

WHAT YOU NEED TO KNOW ABOUT SEALING YOUR RECORDS

Under current Washington law, you may file a motion with the Juvenile Court to have the records of the court sealed.

YOU MAY NOT HAVE YOUR RECORD SEALED IF:

You have been convicted of the following Sex Offenses: Rape in the First Degree, Rape in the Second Degree, Indecent Liberties that was committed with actual forcible compulsion.

THE COURT SHALL GRANT YOUR MOTION TO SEAL IF:

- (1) (a) You were convicted or plead guilty to a Class A offense and since the last date of release from confinement, including full-time residential treatment, you have spent five (5) consecutive years in the community without a new adjudication or conviction for any offense or crime; or
- (b) You were convicted or plead guilty to a Class B offense, Class C offense, Gross Misdemeanor, or Misdemeanor and since the last date of release from confinement, including full-time residential treatment, you have spent two (2) consecutive years in the community without a new adjudication or conviction for any offense or crime; or
- (c) You were convicted or plead guilty to a Sex Offense, other than those listed above, and you are no longer required to register as a Sex Offender under RCW 9A.44.130 or you have been relieved of the duty to register under RCW 9A.44.143; and
- (2) There are no charges pending against you for a juvenile offense or a criminal offense; and
- (3) There are not matters pending against you related to a juvenile diversion agreement; and
- (4) You have paid the full amount of any restitution.

ANY SEALED JUVENILE RECORDS WILL BE UNSEALED IF:

- (1) You plead guilty or are found guilty of any juvenile offense or adult criminal offense, or
- (2) You are charged with a felony as an adult.

The following is a partial list of Sex Offenses: Rape, Rape of a Child, Child Molestation, Incest, Indecent Liberties, and any felony charged with Sexual Motivation enhancement.

The following is a partial list of Class A Offenses: Arson 1°, Assault 1°, Murder 1°, Murder 2°, Manslaughter 1°, kidnapping 1°, Robbery 1°, Vehicular Homicide, Burglary 1°.

The following is a partial list of Class B Offenses: Assault 2°, Burglary 2°, Residential Burglary, Driveby Shooting, Kidnapping 2°, Escape 1°, Malicious Mischief 1°, Robbery 2°, Manslaughter 2°, Possession Stolen Property 1°, Theft 1°, Unlawful Possession of a Firearm 1°, Theft of a Firearm.

The following is a partial list of Class C Offenses: Assault 3°, Forgery, Malicious Mischief 2°, Taking A Motor Vehicle Without Owner's Permission 2°, Unlawful Possession of a Firearm 2°, Possession Stolen Property 2°, Theft 2°, Escape 2°, Vehicular Assault.

PIERCE COUNTY JUVENILE COURT
5501 SIXTH AVENUE
TACOMA, WASHINGTON 98406
(253) 798-7900

JUVENILE OFFENDER RECORDS **SEALING PROCEDURE**

ATTACHED YOU WILL FIND:

- A. Instructions on Pierce County Juvenile Court's Procedure for Sealing Records of Juvenile Offenders
- B. Notice of Respondent's Motion to Seal Records of Juvenile Offender
- C. Motion & Declaration to Seal Records of Juvenile Offender

PLEASE BE ADVISED THAT COURT OFFICIALS, COURT CLERKS, AND PROSECUTORS ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE.

YOU MAY WISH TO CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS.

More information is available at: www.nwjustice.org & www.courts.wa.gov

These materials will assist you in the procedure for sealing **ONLY** Pierce County Juvenile Court Offender Records. If you were charged in any other county, you must file a separate motion in that county.

Motion and Declaration to Seal Records of Juvenile Offender

Please use BLUE ink and PRINT all information clearly. You are the respondent. You will need to know the specific charges and the date you were sentenced. If you do not have this information, it may be obtained from the Pierce County Juvenile Court Clerk's Office located at 5501 Sixth Avenue, Tacoma, Washington 98406. There may be a fee for this information. Mark the appropriate box that pertains to your particular situation, either 2.2 or 2.3, then sign and date the Motion and Declaration.

THE COURT WILL NOT ORDER ANY OTHER AGENCY TO SEAL ITS RECORDS UNLESS YOU NOTIFY THE AGENCY IN ADVANCE THAT YOU ARE REQUESTING THE COURT TO ENTER SUCH AN ORDER.

Notice of Respondent's Motion to Seal Records of Juvenile Offender

Please use BLUE ink and PRINT all information clearly. You are responsible for notifying ALL parties involved in your case(s). The Notice lists several agencies and their addresses. If there was an agency involved with your case(s) that is not listed, fill in the name(s) in the space provided.

The Incident Number is the specific number assigned on a law enforcement report. Fill in this number in the space provided. If you do not have this information, it may be obtained from the Pierce County Juvenile Court Clerk's Office. There may be a fee for this information.

When you have completed filling out the packet, make a copy for each listed agency and keep a copy for your own records. Take the original to the Pierce County Juvenile Court Clerk's Office. A Court Clerk will stamp the documents and file them with the Court.

