
**Juvenile Justice & Family Law
Committee**

HB 3078

Brief Description: Revising timelines for sealing juvenile records.

Sponsors: Representatives Dickerson, Boldt, Flannigan, Kagi and Pettigrew.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Changes the time limits pertaining to when juvenile court criminal records may be sealed.

Hearing Date: 2/3/04

Staff: Sonja Hallum (786-7092).

Background:

The official juvenile court file of a juvenile offender is open to the public unless the file has been sealed by court order. If a juvenile court grants a motion to seal a record, the court vacates the original adjudication and orders the record to be sealed. Thereafter, the proceedings in the case are treated as if they never occurred.

Prior to 1997, a juvenile record could be sealed if the court found that two years had elapsed from the time of the adjudication and that no criminal proceeding was pending against the person. In 1997, the juvenile record sealing statute was changed as a part of a comprehensive modification of the juvenile court system.

Currently, juvenile records relating to class A or sex offenses may not be sealed. Juvenile records relating to class B offenses may be sealed if the offender has spent 10 years in the community without committing an offense. Juvenile records relating to class C offenses may be sealed after the offender has spent five years in the community without committing an offense. Juvenile records relating to gross misdemeanors may be sealed after the offender has spent three years in the community without committing an offense. Juvenile records relating to juvenile misdemeanor convictions may be sealed if the offender has spent two years in the community without committing an offense. Records relating to juvenile court diversions may be sealed if the offender has spent two years in the community without committing an offense.

Summary of Bill:

Juvenile records relating to class A or sex offenses may not be sealed. Juvenile records relating to class B offenses may be sealed if the offender has spent five years in the community without

committing an offense. Juvenile records relating to class C, gross misdemeanor, misdemeanor offenses, and diversions, may be sealed after the offender has spent two years in the community without committing an offense.

Appropriation: None.

Fiscal Note: Requested on 2/2/04.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.