

Note from the Attorney General's Office:

1991 Op. Att'y Gen. No. 91-003 was clarified
by 2007 Op. Att'y Gen. No. 2007-025.

OPINION NO. 91-003**Syllabus:**

1. Pursuant to R.C. 5153.17, the county prosecuting attorney may release information contained in a public children services agency's child abuse or neglect investigation file only with the written permission of the public children services agency executive secretary.
2. Pursuant to R.C. 5153.17, a public children services agency executive secretary may grant written permission for access to child abuse or neglect investigation records for good cause.
3. "Good cause," for purposes of R.C. 5153.17, may be shown to exist where the best interests of the child require the release of information contained in a public children services agency's child abuse or neglect investigation records or where denial of due

process of law to one accused of child abuse or neglect would result from a refusal to grant access to such records.

4. Child abuse and neglect investigation records maintained by public children services agencies do not constitute "public records" within the meaning of R.C. 149.43 to which the right of public access attaches. Records of child abuse or neglect investigations under R.C. 2151.421(H)(1) and R.C. 5153.17 are "records the release of which is prohibited by state law" under R.C. 149.43(A)(1).
5. Pursuant to R.C. 2151.141, when a complaint alleging abuse, neglect, or dependency of a child is filed under R.C. 2151.27, a request directed to a public children services agency or the prosecuting attorney for "any records related to the child" must be granted or denied by following the procedures set forth in R.C. 2151.141.

To: Pamela S. Hyde, Director, Ohio Department of Human Services, Columbus, Ohio

By: Anthony J. Celebrezze, Jr., Attorney General, January 11, 1991

I have before me your predecessor's letter requesting my opinion concerning the confidentiality of records of the investigations performed by a public children services agency (PCSA) into allegations of abuse and neglect of children. The specific question¹ is:

Would the prosecutor's office, without written permission of the PCSA executive secretary pursuant to ORC 5153.17, have authority to allow the subject of the information to inspect the PCSA records?

In order to address this question, I must first briefly examine the Ohio statutory scheme regarding child abuse and neglect investigations to determine the role of the county prosecuting attorney.

The term "public children services agencies" means "a children services board or a county department of human services that has assumed the administration of the children services function prescribed by Chapter 5153. of the Revised Code." R.C. 2151.011(A)(26); *see also* 1989 Op. Att'y Gen. No. 89-084 (children services boards and county departments of human services performing children services functions are PCSA's); R.C. 5153.04 (county children's home in existence on January 1, 1946 whose board of trustees has not transferred its powers and duties to a county department of human services has all the powers and duties of a children services board). The children services functions detailed in R.C. Chapter 5153 include making investigations "concerning any child reported to be in need of care, protection, or service." R.C. 5153.16(A). This broad authority is executed, in part, pursuant to the mandate of R.C. 2151.421(F), the pertinent provisions of which require that:

The county department of human services or children services board shall investigate, within twenty-four hours, each report of known or suspected child abuse or child neglect and of a known or suspected threat of child abuse or child neglect that is referred to it under this section to determine the circumstances surrounding the injuries, abuse, or neglect or the threat of injury, abuse, or neglect, the cause of the injuries, abuse, neglect, or threat, and the *person or persons responsible*. (Emphasis added.)

¹ Your predecessor's request for my opinion originally included a second question, which was subsequently withdrawn.

R.C. 2151.421(F) also requires the investigation to be made in cooperation with the local law enforcement agency. Thereafter, the PCSA shall submit a report of its investigation to the law enforcement agency and "make any recommendation to the county prosecutor or city director of law it considers necessary to protect any children that are brought to its attention." R.C. 2151.421(F); *see also* R.C. 2151.421(J) (initial plan of cooperation setting forth the normal operating procedure to be employed in execution of R.C. 2151.421 to be filed with the juvenile court and the department of human services).

