

§26206. Confidentiality of records

1. Confidentiality; disclosure. A record held by or created by the office is confidential and may be disclosed only as described in subsection 2 and section 26205.

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

2. Disclosure of investigation findings. Notwithstanding any provision of law to the contrary, if the Child Advocate determines that the health, safety or welfare of a child is at risk, the office may disclose to the relevant entity only those details of investigation findings necessary to address the issue, subject to the following limitations.

A. The name, address or other identifying information of an individual who is the subject of a confidential proceeding or that is subject to a statutory confidentiality provision may not be released by the relevant entity to the public. [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

B. Unless agreed to by the Department of Health and Human Services, the Department of Corrections and the Office of the Attorney General, investigation findings may not be released by the relevant entity if there is a pending child protection action, a pending criminal investigation, a pending prosecution or a pending proceeding under the Maine Juvenile Code. [PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

3. Exception to archive laws. Notwithstanding section 95-C, subsection 1, paragraph C, any records held by or created by the Child Advocate must remain confidential until the relevant records have been in existence for 100 years.

[PL 2025, c. 724, §3 (NEW); PL 2025, c. 724, §13 (AFF).]

SECTION HISTORY

PL 2025, c. 724, §3 (NEW). PL 2025, c. 724, §13 (AFF).

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