

Article 5B.

Safe Babies Court.

§ 7B-535. General provisions for safe babies court.

(a) Purpose. – The purpose of this Article is to establish safe babies court to improve the long-term well-being of parents, children, and families involved with the department of social services and the juvenile court by providing them with trauma-informed support and services and to achieve timely permanence, reduce generational trauma, and eliminate maltreatment.

(b) Referral. – The Administrative Office of the Courts shall set the criteria and referral process for a juvenile court matter to enroll into a safe babies court.

(c) Limitations. – Nothing contained in this Article shall confer a right or an expectation of a right of participation in safe babies court to a party involved in an abuse, neglect, or dependency proceeding. A party's participation in safe babies court is voluntary.

(d) Permanency and Hearings. – Nothing contained in this Article shall alter any requirements or limit the court's authority to conduct hearings under this Subchapter. (2024-33, s. 13.)

§ 7B-536. Safe babies court records and information.

(a) Definitions. – The following definitions apply in this Article:

(1) AOC Director. – The Director of the Administrative Office of the Courts.

(2) Coordinators. – Judicial branch staff assigned to facilitate safe babies court by coordinating family team meetings with participants and service providers, setting regular judicial status conferences for safe babies court, documenting information related to safe babies court and its participants, maintaining data and records to demonstrate program outcomes, administration of safe babies court, data analysis, and other related duties.

(3) De-identified record. – A record with all of the following types of information omitted, removed, or redacted:

- a. The names, addresses, dates of birth, and employer name and address of any parties to the juvenile action, including any juvenile alleged to be within the jurisdiction of the court.
- b. The names and addresses of service providers for any member of the family or the juvenile's placement provider.
- c. The names and addresses of the juvenile placement.
- d. Identifying information as defined in subdivisions (1) through (9) and (11) through (14) of G.S. 14-113.20(b).

(4) Participant. – A party to a juvenile proceeding who is participating in safe babies court.

(5) Party. – As determined by G.S. 7B-401.1.

(6) Record. – All recorded information, data, and documentary material, regardless of physical form or characteristics, made or received by safe babies court coordinators that is not filed in the juvenile court record in the custody of the clerk of superior court.

(7) Safe babies court. – The innovative court program implementing a community engagement and systems change initiative focused on improving how the courts, department of social services, and related child-serving organizations work together to improve and expedite services for young families with at least

one child who is no more than 3 years of age involved in juvenile actions alleging abuse, neglect, or dependency.

(b) Records Custodian. – The AOC Director shall be the legal custodian of safe babies court records. Safe babies court coordinators may have access to and use of safe babies court records for purposes of performing their job duties.

(c) Not Public Record. – Safe babies court records are not public records as defined by G.S. 132-1. Safe babies court records may only be disclosed as follows:

- (1) The AOC Director, in the Director's sole discretion, may authorize the disclosure and redisclosure of de-identified safe babies court records without an order of the court.
- (2) Upon a written motion in the juvenile proceeding by any party requesting safe babies court records related to the juvenile proceeding and notice to the other parties and the AOC Director pursuant to G.S. 1A-1, Rule 5, the AOC Director shall provide copies of the requested records in-camera to the court. The court shall conduct an in-camera review and hold a hearing. The court may order disclosure of the safe babies court records to any party upon a showing of good cause.

(d) Coordinators Privilege. – Safe baby coordinators shall not be competent to testify in the juvenile proceeding. Any communications, information, documents, or other materials made or received in the course of performing job duties related to safe babies court shall be privileged except that there is no privilege for communications made in furtherance of a crime or fraud, or for matters that require mandatory reporting. Nothing in this subsection shall be construed as permitting an individual to obtain immunity from prosecution for criminal conduct or as excusing an individual from the reporting requirements of Article 3 of this Chapter, Article 39 of Chapter 14 of the General Statutes, G.S. 108A-102, or G.S. 110-105.4.

(e) Guardian Ad Litem Information. – The Office of Guardian ad Litem Services and any appointed guardian ad litem may share information at safe babies court meetings as it deems in the best interests of the juvenile. (2024-33, s. 13.)

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