The county prosecuting attorney's role in child abuse and neglect cases is to represent the PCSA. *See* R.C. 309.09(A) (the "prosecuting attorney shall be the legal advisor of...all...county ...boards...[and] shall prosecute and defend all suits and actions which any such...board directs or to which it is a party"); 1989 Op. Att'y Gen. No. 89-015, at 2-69 ("[a]s I discussed in Op. No. 88-094, since a county department of human services is a county board within the meaning of R.C. 309.09(A), 1987 Op. Att'y Gen. No. 87-090, the prosecuting attorney is the board's legal advisor" (footnote omitted)); 1986 Op. Att'y Gen. No. 86-036, at 2-189 ("I note that a county children services board...is a county board to which the provisions of...R.C. 309.09 apply"). Additionally, R.C. 2151.40, in pertinent part, requires:

On the request of the judge, when the child is represented by an attorney, or when a trial is requested the prosecuting attorney shall assist the court in presenting the evidence at any hearing or proceeding concerning an alleged or adjudicated delinquent, unruly, *abused*, *neglected*, or dependent *child* or juvenile traffic offender. (Emphasis added.)

Thus, read together, R.C. 309.09(A), R.C. 2151.40 and R.C. 2151.421 impose upon the prosecuting attorney the duty to prosecute child abuse and neglect cases.

Your predecessor's question pertains to the access permitted to PCSA records. As I noted in 1990 Op. Att'y Gen. No. 90-007, the confidentiality of a particular record may depend upon the terms of relevant statutory provisions. At syllabus paragraph one, I stated that:

Where a provision of state or federal law prohibits the release of information in a record kept by the Department of Human Services, a county department of human services or a children services board, the terms of that provision control to whom and under what circumstances the record may be released.

Access to PCSA investigation records is controlled primarily by R.C. 5153.17, which states:

The county children services board or county department of human services shall prepare and keep written records of investigations of families, children, and foster homes, and of the care, training, and treatment afforded children, and shall prepare and keep such other records as are required by the department of human services. Such records shall be confidential, but shall be open to inspection by the board or department of human services, the director of the county department of human services, and by other persons, upon the written permission of the executive secretary.

See also 8 Ohio Admin. Code 5101:2-34-38 (each report and investigation of alleged child abuse or neglect is confidential and may be shared only as authorized therein).

While R.C. 5153.17 requires that "[s]uch records shall be confidential," the statute specifically authorizes access to the PCSA, the department of human services, the director of the county department of human services and other persons, upon the written permission of the executive secretary. Your predecessor specifically asked whether the county prosecutor may, without written permission of the PCSA executive secretary pursuant to R.C. 5153.17, allow the subject of the information to inspect the PCSA records of a child abuse or neglect investigation. The confidential treatment of those records is governed by the terms of R.C.

5153.17. See *State ex rel. Renfro v. Cuyahoga County Dept. of Human Services*, 54 Ohio St. 3d 25, 29, 560 N.E.2d 230, 234 (1990) (R.C. 5153.17 makes the records of a county department of human services, including child abuse investigation records, confidential, but "the confidentiality promised by R.C. 5153.17 is not absolute"). Although R.C. 5153.17 includes *other persons* who are not officials or employees of the PCSA within the circle of persons permitted to inspect the records, such access must be granted through the PCSA executive secretary. R.C. 5153.17, by its express terms, therefore, restricts the access of those persons not specifically enumerated therein to those *other persons* who have the permission of the PCSA executive secretary; persons who do not have such permission are excluded. In order for the prosecuting attorney to allow the subject of a PCSA investigatory record to inspect such record, the prosecuting attorney would first be required to obtain permission from the PCSA executive secretary pursuant to R.C. 5153.17. Thus, if the executive secretary refuses to permit the subject of the PCSA record to inspect the record, the prosecuting attorney lacks authority to grant such access.

While the decision to release PCSA child abuse and neglect investigation records is in the discretion of the PCSA executive secretary, R.C. 5153.17 does not set forth standards for making such decisions. When a specific provision of law directs that a duty be performed but fails to direct how the duty is to be executed, it may be carried out in any reasonable manner. See, e.g., *State ex rel. Hunt v. Hildebrant*, 93 Ohio St. 1, 112 N.E. 138 (1915), *aff'd*, 241 U.S. 565 (1916); *Jewett v. Valley Ry. Co.*, 34 Ohio St. 601 (1878). It is, therefore, necessary to determine under what circumstances a PCSA may reasonably refuse to allow inspection of PCSA child abuse or neglect records.

The PCSA "executive secretary is directed by statute to grant permission for good cause, considering the directive of confidentiality." *In re Trumbull County Children Services Bd.*, 32 Ohio Misc. 2d 11, 513 N.E.2d 360, 361 (C.P. Trumbull County 1986). The "good cause" test espoused by *In re Trumbull County Children Services Bd.* must be applied to protect the subjects of the investigation, both the child and those accused of abuse or neglect.

