

If you were arrested or subject to a court proceeding or had contact with the juvenile justice system when you were under 18, there may be records kept by courts, police, schools, or other public agencies about what you did. If the court makes those records private (**sealed**), it could be easier for you to:

- Find a job.
- Get a driver's license.
- Get a loan.
- Rent an apartment.
- Go to college.

If the court sealed your records when probation was terminated, you do not need to ask for them to be sealed.

There are now three ways that records may be sealed in California. As of January 1, 2015, courts are required to seal records in certain cases when the court finds that probation (formal or informal) is satisfactorily completed or if your case was otherwise dismissed after the petition was filed. If the court sealed all of your records at the end of your case, you should have received a copy of the sealing order, and you do not need to ask the court to seal the records in that sealing order.

For more information about when the court seals your records at the completion of probation, see *Sealing of Records for Satisfactory Completion of Probation* (form **JV-596-INFO**).

If you satisfactorily completed a probation diversion program, your records will be sealed by probation.

If you participate in a diversion program or other supervision program instead of going to court, and the probation department determines that you satisfactorily completed that program, the probation department will seal your probation department records and the records for any program you were required to complete, and notify the law enforcement agency to seal its arrest records. If the probation department determines that you did not satisfactorily complete the program, it will not seal those records, but will give you a form to tell you why and a form that you can use to tell the court why you think you did satisfactorily complete the program. If the court agrees with you, it will order your records sealed. Once your records have been sealed probation will send you a notice of the sealing.

If you have more than one juvenile case or contact and/or are unsure if your records were sealed by the court, ask your attorney or probation officer or the juvenile court clerk in the county where you had a case or contact.

Who qualifies to ask the court to seal their juvenile records?

If the court has not already sealed your records, you can ask the court to make that order if:

- You are at least **18** or it has been at least five years since your case was closed; and
- You have been rehabilitated to the satisfaction of the court.

What if I owe restitution or fines?

The court may seal your records even if you have not paid your full restitution order to the victim.

The court will not consider outstanding fines and court-ordered fees when deciding whether to seal your records, but you are still required to pay the restitution, fines, and fees, and your records can be looked at to enforce those orders.

Who does not qualify to have their records sealed?

- You do not qualify to have your records sealed if you were convicted as an adult of an offense involving moral turpitude, such as:
 - A sex or serious drug crime;
 - Murder or other violent crime; or
 - Forgery, welfare fraud, or other crime of dishonesty.
- You do not qualify to have your records sealed if, when you were 14 or older, the court found that you committed a sex offense listed in Welfare and Institutions Code section 707(b) for which you must register under Penal Code section 290.008 because you were paroled from the Division of Juvenile Justice.

If you are unsure if you qualify, ask your attorney.

Who can see my sealed records?

- The Department of Motor Vehicles can see your vehicle and traffic records and share them with insurance companies.
- The court may see your records if you are a witness or involved in a defamation case.
- If you apply for benefits as a nonminor dependent, the court may see your records.



- A prosecuting attorney may see your records that were sealed for an offense listed under Welfare and Institutions Code section 707(b) in a later proceeding for the reasons listed in section 781(d).
- If your sealed record was for a section 707(b) offense when you were 14 or older, the prosecutor, probation, and the court may unseal your records if you are charged with a later felony.
- If a judge or prosecutor needs to determine if a victim of certain offenses was helpful in investigation or prosecution of the offense when the victim is seeking certification in connection with an immigration matter they may access your records to make this determination.
- If a prosecutor thinks something in your record would be helpful to the defense of someone who is charged with a crime in another case, the prosecutor can ask the court to provide that information.
- If you want to see your records or allow someone else to see them, you can ask the court to unseal them.

Can employers see my records if they are not sealed?

Juvenile records are not allowed to be disclosed to most employers, and employers are not allowed to ask about or consider your juvenile history in most cases. There are exceptions to this rule if you are applying to be a peace officer or to work in health settings. Also, federal employers may still have access to your juvenile history. You should seek legal advice if you have questions about what an employer can ask about you.

How do I ask to have my records sealed?

