

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 413 (Allen) – As Amended June 25, 2025

Policy Committee: Judiciary

Vote: 11 - 1

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill authorizes additional attorneys to access juvenile case files without obtaining a juvenile court order.

Specifically, among other provisions, this bill:

- 1) Allows the county counsel, city attorney, or any other attorney representing a county child welfare agency in a juvenile delinquency proceeding to inspect a juvenile case file without obtaining a juvenile court order.
- 2) Allows the county counsel or city attorney representing a child welfare agency or probation department to inspect a juvenile case file without a juvenile court order in connection with the administration or review of child welfare or probation services provided by the agency or department, to the subject of the case file, or to the juvenile's sibling, parent, or legal guardian.
- 3) Allows an attorney representing a person who is, or was, subject to juvenile dependency proceedings to inspect their client's juvenile case file without a court order.
- 4) Allows an attorney representing a party in a specified civil proceeding that is filed by, or on behalf of a person who is the subject of a juvenile case file against the county welfare agency or probation department or an employee of one of those entities, to inspect the relevant juvenile case file and use information and documents from the file in the civil proceeding without a juvenile court order.
- 5) Specifies restrictions and procedures for the dissemination, sharing, and filing of information and records from juvenile case files authorized to be accessed by the bill.

FISCAL EFFECT:

- 1) Possible cost savings to the court system to the extent the bill eliminates the need for certain parties to petition the court for access to juvenile case files.
- 2) Possible costs (local funds, General Fund) to county child welfare agencies and probation departments to provide records to parties authorized by this bill. However, these costs may be minor; it appears that courts generally grant petitions for access to records from the parties affected by this bill, so this bill may not substantially increase workload to local agencies. Local agencies may also experience some cost savings to the extent the bill streamlines

litigation involving juvenile case files. If the bill results in costs to local agencies, the state must reimburse those costs from the General Fund if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate.

COMMENTS:

- 1) **Background.** Existing law provides strong protections for records about juveniles maintained by county child welfare agencies and probation departments. These records often involve a juvenile's private personal information and are generated during sensitive circumstances like child dependency investigations, foster care, and juvenile adjudications. There is a significant public interest in maintaining the confidentiality of juvenile case files and the information they contain. Statute authorizes certain parties to access juvenile case files without petitioning the court, including court personnel, public prosecutors, the juvenile who is the subject of a file, such a juvenile's parent or guardian, and certain parties from the Department of Social Services and Department of Justice, among others. Anyone else who wants to access juvenile case records must petition the court, and the court must determine whether to grant access and, if access is granted, whether redaction of the files is necessary.
- 2) **Purpose.** This bill is sponsored by the County of Los Angeles. In recent years, the county has been sued by hundreds of litigants who were incarcerated as juveniles in the county's juvenile detention and camp facilities, and who allege sexual assault and other abuses by county staff during their detention. The sponsor and author believe it is too onerous to require parties to petition the court for access to juvenile case files in each lawsuit. According to the author:

Petitions drain limited resources by requiring all parties to go through the arduous process of drafting petitions, noticing the interested parties, and filing the request with the juvenile court...This process can result in delays of more than a year for civil lawsuits and increases civil court and juvenile court congestion. These delays negatively impact parties, including plaintiffs, because litigation becomes needlessly protracted.

This bill would streamline litigation by granting automatic access to juvenile case files for certain attorneys representing county departments that are sued and people with juvenile case files who file lawsuits, rather than requiring those attorneys to petition the court for access to the case files.

In opposition, the Youth Law Center (YLC) argues that Los Angeles County's desire for efficiency in litigation does not outweigh the privacy interest of juveniles in their records, particularly since this bill applies statewide. YLC writes:

A better policy approach would maintain the critical gatekeeping function of the juvenile court for dissemination of juvenile case file information, and would instead work to improve the efficiency of the juvenile court review process.

YLC indicates it has proposed amendments to that end.