accordance with the provisions of § 16.1-305 and shall be subject to the expungement provisions of § 16.1-306.

B. *In proceedings in which a juvenile is either a plaintiff or a defendant in the circuit court wherein the matter is before the circuit court for reasons other than an appeal from the family court, the clerk of the court shall preserve all records connected with the proceedings and files in the same manner as other files and records of the court. These records and files shall be open for public inspection in accordance with § 17-43.*

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