

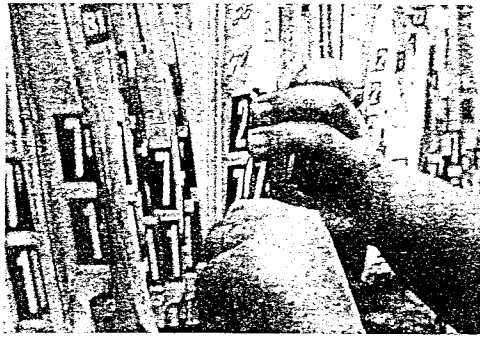
Superior Court of California
County of Los Angeles



**INFORMATION
GUIDE
TO
SEALING JUVENILE
RECORDS**

**INFORMATION
GUIDE**

**SEALING JUVENILE
RECORDS**



PETITIONS
PURSUANT TO
WELFARE AND
INSTITUTIONS CODE
SECTIONS 781 AND
389

**This guide is intended as an information tool to assist you. It is not legal advice and a court might rule differently from that suggested in this guide. Please consult with a legal professional for additional and more detailed information.*

WHAT ARE MY JUVENILE RECORDS?

The Los Angeles Juvenile Court system is made up of three divisions:

- ❖ **Dependency-** cases involving youth who have been abused, abandoned, or neglected.
- ❖ **Delinquency-** cases involving youth under the age of 18 who are alleged to have committed a crime or who are alleged to be habitually disobedient, truant, or beyond the control of a parent.
- ❖ **Former Informal Juvenile and Traffic Courts** – cases that were issued prior to June 30, 2012, involving traffic violations and other minor offenses including: loitering, curfew violations, defacing property, etc.

You may have juvenile records from proceedings in one or more of these divisions that are eligible to be sealed. To seal dependency records, please file the petition in dependency court. To seal delinquency records or delinquency and former informal juvenile and traffic court records, please file your petition in delinquency court. To seal former informal juvenile and traffic court records only, please file your petition at Eastlake Juvenile Court.

WHAT ABOUT DEJ CASES?

If you were granted Deferred Entry of Judgment in a delinquency case and successfully completed the program, the charges, in that case only, should have been automatically dismissed and the records ordered sealed. However, any other charges in delinquency, former informal juvenile and traffic, and dependency court were not sealed.

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BENEFITS OF SEALING

- ✓ No person or entity will be able to view your records without your consent.
- ✓ All records held by the court, probation, the district attorney, and law enforcement are ordered sealed.
- ✓ Sealed proceedings are deemed to not have occurred. This means that you are authorized by law to say that you were never arrested or convicted of those crimes.
- ✓ You can be relieved of having to register as a sex offender under Penal Code Section 290.
- ✓ Not having your records sealed can affect your ability to obtain employment, enlist in the armed forces, and obtain credit and financial aid.

WHERE CAN I PICK UP A PETITION TO SEAL MY JUVENILE RECORDS?

Once you determine whether you need to seal your dependency and/or delinquency and former informal juvenile and traffic court records, you can pick up the appropriate application form at any courthouse in Los Angeles County that handles juvenile cases. Ask the clerk for a “Petition to Seal Juvenile Records Packet.” Please specify whether you need a form to seal dependency or delinquency and former informal juvenile and traffic court cases or both. You may also download the forms from the Los Angeles County Superior Court website at www.lasuperiorcourt.org/juvenile.

WILL THE COURT APPOINT AN ATTORNEY FOR MY SEALING HEARING?

No. The court will not provide an attorney to represent you at the sealing hearing. However you can contact the following non-profit law firms for assistance:

The Alliance for Children’s Rights
(213) 368-6010
Public Counsel Law Center
(213) 385-2977

WHAT IS THE PROCESS FOR SEALING
MY JUVENILE RECORDS?

- ❖ Fill out the petition and file it at the appropriate court(s):

Dependency Cases ONLY:

- File the petition at Edelman Children's Court in Monterey Park.

Delinquency and Former Informal Juvenile and Traffic Court Cases:

- List all the cases on one petition.
- File the petition at the juvenile delinquency court that heard your most recent case.

Former Informal Juvenile and Traffic Court Cases ONLY:

- File the petition at Eastlake Juvenile Court located at 1601 Eastlake Avenue, Room J, in Los Angeles.

Note: There may be a fee to file a petition to seal your records.

- ❖ Once the appropriate court receives your petition and obtains your juvenile file(s) from archives, it will set a date to hear your case. You will receive a "Notice of Hearing" in the mail.
- ❖ At the hearing, the court will review your petition as well as any reports filed by you, Probation, or the Dept. of Child and Family Services (DCFS). It may also hear testimony from you, the District Attorney, Probation, DCFS, or any other person who has evidence to present.
- ❖ After the Court has heard all the evidence, it will decide to either grant or deny your petition to seal your juvenile records.
- ❖ If the court denies your petition, you may be eligible to reapply at a later date.
- ❖ If the court grants your petition, it will seal your court records. The court will also send a copy of the order sealing your records to all agencies and persons named in the order instructing them to seal their records, except DMV which will only be notified of the sealing.
Note: Agencies may vary in how long they take to seal their files.

AM I ELIGIBLE TO SEAL MY JUVENILE RECORDS?

Dependency

You can petition to seal your dependency records any time after you turn 18 or at least five years after your juvenile dependency case was closed.

NOTE: *Only your records will be sealed not those of any other children that are included in your file.*

Delinquency & Former Informal Juvenile Traffic

You can petition to seal your delinquency or Informal Juvenile Traffic Court records if you meet the following criteria:

- ✓ You are 18 or older and your case has been terminated or dismissed or it has been five years since your case was terminated or dismissed.
- ✓ You can show that you have been “rehabilitated.”
- ✓ You can show that your case only took place in juvenile court.
- ✓ You do not have an open civil suit relating to your juvenile case.
- ✓ You have not been found to have committed a WIC 707(b) offense after you turned 14 (such as murder, arson, robbery, and violent felonies).
- ✓ As an adult, you have not been convicted of a felony or misdemeanor involving moral turpitude (such as theft, fraud, sex or drug-related).