

1 because it felt, “the transcript is clear, and no clarification is necessary.”

2 Under Welfare and Institutions Code § 827, the juvenile court is vested with the exclusive
3 authority under California law, to determine when and to whom juvenile records may be disclosed and
4 how disclosed records may be used. However, of course, § 827 does not bind this Court; rather, the
5 use of these records is a discovery issue and manifest unfairness would result if all parties to this
6 action do not have access to the same evidence. Moreover, the Court cannot conceive of how the
7 juvenile court would have been justified in providing juvenile records only to one party to an action
8 and withholding it from the others. Thus, the Court concludes that the juvenile court’s recent order
9 denying clarification can *only* mean that the juvenile court has already permitted the disclosure of
10 these records.² Thus, the Court **ORDERS**:

11 1. **No later than May 5, 2017**, counsel for Mr. Navejar **SHALL** provide copies of all
12 juvenile records at issue and to which other counsel have not been privy;

13 2. Counsel and the parties may use these records *only* in connection with this litigation,
14 unless they seek and are granted a further order of this Court. They **SHALL** take steps to preserve
15 their confidentiality otherwise;

16 3. In the event that any party wishes to supplement their exhibit or witness list due *only* to
17 information gained from these newly disclosed records, they may file a request to do so **no later than**
18 **May 19, 2017**;

19 4. The Clerk of the Court is **DIRECTED** to file the juvenile court minute order on the
20 Court’s docket under **SEAL**.

21
22 **IT IS SO ORDERED.**

23 Dated: **April 28, 2017**

/s/ Jennifer L. Thurston
24 UNITED STATES MAGISTRATE JUDGE

25
26
27 _____
28 ² This conclusion is bolstered further by the juvenile court’s reference to “a depository protocol,” which would make sense only if the court authorized the disclosure of records to the other parties.