

Checklist for Expunging Juvenile Records

Keep a copy of all documents for your records.
Attend all court hearings.

(1) Application for Criminal History Report

- The Application for a Criminal History Report is available from the Bureau of Criminal Identification (BCI) at: <http://www.publicsafety.utah.gov/bci/forms.html#Records>. Follow the instructions provided by BCI.

(2) Coversheet

- Check the box next to “Expungement.” The amount listed next to the box is the filing fee.
- Print your name, address and telephone number as “Petitioner” in the space provided.
- Skip the descriptions of “Child 1” and “Child 2.”
- On page 2, in the section “For Expungement Petition Only,” print which prosecutor’s office filed the charges against you. If more than one office was involved, list all of them.

(3) Petition to Expunge Records

- Complete the heading. Print the number of the court’s judicial district and the name of the county. Print your name, address, phone number and date of birth under the phrase “In the interest of.”
- Print your parents’ names in the line provided.
- Paragraph (1): Check the box to show that your name, address, phone number and date of birth are correct.
- Paragraph (2): Check the correct box to show that your are at least 18 years old or that you are asking the judge to waive this requirement. If you are asking the judge to waive this requirement, explain why it should be waived.
- Paragraph (3): Check the correct box to show that juvenile court jurisdiction and/or custody and parole supervision of the Division of Juvenile Justice Services was unconditionally terminated at least one year ago or that you are asking the judge to waive this requirement. If you are asking the judge to waive this requirement, explain why it should be waived.
- Paragraph (4): Print the addresses that you have lived at since your 18th birthday.
- Paragraph (5): Check the box to show that you have never been convicted of a felony level criminal offense or of a misdemeanor level offense involving moral turpitude and that there is no pending felony level or misdemeanor level offense.

- Paragraph (6): Check the box to show that you have paid all fines, fees, restitution and interest.
- Paragraph (7): Print the names of the government agencies that may have records related to your juvenile history.
- Paragraph (8): Check the box **only** if you have records under other names or aliases. Print those names or aliases.
- Paragraph (9): Check to box to show that you are a responsible and law-abiding citizen of good moral character.
- Paragraph (10): Check the box to request that the court order your juvenile court records expunged and related records in the possession or control of any state, county or local government agency expunged.
- Attach the **original** Criminal History Report from the Bureau of Criminal Identification (BCI) and any other required documents and forms. Attach additional pages as needed to complete paragraphs that don't have enough space. Write the paragraph number on the additional page.
- Date and sign the form before a notary public or court clerk.
- Serve the form on the prosecuting attorney's office named in the Cover Sheet.
- File the original form and Proof of Service with the judicial services representative.

(4) Hearing

- Unless all of your juvenile court cases were resolved by non-judicial adjustment (NJA), the court will schedule a hearing and notify you, the prosecuting attorney, the agencies with custody of your records, the victim (if there was a victim and the victim has asked for notice), and the juvenile court probation office.
- Attend the hearing, answer truthfully any questions asked of you, and make any statements that you think are appropriate.
- If the judge finds that the requirements of Section 78A-6-1105 have been met and that you have been rehabilitated, the judge will enter an order expunging your juvenile court records and the related records of other agencies.

(5) Certified Copies of the Order

- If an agency does not receive the expungement order, they are not required to seal their records. You must deliver the order to any agencies with relevant records. You should get as many certified copies of the order as there are agencies with records. You should get the certified copies as soon as the order is entered and before the court records are sealed. You can get copies of the order after the court records are sealed only by a petition to unseal the record. There is a fee for each certified copy.
- You may pick up certified copies of the expungement order at the courthouse or have them mailed. To have certified copies mailed, send a request for a specific

number of copies to the clerk of the court and include an 9" x 12" self-addressed envelope with sufficient return postage. (Note that large envelopes and multiple copies require additional postage.)

(6) Serving the Order on Agencies with Records

- To have the records of a government agency sealed, you must deliver a certified copy of the expungement order on the agency. These might include:
 - the arresting agency
 - Division of Juvenile Justice Services
 - Division of Child and Family Services, including their Management Information System and Licensing Information System;
 - schools; or
 - Driver License Division.
- There may be other agencies with records. If an agency does not receive the expungement order, they are not required to seal their records. If requested, the clerk will provide addresses for agencies within the jurisdiction of the court. For other agencies, you must find the correct address.
- Unless otherwise provided by law or ordered by the court to respond differently, a government agency or official who has received an expungement order will respond to an inquiry as though that arrest or conviction did not occur. Unless ordered by a court to do so, a government agency or official who has received an expungement order may not divulge information identifying the petitioner. A person who has had records expunged may respond to an inquiry as though that arrest or conviction did not occur.