



Sealing Juvenile Records

Juvenile tickets can turn into credit problems if they are not taken care of right away. And, the DMV can refuse to issue you a driver's license if you do not clear up the tickets. These tickets include traffic offenses and other status offenses, such as loitering, curfew, evading fare on the Metro, defacing property, etc. The fines on these tickets may be converted to community service by the Court.

What are my "Juvenile Records"?

The documents and Court Orders in your juvenile court file which relate to your case. Some juvenile records might also be kept by the Probation Department, the Police or the District Attorney.

What does it mean to Seal my Juvenile Records?

"**Sealing**" means that records held by the police, the court, the District Attorney, and/or Probation will be treated as if they never existed. If someone asks about a "sealed" case, the law says the agency has to answer "there is no record of that matter." When a matter is "sealed" you can say you were never arrested or adjudicated for that case. Sealing your record lets you start with a clean slate.

Note: A juvenile "adjudication" is not the same as a "conviction". If you are asked on a job application if you were "convicted" of a crime, the truthful answer is "no" even if you have not sealed your record. However, felonies are public information and, therefore, an employer will be able to see any felony on your record.

Note: Once your record is sealed by the court, you can say you have **never been arrested** of a crime. However, if your record is *not* sealed, you must answer yes.

Am I Eligible to Seal my Juvenile Record?

YES if: You are 18 years old or you are not 18 years old but 5 years have passed since your probation ended. (Example: You finished probation at age 12 and you're now 17)

You have not been convicted of a felony or a "Crime of Moral Turpitude" since your last arrest or termination of probation. Moral Turpitude means a crime that is contrary to community standards for morals or honesty. For example, crimes involving fraud, theft, or drugs are considered crimes of moral turpitude.

You have paid all fines and restitution owed to the court as an adult or juvenile Your case began and ended in Juvenile Court.

AND: There is no civil litigation regarding your Juvenile Court case.

NO if: You were at least 14 years old **and** adjudicated for a Welfare and Institutions Code 707(b) offense (a list is attached).
You cannot seal traffic matters or metro/parking tickets.

How Do I Seal my Records?

¹ *On January 1, 2015 SB 1038 went into effect - which revised section 786 of the Welfare and Institutions code. The revised code says that if a minor completes the terms of his/her probation, then any petition for a crime OTHER than one listed in Welfare and Institutions Code section 707(b) shall be dismissed and the records pertaining to that petition shall be sealed.*

Step One: Get Your Rap Sheet/Arrest Record

The first thing you will need to do is get your RAP (Record of Arrests and Prosecutions) sheet (also known as your arrest record).

You can obtain this in a few ways

- 1) Go to the Eastlake Juvenile Court Clerk's office OR the Juvenile Court that handled your case and ask for your Arrest Record/RAP sheet.
 - a. Remember to bring your ID!
- 2) Call your former Probation Officer (PO), and ask if he/she can access it for you
- 3) Call your former Public Defender (PD), and ask if he/she can access it for you

Step Two: Obtain A Sealing Records Petition

In Los Angeles County, the Petition can be requested by mail or in person. Send a written request and a self-addressed stamped envelope to:

Eastlake Juvenile Court Clerk, Attn:
Sealing Desk 1601 Eastlake
Avenue, Room J

Los Angeles, CA 90033-1094

You can also go to the Court Clerk's office at Eastlake in person and request a petition. Sometimes, this is easiest, as you may want to go there to get your RAP sheet/Arrest Record as well.

Step Three: Fill Out the Sealing Records Petition

Once you have the petition, use your RAP sheet/Arrest record to fill it out. To fill out the Petition, you will need the following information which should be on the RAP sheet:

1. Case Number
2. JAI Number
3. Date of Arrest
4. Arresting Agency (LAPD, LA Sherriff, Pasadena PD, etc.)
5. Violation (PC 594, HS11550, VC 23152, etc.)
6. Disposition (HOP, SP, CCP, YA, etc.)

On pages 5 and 6, you will find a sample RAP sheet/Arrest Record and a sample petition. The top part of the petition requests basic information. Below that you will list all of the charges, with the dates, arresting agency, and disposition. The disposition is not always clear from your RAP sheet/Arrest Record, so you can leave that portion of the petition blank.

Step Four: File the Petition

Completed petitions should be hand-delivered (remember to keep a copy showing the date you filed the petition) to one of the following Juvenile Courts:

Eastlake 1601 Eastlake Ave. Los Angeles, CA 323.226.8927
Inglewood 110 E. Regent St. Los Angeles, CA 310.419.5267
Long Beach 275 Magnolia Ave Long Beach, CA 562.256.2312
Los Padrinos 300 E. Quill Dr. Downey, CA 562.940.8824
Pasadena 300 E. Walnut St. Pasadena, CA 626.356.5757
Pomona 400 Civic Center Pomona, CA 909.620.3037
Compton 200 W. Compton Blvd. Los Angeles, CA 310.603.7816
Sylmar 16350 Filbert St. Sylmar, CA 818.364.2108
Antelope Valley 1040 West Avenue J clerks office Rm 1157 Lancaster, CA 661.949.6501

Your petition will be handled in the court in which your hearings took place. If you had cases in multiple courts, you can submit your petition to seal at any of the above Juvenile Courts and your petition will be directed to the correct location.

