

County of Sutter
PROBATION DEPARTMENT

Adult Division & Administration • 595 Boyd Street, Yuba City, CA 95991 • (530) 822-7320 Fax (530) 822-7470
Juvenile Division • 430 Center Street, Yuba City, CA 95991 • (530) 822-4371 Fax (530) 822-4377



Leticia Paras-Topete
Chief Probation Officer
lparas@co.sutter.ca.us

To: Juvenile Record Sealing Applicant and Parent(s) or Legal Guardian(s)

Subject: Eligibility Packet for Reduced Juvenile Record Sealing Fee

Attachment: Sutter County Probation Department Financial Disclosure Statement

To determine eligibility for a reduced Juvenile Record Sealing Fee, the attached statement must be filled out completely. Full disclosure of all your financial obligations and income must be listed on the form. If you are a dependent, your parents' or guardians' financial obligation and income must be listed on the form.

Copies of all utility bills (telephone, electric, water/sewer, or cable); rent or mortgage coupon; pay stubs, AFDC and SSI assistance stubs must be attached to the Financial Disclosure form and submitted to the Sutter County Probation Department, Attention: Emmy Yandall, 595 Boyd Street, Yuba City, CA 95991.

Once your completed packet is received by the Probation Department, you will be contacted by mail for an appointment when an evaluation of your packet is completed. You will lose your opportunity for this eligibility process if you fail to appear for this appointment.

Thank you for your cooperation in this matter.

**Information for Sealing of Your Juvenile Record
(Adult Records cannot be sealed)**

Sealing Records-Former Wards (§ 781 WIC)

The application for a petition to seal records must be submitted to the Probation Department in the county in which wardship was last terminated.

Sealing-Nonwards (Informal Probation /Probation w/o Wardship) (§654/654.2/725a WIC)

For all other persons described in Section 781 WIC, application may be submitted to the Probation Department in any county in which there is a juvenile record concerning the petitioner.

Special Note for Sealing – DEJ/Deferred Entry of Judgment Cases Only (§ 790 WIC)

When charges are dismissed after successful completion of a period of DEJ supervision, the Probation Officer will file a JV-755 (DEJ Dismissal and Sealing of Juvenile Record form) at the final Review Hearing for **only** the charges included in the DEJ petition. A separate application will have to be filed for any prior charges not included in the petition.

Section 781 WIC does not allow the sealing of juvenile records for the violations listed under Section 707(b) WIC, as listed at the end of this document. Other codes may be added at anytime to Section 707(b) by the legislature.

Pursuant to Section 781 WIC, the following conditions must also apply:

- Five years must have passed after the jurisdiction of the juvenile court has terminated, if formal court proceedings were filed in your case.
- Five years have passed after a citation was written, if no formal court proceedings occurred.
- In any event, after you reach age 18.

The Probation Department requires that you meet all of the following criteria to be eligible for our department to recommend sealing:

- You must complete the entire application, including a statement of your current circumstances.
- You must pay the application fee prior to submitting your request for sealing. Your fee will not be refunded if the application for sealing is denied. (Reduced fees will be considered based upon a showing of financial need. You will be required to provide documentation of financial hardship and may still be required to pay a nominal fee.)
- You cannot have been convicted of a felony or a misdemeanor involving moral turpitude, since the termination of jurisdiction or action pursuant to Section 626 WIC.
- You must be free from Probation or Parole status for one year, except under extraordinary circumstances.
- You must demonstrate that rehabilitation has been attained. Failure to pay victim restitution or fines without a showing of inability to pay or failing to comply with the conditions of probation could be an indication that rehabilitation has not been achieved. A well written application explaining any issues during your term of probation that also reflects your achievements since the completion of probation is encouraged. It is never too late to take care of financial responsibilities. Ask to speak to an officer if you would like to pay outstanding accounts.
- You must be free of any and all law violations after termination of probation.

If this department or the District Attorney's Office denies your petition for any reason, the matter will be filed with the Court for further review and possible hearing. You will be notified of any scheduled hearing date and will have the opportunity to appear at that hearing. If you choose not to appear at the hearing, you will be notified by mail of the Court's decision regarding the sealing of your record.

If this department and District Attorney agree that your petition can be sealed, the petition will be forwarded to the Court for final approval without a hearing. You will be notified by mail when and if the Court signs the petition for sealing.

If you believe you are eligible for sealing based upon the above requirements, ask the receptionist for an Application to Seal a Juvenile Record.

707(b) WIC Ineligible Offenses

Offenses listed in Section 707 WIC are **not in any event** eligible for record sealing. These include:

- (1) Murder.
- (2) Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code.
- (3) Robbery.
- (4) Rape with force, violence, or threat of great bodily harm.
- (5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.
- (6) A lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.
- (7) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
- (8) An offense specified in subdivision (a) of Section 289 of the Penal Code.
- (9) Kidnapping for ransom.
- (10) Kidnapping for purposes of robbery.
- (11) Kidnapping with bodily harm.
- (12) Attempted murder.
- (13) Assault with a firearm or destructive device.
- (14) Assault by any means of force likely to produce great bodily injury.
- (15) Discharge of a firearm into an inhabited or occupied building.
- (16) An offense described in Section 1203.09 of the Penal Code.
- (17) An offense described in Section 12022.5 or 12022.53 of the Penal Code.
- (18) A felony offense in which the minor personally used a weapon described in any provision listed in Section 16590 of the Penal Code.
- (19) A felony offense described in Section 136.1 or 137 of the Penal Code.
- (20) 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.
- (21) 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.
- (22) 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.
- (23) Torture as described in Sections 206 and 206.1 of the Penal Code.
- (24) Aggravated mayhem, as described in Section 205 of the Penal Code.
- (25) Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.
- (26) Kidnapping for purposes of sexual assault, as punishable in subdivision (b) of Section 209 of the Penal Code.
- (27) Kidnapping as punishable in Section 209.5 of the Penal Code.
- (28) The offense described in subdivision (c) of Section 26100 of the Penal Code.
- (29) The offense described in Section 18745 of the Penal Code.
- (30) Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code.

APPLICATION TO REQUEST SEALING OF JUVENILE RECORD

Name: _____ Date of Birth: _____

AKA: _____ Phone No.: _____
(Please include maiden name)

Address: _____
(Please include city, state, and zip code)

Mailing Address: _____
(Only if different from above)

SSN: _____ Driver's License #: _____ State: _____ Age: _____

Height: _____ Weight: _____ Hair: _____ Eyes: _____ Sex: _____ Race: _____

Have you been off probation or CYA Parole for at least 1 year? _____

Have you been arrested or convicted since being removed from probation? _____
(If yes, explain on reverse side)

List any dates, charges, and Counties where you were arrested or cited as a juvenile:
(Use reverse side for additional space)

What have you done for rehabilitation to be a more responsible citizen? What are you doing now and what are your future plans (school/work, etc.)? (Use additional sheets if necessary)

THE SEALING PROCESS MAY TAKE UP TO SIX MONTHS. YOU WILL BE NOTIFIED BY MAIL OF THE OUTCOME OF YOUR APPLICATION. UNTIL YOU RECEIVE AN ORDER FROM THE COURT SEALING YOUR RECORD, YOUR RECORD IS NOT SEALED.

EFFECTIVE 01/01/2012

JUVENILE RECORD SEALING FEE

\$150, unless you are eligible for a
Reduced Record Sealing Fee.

Please ask Receptionist for an Eligibility Packet for REDUCED
RECORD SEALING FEE.

A financial information packet is to be filled out and returned
to Sutter County Probation Dept. You will then be informed
of your fee for juvenile record sealing.