

CHAPTER 588
CHILDREN'S JUSTICE PROGRAM

Section

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Note

Chapter heading amended by L 2001, c 219, §1.

" **§588-1 Children's justice program; establishment, purpose.**

(a) There is established a children's justice program within the judiciary. The mission of the program is to provide for the special needs of children as witnesses by promoting coordination for appropriate investigation, treatment, and legal processes, thereby reducing and preventing unnecessary trauma to children and ensuring justice for children and their families.

(b) The purpose of the program shall be to:

- (1) Develop, achieve, and maintain interagency and interprofessional cooperation and coordination in the investigation of and case management of intrafamilial and extrafamilial child sex abuse and serious physical child abuse cases;
- (2) Facilitate in an impartial manner the professional gathering of information by public and private agencies and their providers for court proceedings involving child victims and witnesses;
- (3) Reduce to the absolute minimum the number of interviews of child sex abuse victims so as to minimize revictimization of the child;
- (4) Coordinate the therapeutic and treatment program for child sex abuse victims and their families;
- (5) Provide for a multidisciplinary team and case management approach which is focused first, on the alleged or suspected child sex abuse victim's needs and conditions; second, on the family members who are supportive of the child and whose interests are consistent with the best interests of the child; and third, on law enforcement and prosecutorial needs;
- (6) Provide for the training and continuing education of skilled professional interviewers of child sex abuse victims; and
- (7) Serve as the focus of information and referral for child sex abuse programs. [L 1986, c 169, pt of §1; am L 2001, c 219, §3]

" **[§588-1.5] Coordination function.** (a) The program shall promote the sharing of information among agencies providing services to the child and family, for purposes of implementing this chapter.

(b) All agencies and their providers that have information regarding the mental, physical health, or other information relating to the best interest of the child shall share the

information among the agencies working with the child unless otherwise prohibited by federal or state statute or rule. No agency shall further disclose any confidential information unless written consent expressly authorizing further disclosure is obtained from the person who is the subject thereof, or disclosure is permitted by law. [L 2001, c 219, §2]

" **§588-2 Definitions of child abuse.** For purposes of this chapter:

"Child sexual abuse" means any of the offenses described under chapter 707, part V, when committed against a person under the age of eighteen years or as set forth in paragraph (2) of the definition of "harm" in section 587A-4.

"Serious physical child abuse" means any of the offenses described in paragraph (1) of the definition of "harm" set forth in section 587A-4 when the offense rises to the degree of a felony as defined in section 701-107. [L 1986, c 169, pt of §1; am L 2001, c 219, §4; am L 2011, c 43, §19]

" **[§588-3] Director, program administrative staff.** The program shall be headed by a director appointed by the administrative director of the courts. The director and administrative staff shall be subject to chapter 76. [L 1986, c 169, pt of §1; am L 2000, c 253, §150]

" **§588-4 Duties of the director.** The director shall:

- (1) Enter into agreements with police departments, departments of the prosecuting attorneys and county corporation counsels, the departments of the attorney general, health, and human services, and other public and private agencies, including agreements for the temporary assignment of appropriate personnel from each agency to the program;
- (2) Enter into contracts for the provision of specialized training and continuing education for interviewers of child sex abuse victims and child witnesses from both public and private agencies and providers;
- (3) Arrange for interviews of child sex abuse victims and child witnesses in an appropriate setting;
- (4) Promote interagency cooperation and coordination, including information sharing and gathering, among the public and private agencies and their providers that deliver investigative, case management, and therapeutic services;
- (5) Coordinate the flow of information between the agencies responsible for criminal prosecution and the agencies responsible for protective action in civil

- proceedings, including those professionals providing services to children and their families;
- (6) Arrange for the exchange of information, to include statistical data from public and private agencies involved in child sex abuse programs and issues;
 - (7) Develop recommendations and plans for action to assist the public and private agencies involved in cases of child sex abuse and serious physical child abuse; and
 - (8) Prepare and maintain records and reports for the program. [L 1986, c 169, pt of §1; am L 1988, c 141, §59; am L 2001, c 219, §5]

" **[\$588-5] Admissibility of evidence.** Any evidence gathered at the center shall be gathered in such manner so as to be admissible as evidence at a judicial proceeding. [L 1986, c 169, pt of §1]

" **§588-6 REPEALED.** L 2001, c 219, §6.