

You(th) Have Rights

understanding juvenile records



What is in my juvenile record?

- Court records
- Arrest records

What happens to my juvenile records when I turn 18?

Juvenile records do not automatically disappear when you turn 18. Courts, prosecutors, probation, police, and the Bureau of Criminal Apprehension (BCA) keep their own records. These records can affect your ability to get a job, go to school, or rent a place to live. Juvenile records are generally closed to the public and considered private. That means they will not appear on background checks for jobs or housing, even if you sign a consent form to release private records. But there are some big exceptions:

- If you were 16 years old or older when you broke the law, records are public.
- If you were convicted as an adult, records are public.
- Juvenile records may be sent to the youth's school if the illegal act took place at school or was a serious offense (murder, terroristic threats, sex crimes, etc.).
- Juvenile records may be used in future criminal cases and immigration.

Get Help: 612.825.0000

www.tubman.org

Give Help: 612.825.3333

ABOUT TUBMAN: Safety. Hope. Healing. Each year, Tubman helps nearly 25,000 people of all ages, genders, and cultural backgrounds who are facing relationship violence, sexual assault, exploitation, homelessness, addiction, mental health challenges or other forms of trauma. We provide safe shelter, legal services, mental and chemical health counseling, youth programs and community education.

Juvenile Record Expungement

Do I qualify for expungement?

You may qualify if:

- You were arrested by not charged,
- The charges against you were dismissed,
- You were found not guilty,
- You never plead guilty,
- You can show a judge that the benefit from sealing your records is more than any possible harm if people can't access your records.

What is expungement?

Expungement is the legal process to seal juvenile or criminal records. The process seals records from the public, including from background checks. The records still exist but can only be opened by court order. Courts can seal all records or only some.

Aren't juvenile records already private?

Juvenile records are private unless you were:

- 16 years old or older when you broke the law, or
- Convicted as an adult.

For other offenses, juvenile records will not show up on background checks except:

- Applications for certain licenses (foster care, home day-care).
- Home study for all household members in proposed adoptive homes.
- When applying to work or volunteer with children.
- A background check to get a gun.

How do I get my juvenile records expunged?

The expungement process is long and complicated. It can take at least five months. You may want to get help from a lawyer. Applications will be denied if any step is missed.

- Get the expungement application from the court's self-help center or website.
- Fill out the application and all forms completely. It will take several hours.
- Pay the \$322 filing fee or request to waive the fee.
- File the paperwork with the court and get a court date.
- Send legal notice ("service") to each agency who has your records or may have an opinion about sealing your records (a prosecutor, BCA, sheriff's office, Department of Corrections, Attorney General).
- Attend the court hearing.

For more information, go to www.tubman.org