

SENATE BILL NO. 112—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

PREFILED FEBRUARY 3, 2011

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the records that may be reviewed by a juvenile court in certain proceedings. (BDR 38-199)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juveniles; authorizing a juvenile court to review certain records relating to the custody of a child or the involvement of a child with an agency which provides child welfare services for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the types of evidence that a juvenile court may receive
2 during a proceeding. (NRS 62D.420) **Section 8** of this bill allows the juvenile court
3 to review certain records relating to the custody of a child or the involvement of a
4 child with an agency which provides child welfare services when it has access to
5 those records. **Section 8** limits the use of such records by the juvenile court to
6 assisting the court in determining the appropriate placement or plan of treatment for
7 the child.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** (Deleted by amendment.)
3 **Sec. 3.** (Deleted by amendment.)
4 **Sec. 4.** (Deleted by amendment.)



1 **Sec. 5.** (Deleted by amendment.)

2 **Sec. 6.** (Deleted by amendment.)

3 **Sec. 7.** (Deleted by amendment.)

4 **Sec. 8.** NRS 62D.420 is hereby amended to read as follows:

5 62D.420 1. In each proceeding conducted pursuant to the
6 provisions of this title, the juvenile court may:

7 (a) Receive all competent, material and relevant evidence that
8 may be helpful in determining the issues presented, including, but
9 not limited to, oral and written reports; and

10 (b) Rely on such evidence to the extent of its probative value.

11 2. The juvenile court shall afford the parties and their attorneys
12 an opportunity to examine and controvert each written report that is
13 received into evidence and to cross-examine each person who made
14 the written report, when reasonably available.

15 3. *In any proceeding involving a child for which the court*
16 *has access to records relating to the custody of the child or the*
17 *involvement of the child with an agency which provides child*
18 *welfare services, the juvenile court may review those records to*
19 *assist the court in determining the appropriate placement or plan*
20 *of treatment for the child.*

21 4. *Except when a record described in subsection 3 would*
22 *otherwise be admissible as evidence in the proceeding, the juvenile*
23 *court shall not use a record reviewed pursuant to subsection 3 to*
24 *prove that the child committed a delinquent act or is in need of*
25 *supervision or for any purpose other than a purpose set forth in*
26 *subsection 3. Except as otherwise provided in subsection 5, such*
27 *records must not be disclosed or otherwise made open to*
28 *inspection unless the records are admitted as evidence and used to*
29 *determine the disposition of the case.*

30 5. *The juvenile court shall afford the parties and their*
31 *attorneys an opportunity to examine and address any record*
32 *reviewed by the juvenile court pursuant to subsection 3.*

33 6. *As used in this section, "agency which provides child*
34 *welfare services" has the meaning ascribed to it in NRS 432B.030.*

35 **Sec. 9.** (Deleted by amendment.)

36 **Sec. 10.** This act becomes effective on July 1, 2011.

