

EL DORADO COUNTY PROBATION DEPARTMENT

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SOUTH LAKE TAHOE OFFICE
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JUVENILE TREATMENT CENTER
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Brian J. Richart
Chief Probation Officer

JUVENILE RECORD SEAL

PROCEDURES AND INSTRUCTIONS TO APPLICANT

Dear Applicant:

You may apply for the sealing of your juvenile record if you meet the eligibility requirements stated in Section 781 of the Welfare & Institutions Code.

ELIGIBILITY REQUIREMENTS

- You must have attained the age of 18, or five years must have elapsed since your last juvenile arrest/citation and/or termination of Juvenile Court jurisdiction.
- You must not have been convicted as an adult of a felony offense.
- You must not have been convicted as an adult of a misdemeanor offense involving moral turpitude. (Moral turpitude is a legal term describing an act which is a gross violation of standards of moral conduct. It commonly includes crimes of violence, theft, perjury, sex and drugs.)
- You must not have been found by the Juvenile Court to have committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code when you had attained the age of 14 years of age or older.
- Rehabilitation must have been obtained to the satisfaction of the Court
- If you were a former ward of the Juvenile Court, application for having your record sealed must be made in the county where your wardship was last terminated.

Upon receiving your application to seal your juvenile records the probation department will conduct an investigation and if you meet the eligibility requirements above, the probation officer will prepare a petition and report to the Court, including a recommendation to the Court supporting or opposing the requested juvenile record seal.

THE PROBATION DEPARTMENT WILL NOT RECOMMEND THE COURT GRANT YOUR RECORD SEAL REQUEST UNLESS YOU ALSO MEET THE FOLLOWING CRITERIA:

- You must not be on any type of probation or parole, nor have any outstanding warrants or pending Court appearances for any criminal matters.
- The Juvenile Court must not have terminated your probation as “unsuccessful.”
- All Court-ordered restitution, fines, and/or fees have been paid in full.

BENEFITS OF SEALING YOUR JUVENILE RECORD

All records and reports held by the police and sheriff agencies, the Court, District Attorney, Probation Department, and all agencies listed on the Court Order will be sealed. This means these agencies must physically seal the record and respond to any request for information that they have no record. Pursuant to California state law, once the Court has ordered your record sealed, all proceedings in the case are deemed never to have occurred, and you may reply accordingly to any inquiry about the events.

Please note: Pursuant to Section 781(c) of the California Welfare and Institutions Code, juvenile records held by the Department of Motor Vehicles pertaining to violations of the Vehicle Code cannot be sealed.

Generally, once your record is sealed, they cannot be unsealed unless you request it. Unsealing records for any purpose requires a Court hearing and Court Order allowing your record to be unsealed.

RECORD SEAL PROCESS

1. Obtain a "Record Seal Application." You can do this in person at either of the Probation Department offices, or in the "Forms" section of the Probation Department website: <http://www.edcgov.us/Probation/>
2. Complete and sign the Record Seal Application and return it to the appropriate Probation Department office.
3. The Probation Officer will conduct an investigation to verify if you are eligible to have your juvenile record sealed. This investigation may take approximately 90 days. If it does not appear you meet the legal requirements to have your record sealed, you will be notified by mail. If it appears you are legally eligible to have your record sealed, the Probation Officer will prepare and file a petition with the Court, including a recommendation for or against your request to have your record sealed.
4. A Juvenile Court Hearing will be set for the Court to determine if your record seal request should be granted or denied. You will receive notice of the hearing and a copy of the petition approximately 2 weeks before the hearing. You have every right to attend the hearing, but you are not required to attend the hearing.
5. After the hearing, a copy of the Court Order granting or denying your request will be sent to you.
6. If your record seal request is granted, a copy of the Court Order will be sent to each agency and official named in the petition ordering them to seal whatever record they may have in their possession, and directing them to advise the Court of compliance with the order.

EL DORADO COUNTY PROBATION DEPARTMENT REQUEST FOR JUVENILE RECORD SEAL

FULL NAME: _____ ALIAS(ES): _____

BIRTHDATE: _____ AGE: _____ BIRTHPLACE: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

TELE. #: Home () _____ Work or Other Daytime () _____

SOC. SEC. #: _____ DL #: _____ STATE: CA Other: _____

SEX: _____ HEIGHT: _____ WEIGHT: _____ EYES: _____ HAIR: _____

PARENT(S) NAME: _____

MAILING ADDRESS: _____

CITY / STATE / ZIP: _____ TELE. #: () _____

LIST YOUR JUVENILE RECORD

List all juvenile arrests or citations. Use back of form or extra paper if necessary.

DATE	AGENCY	OFFENSE(S)	DISPOSITION

Date of discharge / termination of probation: _____

Have you been arrested / convicted as an adult? No Yes (Misdemeanor / Felony)

Are you currently on probation or parole? No Yes

Are you currently pending Court action for any offense? No Yes

If you answered **yes** to any of the above questions, please explain on the back of this form or use extra paper if necessary.

I request the Probation Officer of El Dorado County petition the Juvenile Court to seal my juvenile record(s) in accordance with Section 781 of the California Welfare and Institutions Code. I have received a copy of the "Juvenile Record Seal-Procedures and Instructions to Applicant" and I have read the information and meet the eligibility requirements to have my juvenile record(s) sealed. I declare all information provided by me above is true and correct.

Signature Print Name Date