

Open courts more accountable

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THE ISSUE: Alabama should join a growing number of states that allow citizens access to juvenile court proceedings.

There are good reasons for confidentiality in the juvenile court system. Confidentiality laws prevent a child at Family Court from being stigmatized. Such laws help child victims avoid embarrassment and keep a juvenile offender from having a youthful indiscretion follow him into adulthood.

There are equally good reasons for Alabama's juvenile courts to be more open than they are. Too often, the state Department of Youth Services and the Department of Human Resources hide behind confidentiality laws to protect themselves when they make a grave error. And, obviously, it's difficult to hold any court accountable if all its decisions are made in secrecy.

Public oversight helps keep a court - any court - from abusing its substantial authority.

To that end, a Birmingham child advocacy group, the Society of Advocates for Family Empowerment, is pushing for legislation that would open Alabama's juvenile courts following the model of Oregon's juvenile court system.

In Oregon, the public has access to all juvenile court cases, though all court records remain closed. Still, the public can learn the name and birth date of the child, the basis for the court's jurisdiction over the child and the date, time and place of any juvenile court proceeding in which the child is involved. Oregon isn't alone, either. A number of other states, including Florida in the Southeast, have open juvenile courts.

There are examples where state agencies and the courts have abused confidentiality privileges. Sadly, it's not unusual for DHR to keep information from the public when a child is severely abused or killed, especially if the child has had previous involvement with DHR. The public might have a better idea of what was done to protect a child if courts were open.

Even in cases where a child under DHR supervision has been killed, the agency has pressed the courts to keep the public from knowing exactly what went wrong. In one example, 2-year-old Victoria Monette was murdered by her mother and her mother's boyfriend in 2003. DHR settled a civil lawsuit in that case for \$550,000, then convinced a St. Clair County Court to keep the details of its involvement in the case under seal.

It's too easy for DHR, DYS and juvenile court judges to hide behind a legal veil of secrecy. It's time to begin lifting that veil so the courts and state agencies become more accountable for their decisions - and the lives they impact.

As other states have shown, juvenile courts operate just fine with the public having access to their crucial proceedings. Alabama should move in that direction as well.