

HOUSE RESEARCH

Bill Summary

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Overview

This bill modifies the standard for opening juvenile delinquency hearings to the public and making related records open to public inspection.

Current law provides that juvenile hearings are public if the child is 16 or 17 years old and the alleged offense is a felony. The bill provides that this standard continues to apply for adult certification hearings. Extended jurisdiction juvenile (EJJ) hearings for 16 and 17 year olds would be open at the prosecutor's request. For other EJJ and delinquency hearings, the court would also have to determine that, due to the violent or serious nature of the alleged offense, the benefit to public safety of holding an open hearing outweighs the potential consequences for the child due to the resulting public records.

Under a separate statute (Minn. Stat. § 260B.171, subd. 4), only court records arising from public hearings are available for public inspection; all other juvenile court records are available only by court order. Accordingly, the bill would keep related juvenile delinquency and EJJ records closed to the public unless the new standards for a public hearing are met.

Finally, the bill provides that court may close those portions of hearings in which psychological material or other evidence is discussed that would not be public in an adult proceeding.