Currently, 14 states have statutes and/or court rules that permit or require juvenile delinquency hearings to be open to the general public: Arizona, Arkansas, Colorado, Florida, Iowa, Michigan, Montana, Nebraska, Nevada, New Mexico, North Carolina, Oregon, Texas, and Washington.

Another 21 states open delinquency hearings to the public but place certain age/offense requirements on the openness of the hearing: Alaska, California, Delaware, Georgia, Hawaii, Idaho, Indiana, Kansas, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Missouri, North Dakota, Oklahoma, Pennsylvania, South Dakota, Utah, Virginia, and Wisconsin.

Fifteen jurisdictions have statutes and/or court rules that generally close delinquency hearings to the public: Alabama, Connecticut, the District of Columbia, Illinois, Kentucky, Mississippi, New Hampshire, New Jersey, New York, Rhode Island, South Carolina, Tennessee, Vermont, West Virginia, and Wyoming.

In 2000, the Ohio Supreme Court held that juvenile proceedings are not presumed to be open or closed to the public.

Thus far in the 2007 legislative session, Tennessee has amended its laws concerning the confidentiality of juvenile delinquency hearings. Effective July 1, 2007, the language that generally closed delinquency hearings to the public was deleted from the Tennessee statute and added to the Tennessee Rules of Juvenile Procedure.

The Tennessee Advisory Commission comments to the 2007 amendments offer a suggested definition of a closed hearing, as a hearing limited to the parties to the proceeding and to person(s) that the court finds have a direct interest in the proceeding and whose presence at the proceeding is necessary for the proceeding’s full and fair hearing.

Also in the 2007 legislative session, 3 states—Georgia, Maryland, and New York—proposed, but did not yet enact, legislation concerning the confidentiality of juvenile delinquency hearings.

For example, current Georgia law opens delinquency hearings to the public but places certain age/offense requirements on the openness of the hearing. Legislation proposed in 2007 would make all Georgia delinquency hearings public, regardless of age or offense, and permit closure only in exceptional circumstances.

Similarly, current Maryland law opens delinquency hearings to the public but places certain age/offense requirements on the openness of the hearing. Legislation proposed in 2007 would permit the court to close the hearing if a public hearing would not promote juvenile accountability to the victim and/or the community.

Current New York law generally closes delinquency hearings to the public. In 2007, New York proposed, but did not enact, the Juvenile Justice Accountability and Procedural Reform Act, that would have opened delinquency hearings to the public.

None of the proposed Georgia, Maryland, or New York legislation has yet been enacted.