"Good cause" for the child is determined by applying a "best interests" of the child test. 8 Ohio Admin. Code 5101:2-34-38(F) (a PCSA director or the executive secretary may authorize the release of information "that is believed to be in the best interest of: (1) an alleged child victim,...(2) any child residing. or participating in an activity, at an out-of-home care setting where a report has been made alleging child abuse or neglect; or (3) a child who is an alleged perpetrator". The "best interests" test is comparable to that utilized in other juvenile law matters. See, e.g., *State ex rel. Dispatch Printing Co. v. Solove (In re T.R.)*, 52 Ohio St. 3d 6, 18, 556 N.E.2d 439, 451 (1990) ("[w]hile the public's interest in access is important and deserving of protection, the state also has a compelling interest in the protection of children"); *State v. Young*, 37 Ohio St. 3d 249, 257, 525 N.E.2d 1363, 1372 (1988), *rev'd on other grounds, sub. nom. Osborne v. Ohio*, ___ U.S. ___ (1990) ("[t]he State has a compelling interest in the protection of children"); R.C. 2151.141(B)(2); 1987 Op. Att'y Gen. No. 87-105, at 2-702 (the "rule that a child may not be removed from his home unless such removal would serve the best interests of the child is consistent with a long line of Ohio case law"); W. Kurtz & P. Giannelli, *Ohio Juvenile Law* 167 (2d ed. 1989) ("primary consideration in the disposition of all children's cases is the best interests and welfare of the child"); R.C. 2151.01. "Best interests" is, similarly, a main justification for confidentiality protections in child abuse and neglect investigations. Confidentiality in such cases is believed to serve the child's best interest by fostering greater therapeutic success through more effective caseworker relationships and delivery of services. Moreover, greater willingness on the part of the public to report abuse and neglect incidents will result if anonymity is retained. See R. Levine, *Access to "Confidential" Welfare Records in the Course of Child Protection Proceedings*, 14 J. Family L. 535 (1975-76).

A determination of what constitutes "good cause," as applied to one accused of abuse or neglect, must also be made. In order to protect the due process rights of the accused, access to PCSA child abuse and neglect investigation records may be required to be granted. For example, due process includes the right to a fair trial. See, e.g., *Davis v. Trumbull County Children Services Bd. (In re Barzak)*, 24 Ohio App. 3d 180, 493 N.E.2d 1011 (Trumbull County 1985). In *Barzak*, where fair trial considerations were directly implicated, the court of appeals reversed a juvenile

court's finding of dependency, in part, because a fair trial was denied where the parents were refused meaningful access to the PCSA records about allegations of dependency. Finding that limited access was required, the court stated that "[w]hile recognizing the sensitive nature of child abuse reports and investigations, counsel for appellants should have had reasonable access to the files in order to use the parts which were relevant to the issues being presented to the court." *Id.*, 24 Ohio App. 3d at 184, 493 N.E.2d at 1016.

The right of access recognized by the *Barzak* court, however, is carefully limited, standing for the proposition that *counsel for a party* in a child abuse, neglect or dependency judicial determination may have reasonable access to those parts of the records relevant to the preparation and prosecution of that party's defense. Any significant preclusion of access to information before trial may hinder the defendant's opportunity for cross-examination at trial, and, thus, violate the U.S. Constitution's Confrontation Clause. See *Kentucky v. Stincer*, 482 U.S. 730, 738 n.9 (1987). This access to discover exculpatory evidence, however, "does not include the unsupervised authority to search through the [government's] files." *Pennsylvania v. Ritchie*, 480 U.S. 39, 59-60 (1987). Moreover, the fair trial right "can be protected by requiring that the...files be submitted only to the trial court for an *in camera* review." *Ritchie* at 60. See also Ohio R. Civ. P. 26; Ohio R. Civ. P. 34; Ohio R. Civ. P. 37; Ohio R. Crim. P. 16; Ohio R. Juv. P. 24; Op. No. 90-007; Op. No. 89-084.

In summary, I find that access to child abuse and neglect records permitted by R.C. 5153.17 is restricted to those who are charged with the administration of Ohio's child abuse and neglect laws, but may include other persons whom the executive secretary of the PCSA determines have "good cause" to have access to the records. When it is in the best interests of the child or when the due process rights of other subjects of the record are implicated, good cause may exist to require access to the records.

