

## 10.8 Other Sources of Information

---

### 10.8 Other Sources of Information

Juveniles also have access to a significant amount of information beyond the information available through discovery. Under G.S. 7B-2901(a), the juvenile and the juvenile's attorney are entitled to examine and obtain copies of written parts of the clerk's records for cases involving the abuse, neglect, or dependency of the juvenile under Subchapter I of the Juvenile Code. A motion or court order is not required to obtain the records.

G.S. 7B-2901(b) also gives the juvenile the right to examine DSS records of cases in which the juvenile is under placement by a court or has been placed under protective custody by DSS. These records include "family background information; reports of social, medical, psychiatric, or psychological information concerning a juvenile or the juvenile's family; interviews with the juvenile's family; or other information which the court finds should be protected from public inspection in the best interests of the juvenile." G.S. 7B-2901(b). There is no requirement that the juvenile file a motion or obtain a court order before examining the records. The Court of Appeals acknowledged, in *In re J.L.*, 199 N.C. App. 605, 609 (2009), that juveniles have a "right" under G.S. 7B-2901(b) to access such records.

The juvenile and the juvenile's attorney are also entitled to examine and obtain copies of records concerning the juvenile that are maintained by law enforcement and the Division of Adult Correction and Juvenile Justice. G.S. 7B-3001(b) and (c). No motion or court order are required to obtain the records. If the records are not turned over on request, however, counsel for the juvenile should file a motion for an order compelling production.

The juvenile's rights under G.S. 7B-2901 and 7B-3001 are not grounded in discovery principles, but rather effectuate the juvenile's right to access records that are shielded from public inspection. Counsel should be familiar with the provisions of these statutes and should seek the records available under them.