



Judicial Council of California

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Subject Details (With Text)

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File #: 17-202 **Version:** 1

Type: Legislative Proposal **Status:** Passed

File created: 10/13/2017 **In control:** Judicial Council

On agenda: 11/17/2017 **Final action:** 11/17/2017

Title: Judicial Council-Sponsored Legislation: Access to Juvenile Case File for Purposes of Appellate Proceedings (Action Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20171117-17-202

Date	Ver.	Action By	Action	Result
11/17/2017	1	Judicial Council	approved	Pass

Title

Judicial Council-Sponsored Legislation: Access to Juvenile Case File for Purposes of Appellate Proceedings (Action Required)

Summary

The Policy Coordination and Liaison Committee and Appellate Advisory Committee recommend that the Judicial Council sponsor legislation to amend Welfare and Institutions Code section 827, which specifies who may access and copy records in a juvenile case file, to clarify that people who are entitled to seek review of certain orders in juvenile proceedings or who are respondents in such appellate proceedings may, for purposes of those appellate proceedings, access and copy those records to which they were previously given access by the juvenile court. The proposed amendment would also clarify that either the juvenile court or the Court of Appeal may permit such individuals to access and copy additional records in the juvenile case file.

Recommendation

The Policy Coordination and Liaison Committee and Appellate Advisory Committee recommend that the Judicial Council sponsor legislation to amend Welfare and Institutions Code section 827 to provide that:

1. Any individual not otherwise entitled under section 827 to access a juvenile court case file who files a notice of appeal or writ petition challenging a juvenile court order, or who is a respondent in such an appeal or writ proceeding, may, for purposes of the appeal or writ proceeding, inspect and copy any records in the juvenile case file to which the individual was previously granted access by the juvenile court, including any such records or portions thereof that are made a part of the appellate record;
2. The current requirements of section 827(a)(3) regarding release of a juvenile court case file to individuals not otherwise entitled to access under the statute apply if the individual seeks access to any other record or portion thereof in the juvenile case file or made a part of the appellate record, except that a petition seeking release may be filed in, and release of records ordered by, either the juvenile court or the Court of Appeal; and
3. Documents received under this proposed amendment are subject to the confidentiality requirements established by section 827(a)(4).