- ① You must fill out a court form. Form JV-595, *Request to Seal Juvenile Records*, at www.courts.ca.gov/forms.htm, can be used, or your court may have a local form.
- ② When you file your petition, the probation department will compile a list of every law enforcement agency, entity, or person the probation department knows has a record of your case, as well as a list of any prior contacts with law enforcement or probation, and will attach it to your petition.
- ③ If you think there are agencies that might have records on you that were never sent to probation, you need to name those agencies, or the court will not know to seal those records.

If you are not sure what contacts you might have had with law enforcement, you can get your criminal history record from the Department of Justice. See <http://oag.ca.gov/fingerprints/security> for more information.

- ④ Take your completed form to the probation department where you were on probation. (If you were not on probation, take your form to any county probation office where you have a juvenile record.) *Note:* A small number of counties require you to take your form to the court. More information on each county’s specific requirements is available at www.courts.ca.gov/28120.htm.
- ⑤ Probation will review your form and submit it to the court within 90 days, or 180 days if you have records in two or more counties.
- ⑥ The court will review your petition. The court may decide right away to seal your juvenile records, or the court may order a hearing. If there is a hearing, you will receive a notice in the mail with the date, time, and location of the hearing. If the notice says your hearing is “unopposed” (meaning there is no disagreement with your request), you may choose not to go.
- ⑦ If you qualify to have your juvenile records sealed, the court will make an order to seal the eligible records listed on your petition.
Important! The court can seal only records it knows about. Make sure you list all records from all counties where you have any records. The court will tell you if it does not seal records from another court that were listed on your petition, and you will need to file a petition in that county to seal those records.
- ⑧ If the court grants your request, it will order each agency, entity, or person on your list to seal your records. The court will also order the records destroyed by a certain date. If the sealed records are for a section 707(b) offense committed when you were 14 or older, the court will not order those records destroyed.
- ⑨ The court will provide you with a copy of its order. Be sure to keep it in a safe place.

What about sex offender registration? (Penal Code, § 290)

If the court seals a record that required you to register as a sex offender, the order will say you do **not** have to continue to register.



If my records are sealed, do I have to report the offenses in the sealed records on job, school, or other applications?

No. Once your records are sealed, the law treats those offenses as if they did not occur and you do not need to report them. **However**, the military and some federal agencies may not recognize sealing of records and may be aware of your juvenile justice history, even if your records are sealed. If you want to enlist in the military or apply for a job requiring you to provide information about your juvenile records, seek legal advice about this issue.

Questions

If you are not sure if you qualify to seal your records or if you have other questions, talk to a lawyer. The court is not allowed to give you legal advice. More information about sealing your records can be found at

www.courts.ca.gov/28120.htm

Probation stamps date here when form is received.

This form can be used to petition the juvenile court to seal your juvenile records. More information about sealing is available on form JV-595-INFO, *How to Ask the Court to Seal Your Records*.

Submit this form to the probation department in the last county where you were on juvenile probation or, if you were not on probation, in any county where you had contact with law enforcement or probation that did not result in a court case. Once the probation department receives the completed form, it will have 90 days to file a record-sealing petition with the court for you, or 180 days if you include agencies outside of this county.

1 My information:

- a. Name: _____
- b. AKA (*nickname or other family name*): _____
- c. Address: _____
- d. City, state, zip: _____
- e. Area code and telephone number: _____
- f. Date of birth: _____
- g. Email address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in your name:

Name:

Fill in case number, if known:

Case Number:

2 I had a case(s) that went to court.

Case file number(s) (*if known*): _____

The date probation was terminated (*if known*): _____

- I don't remember my case number and/or date.
- See attached. (*If you need more space, you may attach a separate page.*)

3 I had contact with law enforcement but did not go to court.

- Date(s) I had contact with law enforcement: _____
- Name(s) of law enforcement or other agency(ies): _____
- See attached. (*If you need more space, you may attach a separate page.*)

4 I understand that the probation department is responsible for requesting the juvenile court to seal the records of only those agencies in its records and those listed on page 2 of this form. I understand that after I file this document the probation department will have 90 days to conduct an investigation and file a record-sealing petition for me with the juvenile court. I also understand that some records may not be eligible for sealing. I am aware that form JV-595-INFO, *How to Ask the Court to Seal Your Records*, provides more information on this process.



