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| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b><br>CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123 | <i>FOR COURT USE ONLY</i> |
| IN THE MATTER OF<br><br><br><div style="text-align: right;">A MINOR</div>   |                           |
| <b>NOTICE OF STATUTORY RIGHTS</b><br><b>RE: JUVENILE COURT DELINQUENCY RECORDS</b>  | CASE NUMBER               |

**SEALING JUVENILE RECORDS:**

You may petition for an order to seal your juvenile court record and records kept by other state or local entities (e.g., law enforcement agencies) after one of the following occurs:

1. At least five years have passed since the juvenile court terminated its jurisdiction.
2. If no petition was filed in the juvenile court, at least five years have passed since you were cited to appear or were taken before a probation officer or peace officer. (There is no waiting period if you request sealing under Welf. & Inst. Code § 781.5.)
3. You have reached 18 years of age.

The juvenile court may grant a petition for sealing only if both of the following requirements are met:

1. You have not been convicted of a felony or a misdemeanor involving moral turpitude since the juvenile court terminated its jurisdiction or since you were cited to appear or were taken before a probation officer or peace officer, and
2. The court is satisfied that you have been rehabilitated.

Your juvenile record(s) may **not** be sealed if:

1. The juvenile court found that you committed an offense listed in Welf. & Inst. Code § 707(b) when you were 14 or older, or
2. You were convicted of an offense in a criminal court (“adult court”) under Welf. & Inst. Code § 707.1.

Whether or not your record(s) were sealed, they may be opened and admitted into evidence in any court action or proceeding based upon defamation. In such a case, your record(s) will be available for inspection and copying by the court, the jury, the parties and their counsel, and any other person authorized by the court.

**DEPARTMENT OF MOTOR VEHICLES (“DMV”) RECORDS:** Records of convictions for traffic and parking offenses which are open to the public under Veh. Code § 1808 and which are reportable to the DMV may not be sealed. However, if such a conviction is a part of your juvenile record and the court orders that record sealed, the DMV will allow access to the record of the conviction only to you and to insurance carriers that have DMV requestor codes. A fee is required for processing. Payment must be in cash, money order, or cashier’s check; personal checks are not accepted.

**DESTRUCTION OF JUVENILE COURT RECORDS**

*Note: The law prohibits the destruction of your juvenile court records, as described below, if: [1] you were convicted in criminal court pursuant to Welf. & Inst. Code § 707.1, or [2] the juvenile court found that you committed an offense listed in Welf. & Inst. Code § 707(b) when you were 14 years of age or older.*

If your juvenile court record is sealed, it will be destroyed as follows unless the juvenile court orders that it be retained under seal for good cause:

1. Five years after the court ordered the record sealed, if you were alleged or adjudged to be a person described by Welf. & Inst. Code § 601.
2. When you reach the age of 38, if you were alleged or adjudged to be a person described by Welf. & Inst. Code § 602, *unless* the juvenile court found that you committed an offense listed in Welf. & Inst. Code § 707(b) when you were 14 years of age or older.

If your juvenile court record has *not* been sealed, it will be destroyed as follows unless the juvenile court orders that it be retained for good cause or unless it is released to you (see “RELEASE” below):

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1. When you reach the age of 21, if you were alleged or adjudged to be a person described by Welf. & Inst. Code § 601.
2. When you reach the age of 38, if you were alleged or adjudged to be a person described by Welf. & Inst. Code § 602, *unless* the juvenile court found that you committed an offense listed in Welf. & Inst. Code § 707(b) when you were 14 years of age or older.

If information from your juvenile court record was provided to your school, you (or your parent or guardian) have the right to make a written request to the school principal that your school records be reviewed to ensure that the juvenile court record has been destroyed. You may make this request after one of the following events has occurred: [1] you have graduated from high school; [2] you are released from juvenile court jurisdiction; or [3] you have reached the age of 18. Within 30 days of receiving your request, the principal must respond in writing and either confirm that the record has been destroyed or explain why it has not been destroyed.

**RELEASE OF JUVENILE COURT RECORDS:**

If you wish to have your juvenile court record released to you, rather than destroyed, you may request such a release in writing. The court may either grant your request or order that your record be retained for good cause.

To obtain your juvenile court record, you must send a written request to the juvenile court which contains your full name, date of birth, and the juvenile court case number. Your request must be received before the time your records may be destroyed.

After your juvenile record is destroyed or released to you, if you discover that any other agency still retains a record of your case, you may petition the court to order that record destroyed. Your petition must contain your full name, date of birth, the juvenile court case number, the name of the agency that has the record, and the type of record to be destroyed. The court may either grant your petition or order that your record be retained by the agency for good cause.

**CONFIDENTIALITY OF JUVENILE COURT RECORDS**

Generally, juvenile court records are confidential. Under certain circumstances, however, information about you and your case may be disclosed to other persons or agencies by the court, by a law enforcement agency, or by your school. Parts of your record may be open to public inspection if the juvenile court finds that you committed a serious offense listed in Welf. & Inst. Code § 676. Also, if the DA files a criminal complaint against you in "adult court," the confidentiality protecting juvenile court records will not apply to your records.

Ask your attorney to explain these laws to you.

**CALL THE SEALING CLERK AT (858) 694-4315 for an appointment to seal your records.**

Date: \_\_\_\_\_  
\_\_\_\_\_ Signature of Minor

Date: \_\_\_\_\_  
\_\_\_\_\_ Signature of Probation Officer