I note, additionally, that the "good cause" determination does not run to the benefit of the PCSA. Instead, the nondisclosure protection runs to the individuals who are the subject of the file. Therefore, the PCSA may not determine that a record is confidential for the purpose of protecting the PCSA itself. See *Ohio Civil Rights Comm'n v. Campbell*, 46 Ohio App. 2d 110, 345 N.E.2d 438 (Franklin County 1975); Op. 90-007; D. Hazelhorn, *In re Barzak: Access to Children Services Board Files*, 19 Akron L.R. 237 (1985).

Because R.C. 5153.17 is not the sole statute directly conferring confidentiality upon PCSA child abuse and neglect records, a brief review of R.C. 2151.421 is required. As I stated in 1989 Op. Att'y Gen. No. 89-108, at syllabus one, "R.C. 2151.421 sets forth a comprehensive scheme for the reporting of allegations of child abuse and neglect and threats of child abuse and neglect and for the investigation of such reports by public children services agencies." Reporting is mandated for various professionals enumerated in R.C. 2151.421(A), while R.C. 2151.421(B) encourages the reporting of abuse or neglect of a child by anyone who knows of or suspects such abuse or neglect. Reports are to be made to a PCSA or a municipal or county peace officer, who shall refer the report to the appropriate PCSA. R.C. 2151.421(D). The PCSA then investigates the circumstances surrounding the child in cooperation with the law enforcement agency. R.C. 2151.421(F). A report is also filed with the central registry of such reports maintained by the state department of human services. *Id.* The PCSA recommends to the law enforcement agency and to the county prosecutor or city director of law the legal actions considered necessary to protect any children brought to its attention. *Id.* In appropriate cases, judicial proceedings result from reports made under R.C. 2151.421. R.C. 2151.421(G) and (I). The juvenile court has exclusive original jurisdiction concerning any child who is alleged to be abused, neglected or dependent and to hear and determine all criminal cases charging adults with child abuse or neglect. R.C. 2151.23. See also R.C. 2151.43; R.C. 2151.44.

Necessarily implicated as part of the jurisdiction over a class of cases is the right of access to the evidence presented regarding such cases. See generally R.C. 2151.40 (presentation of evidence of abuse or neglect). The county prosecuting attorney and every county official and department are required to render "all assistance and co-operation within [their] jurisdictional power which may further the

object of sections 2151.01 to 2151.54 of the Revised Code." *Id.* Records of child abuse or neglect properly kept under the jurisdiction of R.C. Chapter 2151 are, thus, to be made available to the juvenile court in the context of child abuse and neglect cases. Inherently, as part of the adjudication process, the juvenile court and the county prosecuting attorney have access to child abuse and neglect records maintained by a PCSA. In order to comply with the reporting scheme set forth in R.C. 2151.421, the following officers, therefore, have access to reports of child abuse and neglect: the appropriate PCSA, county and municipal law enforcement agencies taking, referring or cooperating in the investigation of a report, the Ohio department of human services, the county prosecuting attorney or city director of law, and the juvenile court for cases brought before it.

Although R.C. 2151.421 allows access to child abuse or neglect reports to those persons with duties to administer R.C. 2151.421, R.C. 2151.421(H)(2) states that "[n]o persons shall permit or encourage the *unauthorized* dissemination of the contents of any report made under this section." The confidentiality granted by R.C. 2151.421(H)(2), thus, excludes all but those persons statutorily required to have access. R.C. 2151.421(H)(2), therefore, allows access to those persons permitted access by R.C. 2151.421 or other statute, including R.C. 5153.17. To the extent that "good cause" exists requiring a PCSA executive secretary to grant access to a person accused of child abuse or neglect under R.C. 5153.17, such person is not an "unauthorized" person under R.C. 2151.421 to whom dissemination is prohibited.