Note: We have found that it is easiest to file at Eastlake Court, as they are very

familiar with the process.

I Filed my Petition, Now What?

The Clerk will schedule a date for the Judge to hear your Petition. It may take as long as a year for you to get a court date, particularly if your case is very old. You will be notified of the date by mail. It is **not** mandatory you attend, but if you can be there, you will have the opportunity to address any concerns which may be raised about your Petition. There may be no concerns raised, but unless you are there, you won't know. Some courts will know if your petition was granted at 4:15 PM the day before your hearing. Call and check!

It is **very important** to notify the court if you move!

If the court grants your Petition, your records will be sealed and all agencies which have evidence of your juvenile court history will be ordered to seal their records

Can my Records be Unsealed?

- Insurance companies are permitted by the California Department of Motor Vehicles (DMV) to look at these records and assess your insurance rates based on any past motor vehicle violations on your record.
- If you commit a crime that qualifies under California's "Three Strikes" law, your records can be unsealed and the information contained therein may be used to increase your sentence.
- If you file a suit against someone for "defamation of character", your records may be reviewed. This is because when you are claiming that someone defamed you – they have a defense if what they said is actually true. So, if they say that you are a bank robber, and you sue them for defamation, but you DID once rob a bank, then they have a defense. So, your sealed records can be checked.
- If you apply for employment with the government, these agencies will be able to access your records.

What if I'm Still on Probation as a Juvenile?

- You will not be able to seal your records until you have completed the terms of probation – but start talking to your Juvenile Public Defender (i.e. your attorney, PD) and your Probation Officer (PO) **now** about what the process will be for sealing your records under the new law that became effective in January 2015 (AB 1038).
- Also – ask whether it's possible for any of your charges to be lowered.

Important Contact Information

Compton Juvenile P.D. 310.603.7292	Eastlake Juvenile Court Clerk 323.226.8926	Inglewood Juvenile P.D. 310.419.5245
Sylmar Juvenile P.D. 818.364.2133	Lancaster Juvenile Court Clerk 661.949.6501	Pomona Juvenile P.D. 909.868.6404
Los Angeles Police Department 877.275.5273	Los Padrinos Juvenile Court Clerk 562.940.8823	Pasadena Juvenile P.D. 626.356.5464
	Arrest Record Requests: CA Dept. of Justice 916.227.3849	

Legal Resources**Alliance for Children’s Rights**

3333 Wilshire Blvd., Suite 550 Los Angeles, CA 90010

213.368.6010

www.kids-alliance.org

Wilshire-Metro Worksource Legal Assistance Program

3550 Wilshire Blvd., Suite 500 Los Angeles, CA 90010

213.365.9829

Homeboy Industries

130 W. Bruno St.

Los Angeles, CA 90012 323.526.1254

www.homeboy-industries.org

Public Counsel

610 South Ardmore Ave. Los Angeles, CA 90005 213.385.2977 ext. 700

www.publiccounsel.org

Who Does Not Qualify to Have Their Juvenile Records Sealed?

With few exceptions, you **cannot** seal your record if you have committed any one of

the following offenses when you were 14 or older:

- Murder.
- Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code.
- Robbery.
- Rape with force, violence, or threat of great bodily harm.
- Sodomy by force, violence, duress, menace, or threat of great bodily harm.
- A lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.
- Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
- An offense specified in subdivision (a) of Section 289 of the Penal Code.
- Kidnapping for ransom.
- Kidnapping for purposes of robbery.
- Kidnapping with bodily harm.
- Attempted murder.
- Assault with a firearm or destructive device.
- Assault by any means of force likely to produce great bodily injury.
- Discharge of a firearm into an inhabited or occupied building.
- An offense described in Section 1203.09 of the Penal Code.
- An offense described in Section 12022.5 or 12022.53 of the Penal Code.
- A felony offense in which the minor personally used a weapon described in any provision listed in Section 16590 of the Penal Code.
- A felony offense described in Section 136.1 or 137 of the Penal Code.
- Manufacturing, compounding, or selling one-half ounce or more of a salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.
- A violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which also would constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.
- Escape, by the use of force or violence, from a county juvenile hall, home, ranch, camp, or forestry camp in violation of subdivision (b) of Section 871 if great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape.
- Torture as described in Sections 206 and 206.1 of the Penal Code.
- Aggravated mayhem, as described in Section 205 of the Penal Code.
- Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.
- Kidnapping for purposes of sexual assault, as punishable in subdivision (b) of Section 209 of the Penal Code.
- Kidnapping as punishable in Section 209.5 of the Penal Code.
- The offense described in subdivision (c) of Section 26100 of the Penal Code.
- The offense described in Section 18745 of the Penal Code.
- Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code.

- See more at:

<http://codes.lp.findlaw.com/cacode/WIC/1/d2/1/2/17/s707#sthash.bWGQRzsJ.dpuf>

