

YOUTH RIGHTS IN PENNSYLVANIA: APPLYING FOR COLLEGE OR THE MILITARY WHEN YOU HAVE A JUVENILE RECORD

Some people think that a juvenile record is sealed and cannot be seen by anyone or that juvenile records are automatically expunged when a youth turns age 18. This is not the case. There are many situations where a youth's juvenile record can be seen by a college, an employer, and the military. As you get older and work to get an education, job skills, employment and a career, you will want to do all you can to make sure there are no barriers to your success. This fact sheet provides some of the information you need to know to understand how your juvenile record can affect your future. Please also refer to JLC's Expungement Fact Sheet. Petitioning the court to expunge your juvenile record as soon as you are eligible is one of the most important things you can do to make sure you have as many chances to succeed in your future as possible. Expungement is not automatic. You need to take action to ensure that is done.



Can colleges or the military find out if I have a juvenile record?

Yes. If you were charged with an offense and adjudicated delinquent it is possible that a college or a branch of the military can find out if you have a juvenile record.

Does having a juvenile record mean I am not eligible for certain colleges or training programs?

Not necessarily. In most cases, having a juvenile record should not affect your eligibility for colleges or other post secondary programs.

How do I answer if a college or trade school application asks me if I was *convicted of a crime*?

A criminal conviction is not the same as a juvenile adjudication. If you only have been found delinquent by a juvenile court, you have not been convicted of a crime and can answer "no" to this question.

How do I answer if a college or trade school application asks if I was *adjudicated delinquent*?

If you were adjudicated delinquent and have not had your juvenile record expunged, it is important to answer truthfully to this question. (For young people who have not expunged their juvenile record, remember to do it as soon as possible. It will make these applications much easier for you.)

If you were adjudicated delinquent and have had your juvenile record expunged, you can answer "no" to this question.

How do I answer the question on the Free Application for Federal Student Aid (FAFSA) that asks about drug convictions if I was adjudicated delinquent for a drug offense as a juvenile?

Question 23 on the FAFSA asks if you were ever convicted for possessing or selling illegal drugs while you

were receiving federal student loans or grants. If you were adjudicated delinquent for possessing or selling illegal drugs (even if it was while you were receiving federal aid), you can answer "no" to this question because juvenile adjudications are not the same as adult criminal convictions and this question only asks about adult convictions.

Can having a juvenile record be barrier to enlisting in the military?

Yes. Having a juvenile record can stand in the way of enlisting in the military. Because the branches of the military are federal agencies they are allowed to apply their own rules and regulations, which may be different from state law. The military can see your juvenile record even if you got it expunged. The military requires "moral fitness" of its soldiers. Having certain juvenile adjudications on your record may lead to the military concluding that you are not morally fit for enlistment based on their regulations.

If I really want to enlist in the military, is there anything I can do if the military says my juvenile record is standing in the way of my enlistment?

If you are told that you are not eligible for enlistment in the military because of your juvenile record you should ask for a *waiver*. When you ask for a waiver, you are asking the military to consider all of your strengths, the improvements and progress you have made since your involvement in juvenile court, and your desire to join to the military. When you ask for a waiver, it is also helpful to have recommendations from people who know you and can speak about your good character. If you are interested in a career in the military and are being told that your juvenile record is creating a problem, ask about a waiver as soon as you can.

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