The access allowed to persons accused of child abuse or neglect by R.C. 2151.421 is further implemented by R.C. 2151.421(I), which requires the Ohio department of human services to "exercise rule-making authority under Chapter 119 of the Revised Code to aid in the implementation of [R.C. 2151.421]." Pursuant to this mandate, the department has promulgated 8 Ohio Admin. Code 5101:2-34-38. Among the persons authorized to receive information contained in a PCSA record are the principals of the case. Rule 5101:2-34-38(D)(1). The rule, however, limits the dissemination of information "to inform them of: (a) the allegations contained in the report; (b) the disposition of the investigation." *Id.* Inasmuch as R.C. 2151.421 does not authorize the accused access to child abuse and neglect records, other statutory authority must exist in order for rule 5101:2-34-38(D)(1) to be valid. In keeping with the rule that statutory provisions concerning the same subject matter should be construed *in pari materia*, or together and harmoniously, to give full effect to the provisions, *see Bobb v. Marchant*, 14 Ohio St. 3d 1, 469 N.E.2d 847 (1984), R.C. 5153.17 must be read in conjunction with R.C. 2151.421. R.C. 5153.17, which may require a PCSA executive secretary to grant access to PCSA records to a person accused of child abuse or neglect, would appear to provide the authority for rule 5101:2-34-38(D)(1), when read *in pari materia* with R.C. 2151.421.

Rule 5101:2-34-38(B)-(C) prohibits the release of the identity of the reporter or any person providing information in a report of child abuse or neglect or during the course of the investigation of the report except to Ohio department of human services staff with supervisory responsibility for children's protective services, law enforcement officials conducting an investigation into the current report of alleged abuse or neglect, or any PCSA participating in or conducting an investigation of a child abuse or neglect report. While due process rights of the accused may be implicated in a denial of access to the identity of the reporter or any person providing information about the alleged abuse or neglect, I need not address the validity of Rule 5101:2-34-38 in that regard. The rule itself acknowledges that the identities of the reporter and information sources may be revealed through "a subpoena for judicial testimony...if court intervention is deemed necessary." Rule 5101:2-34-38(B) and (C). The rule, thus, contemplates judicial review under *Ritchie*, Ohio R. Civ. P. 26, Ohio R. Civ. P. 34, Ohio R. Civ. P. 37, Ohio R. Crim. P. 16 and Ohio R. Juv. P. 24. Rule 5101:2-34-38 does not, therefore, totally preclude the accused's right of access to the information.

Further, if a complaint alleging abuse, neglect, or dependency of a child is filed pursuant to R.C. 2151.27, R.C. 2151.141 establishes a detailed procedure to be followed when "any records related to the child" are requested from a PCSA or the prosecuting attorney. The PCSA or the prosecuting attorney shall honor the request unless "it is prohibited by law from complying with the request, the request does not comply with [R.C. 2151.141], or a complaint has not been filed with respect to the child who is the subject of the requested records." R.C. 2151.141(B)(1). If the PCSA

or prosecuting attorney determines it is unable to comply with the request, the PCSA or prosecuting attorney shall file a motion with the court requesting a determination of the extent to which compliance with the request is required. *Id.* Alternatively, the prosecuting attorney who receives a request may file a request for a protective order. R.C. 2151.141(B)(2).

The terms of R.C. 2151.141 are applicable, however, only "[i]f a complaint [has been] filed with respect to a child pursuant to section 2151.27 of the Revised Code alleging that a child is an abused, neglected, or dependent child." By its express terms, the procedure governing requests for access to records of a PCSA or prosecuting attorney is limited to cases where a complaint pursuant to R.C. 2151.27 is filed. In all other cases it is inapplicable. While R.C. 2151.141 carefully sets out the procedures to be followed in requesting certain child abuse and neglect records kept by a PCSA or county prosecutor, R.C. 2151.141 must not be viewed as a statute that grants either greater or lesser rights of access than already provided by law. The statute does not make child abuse and neglect records either confidential or public records. R.C. 2151.141(D) (R.C. 2151.141 is not to be construed to authorize the release of records "if the dissemination of the records or information generally is prohibited by any provision of the Revised Code and a specific provision of the Revised Code does not specifically authorize or permit the dissemination of the records or information pursuant to this section [R.C. 2151.141].")