Your name: _____

Case Number: _____

Note: When you file this form with the probation department, it will research your case history and attach a list of contacts and addresses of all agencies that it knows have records of the case(s) and contacts(s) you listed on page 1. If you have had contacts with law enforcement or another agency with a record of your offense and that entity may not have been reported to the probation department, please list it below, or that record may not be sealed. If your case was transferred from one county to another, your records in both counties will be sealed. If you have a probation record in more than one county and that record was not transferred, you may ask the court to seal that record as well. If the court does not seal that record, it will inform you that you need to file this form in that county. Contacts not included on this form may not be sealed. The court may seal only those records listed on the petition.

5 Include all contacts (with addresses) you had, before your 18th birthday, with the agencies below that might not be part of your probation records:

- Court: _____
- Probation Department: _____
- Sheriff's Department: _____
- Police Department: _____
- California Highway Patrol: _____
- Department of Motor Vehicles: _____
- Law Enforcement: _____
- School(s): _____
- Homeland Security: _____
- Other: _____
- See attached. *(If you need more space, you may attach a separate page or pages listing the contacts.)*

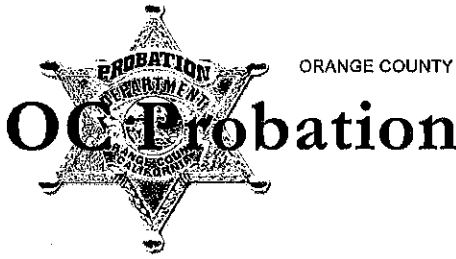
I declare that the information on this form is true and correct to the best of my knowledge.

Date: _____

Type or print your name

▲

Sign your name



DANIEL HERNANDEZ
CHIEF PROBATION OFFICER

TELEPHONE: (714) 569-2000

1055 N. MAIN STREET, 5TH FLOOR
SANTA ANA, CA 92701

MAILING ADDRESS:
P.O. BOX 10260
SANTA ANA, CA 92711-0260

JUVENILE RECORD SEALING APPLICATION

Instructions

In order to initiate the juvenile record sealing process, you will need to complete the following application. Please type or write your responses legibly and answer all questions. It is the responsibility of the applicant to complete all sections, including the *Juvenile and Adult Record* sections, prior to scheduling an appointment. If a section of the application does not apply to you, write N/A for not applicable to that section. You will also need to provide 1) a copy of your high school diploma, GED certificate, or a copy of your transcripts and 2) proof of employment (a letter addressed "To Whom It May Concern" on company letterhead or a copy of a recent paycheck stub or a statement that you are a full-time student and do not work. Once you have completed the completed *Request to Seal Juvenile Records (JV-595)* Form, and obtained the above documentation mail all the documents to:

Orange County Probation Department
Attn: Juvenile Investigations SOR DPO-MOB 5th Floor
P.O. Box 10260
Santa Ana, CA 92711

Once your completed documentation is received, a deputy probation officer will contact you if additional documents are needed in order to proceed with the investigation. All requested documents MUST be provided before the investigation will proceed. Once all documentation is received, you will be sent a letter notifying you of your scheduled appointment date and time.

If you have any additional questions about sealing juvenile records, please call 714-935-6611 or 714-935-6623.

My signature below indicates:

It has been five years since I completed probation, or I am now eighteen years old or older and I am no longer on probation. I have not committed any new felony offense or any misdemeanor offense involving moral issues.

I, _____, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that there are no civil matters pending or in progress as a result of the offenses contained in my juvenile court records or in police reports which may be sealed as a result of this application.

Signature of Applicant _____ Date _____

JUVENILE RECORD SEALING INTERVIEW QUESTIONNAIRE

1. Why do you want to have your juvenile records sealed?

2. How has your juvenile and/or adult criminal record impacted your life?

3. How long has it been since your last arrest and/or conviction in any county across the United States or in another country? Please provide specifics (dates, location, agency, details of arrest and/or conviction).

4. Describe your past lifestyle and why you believe it contributed to your juvenile and/or adult offenses?

5. Have you participated in any form of counseling since your juvenile adjudication? If so, what kind and for how long?

6. Since your juvenile adjudication have you participated in any volunteer work? If so, what type?

7. Please list anything else you feel the Orange County Probation Department should consider:

Name _____ Signature _____ Date _____