

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow Fair Access to Child Advocacy Center Records

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §4019, sub-§9, as enacted by PL 2013, c. 364, §1, is amended to read:

9. Confidential records. The files, reports, records, communications and working papers used or developed in providing services under this section are confidential and are not public records for purposes of Title 1, chapter 13, subchapter 1. Information may be disclosed only to the following in order for them to carry out their duties:

- A. The department, department employees, law enforcement agencies, prosecuting attorneys, medical professionals and other state agencies that provide services to children and families;
- B. The attorney for a child who is the subject of confidential records; ~~and~~
- C. A guardian ad litem appointed under section 4005 for a child who is the subject of confidential records;
- D. An attorney representing a person charged with committing a crime related to an allegation of child sexual abuse or other child abuse and neglect against a child who is the subject of confidential records; and
- E. An attorney in a child protection proceeding representing a parent of a child who is the subject of confidential records.

SUMMARY

This bill allows confidential information related to services provided by a child advocacy center established pursuant to the Maine Revised Statutes, Title 22, section 4019 to be disclosed to an attorney representing a person charged with committing a crime related to an allegation of child sexual abuse or other child abuse and neglect against a child who is the subject of confidential records and an attorney in a child protection proceeding representing a parent of a child who is the subject of confidential records.