In any discussion analyzing access to governmentally held information by a member of the public, including a member of the public who is the subject of that information, it is also necessary to examine R.C. 149.43 and related sections. While the public has a broad right of access to most governmentally held information under R.C. 149.43(B) ("[a]ll public records shall be promptly prepared and made available for public inspection to any person at all reasonable times during regular business hours"), R.C. 149.43(A)(1), among other exceptions, specifically exempts "records the release of which is prohibited by state or federal law" from the definition of "public record." Inasmuch as R.C. 2151.421(H)(1) and R.C. 5153.17 both make child abuse and neglect records confidential, they are not public records to which the right of public access attaches. The Ohio Supreme Court, after expressly discussing R.C. 2151.421(H), ruled that PCSA investigation reports are not public records. *Renfro*, 54 Ohio St. 3d at 27, 560 N.E.2d at 233. Since specific statutory provisions make the records confidential, I need not examine the application of the other exceptions in R.C. 149.43(A)(1), but I note in passing that the trial preparation records and confidential law enforcement records exceptions may also apply in limited circumstances. See R.C. 149.43(A)(2); R.C. 149.43(A)(4). Accordingly, records generated in child abuse and neglect investigations by PCSA and county prosecutor's offices are not public records under R.C. 149.43.

It is also necessary to examine the application of R.C. Chapter 1347, the Personal Information Systems Act. R.C. Chapter 1347 governs the keeping of personal information systems by Ohio state and local government agencies. It regulates the collection, maintenance and use of personal information. "Personal information," as defined by R.C. 1347.01(E), is "any information that describes anything about a person, or that indicates actions done by or to a person, or that indicates that a person possesses certain personal characteristics, and that contains, and can be retrieved from a system by, a name, identifying number, symbol, or other identifier assigned to a person." See Op. No. 90-007; Op. No. 89-084; 1980 Op. Att'y Gen. No. 80-096. With limited exceptions, one of which is provided by R.C. 1347.04(A)(1)(e) for "investigatory material compiled for law enforcement purposes," R.C. 1347.08 grants to the subject of the information in a personal information system the right to inspect the information. *Renfro*, 54 Ohio St. 3d at 27, 560 N.E.2d at 233 (also n.2); Op. 90-007; Op. 89-084; Op. 80-096. R.C. 1347.08 grants access even if the information is not a *public record* under R.C. 149.43. Op. 90-007; R.C. 149.43(D); R.C. 1347.04(B).

Whether PCSA child abuse and neglect records are subject to the disclosure provisions of R.C. Chapter 1347 is a determination I made in Op. No. 89-084, at 2-401. Therein, I stated my opinion that:

Child abuse and neglect investigatory records maintained by public children services agencies constitute "investigatory material compiled for law enforcement purposes" within the meaning of R.C.

1347.04(A)(1)(e). Personal information systems that are comprised of such records are, pursuant to R.C. 1347.04(A)(1)(e),...exempt from the provisions of R.C. Chapter 1347.

My conclusion was validated by the *Renfro* case, 54 Ohio St. 3d at 28, 560 N.E.2d at 233. Therein the Ohio Supreme Court further stated that the child abuse "investigation report is entirely exempt from the disclosure required by R.C. 1347.08(A)(2)." *Id.* 54 Ohio St. 3d at 29, 560 N.E.2d at 234. Therefore, R.C. 1347.08 is inapplicable to an analysis of the rights of a person who is the subject of a record to inspect such information.

Therefore, it is my opinion, and you are hereby advised that:

1. Pursuant to R.C. 5153.17, the county prosecuting attorney may release information contained in a public children services agency's child abuse or neglect investigation file only with the written permission of the public children services agency executive secretary.
2. Pursuant to R.C. 5153.17, a public children services agency executive secretary may grant written permission for access to child abuse or neglect investigation records for good cause.
3. "Good cause," for purposes of R.C. 5153.17, may be shown to exist where the best interests of the child require the release of information contained in a public children services agency's child abuse or neglect investigation records or where denial of due process of law to one accused of child abuse or neglect would result from a refusal to grant access to such records.
4. Child abuse and neglect investigation records maintained by public children services agencies do not constitute "public records" within the meaning of R.C. 149.43 to which the right of public access attaches. Records of child abuse or neglect investigations under R.C. 2151.421(H)(1) and R.C. 5153.17 are "records the release of which is prohibited by state law" under R.C. 149.43(A)(1).
5. Pursuant to R.C. 2151.141, when a complaint alleging abuse, neglect, or dependency of a child is filed under R.C. 2151.27, a request directed to a public children services agency or the prosecuting attorney for "any records related to the child" must be granted or denied by following the procedures set forth in R.C. 2151.141.