

DATE:

TO: County Attorney
Juvenile Court

FROM:

SUBJECT: Child Abuse Report Retention

Iowa Code Chapter 232.71B requires that the Department transmit a copy of the *Child Protective Services Assessment Summary* report to the county attorney and to the juvenile court. The county attorney and the juvenile court are required to notify the Department office which transmitted the report of any action concerning an assessment provided by the Department.

- This is a report of Founded child abuse meaning abuse was confirmed and was placed on the Central Abuse Registry. The Department of Human Services is required to retain this report for 10 years from the date of intake or ten years from the date of the most recent founded pursuant to Iowa Code Chapter 235A.18 and 441 Iowa Administrative Code 175.32.
- This is a report of Confirmed Not Registered child abuse meaning abuse was confirmed but the circumstances did **not** meet the criteria for placement on the Central Abuse Registry. The Department of Human Services is required to retain this report for five years from the date of intake or five years from the date of closure of any service file, pursuant to Iowa Code Chapter 235A.15 and 441 Iowa Administrative Code 175.32.
- This is a report of child abuse which was **not** confirmed. The report is not placed on the Central Abuse Registry. The Department of Human Services is required to retain this report for five years from the date of intake or five years from the date of closure of any service file, pursuant to Iowa Code Chapter 235A.18 and 441 Iowa Administrative Code 175.32.

Iowa Code 235A.18 states that the juvenile or district court and county attorney shall expunge child abuse information upon notice from the registry. It also stated, "The supreme court shall prescribe rules establishing the period of time child abuse information is retained by the juvenile and district court. A county attorney shall not retain child abuse information in excess of the time period the information would be retained under rules prescribed by the supreme court." The supreme court has prescribed rules establishing a five year retention time period for reports not placed on the registry and a ten year retention time period for founded reports. Reports in evidence in a juvenile proceeding are to be retained for as long as the juvenile court file is retained.