

Article 31.

Disclosure of Juvenile Information.

§ 7B-3100. Disclosure of information about juveniles.

(a) The Division, after consultation with the Conference of Chief District Court Judges, shall adopt rules designating certain local agencies that are authorized to share information concerning juveniles in accordance with the provisions of this section. Agencies so designated shall share with one another, upon request and to the extent permitted by federal law and regulations, information that is in their possession that is relevant to (i) any assessment of a report of child abuse, neglect, or dependency or the provision or arrangement of protective services in a child abuse, neglect, or dependency case by a local department of social services pursuant to the authority granted under Chapter 7B of the General Statutes, (ii) any case in which a petition is filed alleging that a juvenile is abused, neglected, dependent, undisciplined, or delinquent, or (iii) any case in which a vulnerable juvenile is receiving juvenile consultation services. Agencies shall continue to share information until (i) the protective services case is closed by the local department of social services, (ii) if a petition is filed, until the juvenile is no longer subject to the jurisdiction of juvenile court, or (iii) if a vulnerable juvenile is receiving juvenile consultation services, until the juvenile consultation is closed. Agencies that may be designated as "agencies authorized to share information" include local mental health facilities, local health departments, local departments of social services, local law enforcement agencies, local school administrative units, the district's district attorney's office, the Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety, and the Office of Guardian ad Litem Services of the Administrative Office of the Courts, and, pursuant to the provisions of G.S. 7B-3000(e1), the Section of Community Corrections of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety. Any information shared among agencies pursuant to this section shall remain confidential, shall be withheld from public inspection, and shall be used only for the protection of the juvenile and others or to improve the educational opportunities of the juvenile, and shall be released in accordance with the provisions of the Family Educational and Privacy Rights Act as set forth in 20 U.S.C. § 1232g. Nothing in this section or any other provision of law shall preclude any other necessary sharing of information among agencies. Nothing herein shall be deemed to require the disclosure or release of any information in the possession of a district attorney.

(b) Disclosure of information concerning any juvenile under investigation, alleged to be within the jurisdiction of the court, or receiving juvenile consultation services that would reveal the identity of that juvenile is prohibited except that publication of pictures of runaways is permitted with the permission of the parents and except as provided in Article 20A of this Chapter and G.S. 7B-3102.

(c) The juvenile's guardian ad litem attorney advocate appointed pursuant to G.S. 7B-601 may share confidential information about the juvenile with the juvenile's attorney appointed or retained pursuant to G.S. 7B-2000. (1979, c. 815, s. 1; 1987, c. 297; 1994, Ex. Sess., c. 7, s. 1; 1995, c. 462, s. 4; c. 509, s. 5; 1997-459, s. 2; 1998-202, s. 6; 2000-137, s. 3; 2006-205, s. 2; 2007-458, s. 4; 2009-372, s. 3; 2011-145, s. 19.1(h), (k), (l); 2017-186, s. 2(o); 2019-33, s. 16; 2019-216, s. 13; 2021-123, s. 5(f).)