

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 5: JUVENILE JUSTICE

§ 5325. Confidentiality of Records.

(a) All written reports made as well as any other information obtained, or photographs or x-rays taken concerning alleged instances of child abuse shall be confidential and shall only be made available to:

(1) A duly authorized official of the Division of Youth Services in the course of his or her duties;

(2) A physician examining or treating a child whom the physician reasonably suspects may be abused or neglected;

(3) A guardian ad litem for the child;

(4) The Office of the Attorney General;

(5) A court of competent jurisdiction; provided, however, that information, reports or x-rays concerning alleged instances of child abuse shall not be excluded from consideration of the court on the ground that the matter is or may be the subject of a physician-patient privilege, other privileges or any rule against disclosure;

(6) The Department of Health and Human Services and the Comptroller General of the United States or any of their representatives pursuant to 45 C.F.R. 74.24.

(b) The release of data that would identify the person who made a report of suspected child abuse or person who cooperated in a subsequent investigation is prohibited.

(c) Any person who without authorization releases or permits the release of any data or information contained in any records compiled in furtherance of the purposes of this chapter shall be guilty of a crime and shall be punished by not more than one year in prison, or by a fine of not more than \$1,000, or both.

Source: PL 3-57, § 6; amended by PL 4-1, § 2; repealed and reenacted by PL 16-53 § 3 (January 29, 2010).

Commission Comment: The Commission corrected capitalization throughout this section and changed “compiles” to “compiled” in subsection (c) to correct a manifest error pursuant to 1 CMC § 3806(f) and (g).