You **MUST** personally deliver a copy of your packet to the Office of the Prosecuting Attorney at 5501 Sixth Avenue, Tacoma – **B LOBBY**. In addition, you **MUST** either mail or personally deliver a copy to any other listed agencies.

The agencies that receive your packet will review the motion and complete a records check. You will be notified of the outcome and any court dates scheduled to address your motion.

SPECIAL PROCEDURE FOR PERSONS CONVICTED OF A SEX OFFENSE:

If you were convicted of a sex offense, you will be given a court date approximately 1 month from the date you turn in your motion to the Clerk's Office.

You will receive a written response from the State approximately 1 week before your hearing date, so you must provide an address where you can receive that response.

Your motion to seal your record will be scheduled for a Monday afternoon, at 1:30 PM. You must appear at 1:00 PM on your scheduled date, and please note that there will be other cases set, so you should anticipate being at court for several hours.

You must attend the court hearing if you want the court to rule on your motion to seal your record.

**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE - JUVENILE COURT**

STATE OF WASHINGTON

Plaintiff,

vs.

Respondent.

DOB.: _____
JUVIS #: _____

No: _____

**NOTICE OF RESPONDENT'S
MOTION TO SEAL RECORDS OF
JUVENILE OFFENDER
(NT)**

- TO: [x] Pierce County Superior Court Clerk's Office/Juvenile Division
5501 6th Avenue, Tacoma, WA 98406
- TO: [x] Pierce County Prosecutor, Juvenile Division
5501 6th Avenue, Tacoma, WA 98406
- TO: [x] Washington State Patrol, P.O. Box 42633, Olympia, WA 98504-2633
- TO: [x] South Sound 911, 945 Tacoma Ave. South, Tacoma, WA. 98402
(includes Pierce County Sheriff's Department, Lakewood Police Department,
and Tacoma Police Department)
- TO: _____
- TO: _____

PLEASE TAKE NOTICE that the respondent, () appearing pro se or () appearing through counsel, has filed a motion to seal juvenile records in the above referenced matter in Pierce County Superior Court, Juvenile Division. Any objection to this sealing must be filed with the Pierce County Juvenile Court, 5501 6th Avenue, Tacoma, WA 98402 within 10 days of the date this notice was mailed, as documented below, or will be considered waived.

Dated: _____
Respondent / Atty for Respondent WSB _____
Phone: _____

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ON THE ____ DAY OF _____, _____ I MAILED THIS NOTICE TO THE RECIPIENTS INDICATED ABOVE.

(Date and Place)

Signature

**SUPERIOR COURT OF WASHINGTON
COUNTY OF PIERCE
JUVENILE COURT**

STATE OF WASHINGTON

Plaintiff,

vs.

Respondent.

DOB.: _____
JUVIS #: _____

No: _____

**MOTION AND DECLARATION TO
SEAL RECORDS OF JUVENILE
OFFENDER
(MTAF)**

I. MOTION

RESPONDENT moves the court for an order sealing his or her juvenile court records. This motion is based on RCW 13.50.050(11) and (12) or GR 15(c) and the declaration of respondent.

Dated: _____

Attorney for Respondent/WSBA No.

II. Declaration of Respondent

I, _____, state as follows:

2.1. Finding of guilt: On _____ [date] I was found guilty of

[name of offense].

2.2 Sealing records - factors pursuant to RCW 13.50.050:

Class A Felony Conviction: At least one of the offenses I am attempting to seal involves a Class "A" felony but both of the following are true:

(1) Since my last date of release from confinement, including full-time residential treatment, or from the entry of disposition (including deferred disposition), I have spent five consecutive years in the community without committing any offense or crime that has resulted in conviction or adjudication.

(2) I have not been convicted of Rape in the First Degree, Rape in the Second Degree, or Indecent Liberties with Forcible Compulsion;

- All Class B and C Felony, Gross Misdemeanor, or Misdemeanor Convictions, or Diversions:** Since my last date of release from confinement, including full-time residential treatment, or from the entry of disposition (including deferred disposition), I have spent two consecutive years in the community without committing any offense or crime that has resulted in conviction or diversion.

And, I meet the following requirements:

There are no proceedings pending against me seeking the conviction or diversion of a juvenile or criminal offense.

I am no longer required to register as a sex offender under RCW 9A.44.130 or I have been relieved of the duty to register under RCW 9A.44.143 if I was convicted of a sex offense.

Full restitution has been paid.

I am eligible to have my records sealed under RCW 13.50.050(11) and (12) in that I have satisfied all the requirements of those statutes.

2.3 Sealing records of vacated deferred disposition – factors pursuant to RCW 13.50.050(12)(c):

I meet the following requirements:

The court vacated my deferred disposition and dismissed the case with prejudice pursuant to RCW 13.40.127(9) prior to June 7, 2012.

I am over 18 years of age.

I have paid restitution.

2.4 Other circumstances that I believe require sealing of my juvenile court records (GR 15):

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is, to the best of my knowledge, true and correct.

Signed on _____, at _____, Washington.

Respondent

Address
