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H.486

Introduced by Representatives Stevens of Shoreham and Masland of Thetford  
Referred to Committee on  
Date:  
Subject: Domestic relations; juvenile proceedings; access to records  
Statement of purpose of bill as introduced: This bill proposes to clarify  
existing rights of noncustodial parents to have access to the records of their  
minor child regardless of their award of parental rights and responsibilities.

An act relating to a noncustodial parent's access to records and information

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 15 V.S.A. § 670 is amended to read:

§ 670. ACCESS TO RECORDS

Access to records and information pertaining to a minor child, including ~~but~~  
~~not limited to~~ medical, dental, law enforcement and school records shall  
remain available to a parent and shall not be denied ~~to a parent~~ solely because  
that parent has not been awarded parental rights and responsibilities. The court  
may order that access to all or a portion of the records or information shall be  
denied if access is not in the best interest of the child or if access may cause  
detriment to the other parent, including ~~but not limited to~~ abuse.

1 Sec. 2. 33 V.S.A. § 4912 is amended to read:

2 § 4912. DEFINITIONS

3 As used in this subchapter:

4 \* \* \*

5 (18) "Parent" means a child's biological or adoptive parent, including  
6 custodial parents, noncustodial parents, parents with legal or physical  
7 responsibilities, or both, and parents whose rights have never been adjudicated.

8 Sec. 3. 33 V.S.A. § 4916e is amended to read:

9 § 4916e. NOTICE TO MINORS

10 If the person alleged to have abused or neglected a child is a minor, any  
11 notice required pursuant to this subchapter shall be sent:

12 (1) to the minor's parents or guardian; ~~or~~ and

13 (2) if the child is in the custody of the ~~commissioner~~ Commissioner, to  
14 the social worker assigned to the child by the ~~department~~ Department and the  
15 child's counsel of record.

16 Sec. 4. 33 V.S.A. § 5117 is amended to read:

17 § 5117. RECORDS OF JUVENILE JUDICIAL PROCEEDINGS

18 \* \* \*

19 (b)(1) Notwithstanding the foregoing, inspection of such records and files  
20 by the following is not prohibited:

21 \* \* \*



1 others who have been similarly informed by the superintendent or headmaster,  
2 law enforcement personnel, or the juvenile's probation officer. Disclosure of  
3 information shall not be denied solely because a parent has not been awarded  
4 parental rights and responsibilities.

5 \* \* \*

6 Sec. 6. EFFECTIVE DATE

7 This act shall take effect on July 1, 2013