

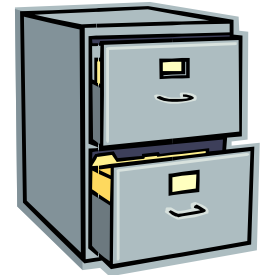
YOUTH RIGHTS IN PENNSYLVANIA: EXPUNGEMENT OF JUVENILE RECORDS

I have a juvenile record. What can I do?

As you may know, having a juvenile record can make it harder to get a job and can create barriers to your future plans. Some people think that juvenile records are sealed and no one can see them. This is not exactly true. If you have been involved in the delinquency system, you should try to **expunge** (erase) your record before you leave care so that your record won't get in the way of your future.

What is expungement?

Expungement means that your juvenile records are erased and no one can see it.. If you want to ask the court for an expungement, you have to file a motion. You can do this with a lawyer's help or on your own. For help filing a motion for expungement, contact your public defender or probation officer.



Are juvenile records automatically expunged after some period of time?

No. To have juvenile records destroyed, the subject of the record or any other concerned party must petition the court for its expungement.

Am I eligible to have my juvenile records expunged?

The court will expunge your records if it finds any of the following:

- The complaint is not substantiated (has no basis) or is dismissed.
- Six months have passed since your final discharge from supervision under a consent decree and no juvenile or criminal charges are pending.
- Five years have passed since your final discharge from commitment, placement, or any other disposition and no further charges have been filed or are pending.
- You are 18 or older, the prosecutor has agreed to the expungement, and the court has considered:
 - the type of offense
 - your age
 - history of employment
 - criminal activity
 - drug or alcohol problems
 - problems you might experience if the records are not expunged
 - whether keeping a record will help protect public safety

Who can file the petition for expungement?



- Your attorney when you are still in the dependency system, or
- You or your parent pro se (on your own), or
- A private attorney hired by you or your parents

Some public juvenile defenders will file a petition for you. Call your county juvenile defender office to find out if you may be eligible for an expungement and if their office will file the petition for you.

Juvenile
Law
Center