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# CINA Rule 9(b)

## What is a CINA Rule?

Remember CINA stands for Child In Need of Aid which is the special name for court cases about kids in state custody. CINA rules are a type of law that helps the court make sure everyone is treated fairly and that they know what to expect in court.

## Why CINA Rule 9(b)?

This law was created so kids can talk to their therapists without worrying that what they are telling the therapist will be shared with others.

When you talk to your therapist or counselor about what you are feeling or thinking the therapist will usually keep a record of this. These records are your mental health records and are considered private.



## How does CINA Rule 9(b) work?

At the court hearings involving your case the judge needs information about you in order to make good decisions about what will happen to you. Your mental health records are private, but other people may want the judge to have information from your records to help the judge make a good decision.

CINA Rule 9(b) says if you are 12 years and older, you should talk to your guardian ad litem or lawyer and decide whether you want to share any of your records. You may want to talk to your therapist about this, too. (The chart on the back can help you decide what part of your records might be okay to share.)

If you are under 12 years old your guardian ad litem will decide, after talking with you, if your mental health records need to be shared.

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## What does the judge do if someone wants to see your records?

If someone else wants to see your records and you don't agree, they have to ask the judge and give an important reason why they want them. The judge would like to protect your privacy, but in some special cases the judge may agree that the reason to share your records is important. If so, the judge will:

- 1 Look at the records in private and then decide to share them or not.
- 2 If the judge decides to share information from your records the judge can limit what is shared and who gets to see them.

If the judge decides it is necessary to share private information about you, it is because your safety is more important. However, the judge is required to share as little as possible in order to protect your relationship with your therapist.

## Things you could talk about with your therapist

Attendance/Issues working on

Personal life/abuse/notes

General and Public

Specific and Personal

Might be okay to share

Might not want to share

1

10

5

What is your comfort level ?



# A Kid's Guide to CINA Rule 9(b)

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