

Do you have a juvenile criminal record?

Are you eligible to Seal your Juvenile Record?

Do you want to seal a juvenile misdemeanor, gross misdemeanor, Class C felony, Class B felony, or diversion?

Has it been at least 2 (two) years since you were last convicted or released from confinement for any crime (juvenile or adult)?

-OR-

Do you want to seal a juvenile Class A felony?

Has it been at least 5 (five) years since you were last convicted or released from confinement for any crime (juvenile or adult)?

-AND-

You have no pending adult or juvenile charges (including warrants),

AND

You have paid in full all restitution, court fines, and fees,

AND

You have not been convicted of Rape 1, Rape 2, or Indecent Liberties w/Forcible Compulsion

AND

You are not required to register as a sex offender

We cannot seal Rape 1, Rape 2, Indecent Liberties w/Forcible Compulsion

OR

Any adult criminal records.

SEALING AND DESTRUCTION OF JUVENILE RECORDS

RCW 13.50.050 (Includes amendments from SSB 5204, Chapter 338, Laws 2011, effective July 22, 2011[see fn 2&4])

ELIGIBILITY TO SEAL A RECORD	
OFFENSE TYPE	REQUIREMENTS
ALL JUVENILE CONVICTIONS, DIVERSIONS AND DEFERRED DISPOSITIONS	<ul style="list-style-type: none"> • <u>Class A</u>: 5 years crime free¹ and no convictions for Rape 1, Rape 2, or Ind. Lib. w/ forcible compulsion.² • <u>All others</u>: 2 years conviction free³ • No pending charges (seeking conviction or diversion) • Not required to register as a sex offender⁴ • Full restitution paid • Motion/Notice to seal the record⁵
DEFERRED DISPOSITION & TURNED 18 YEARS OLD BEFORE 07/26/2009	<ul style="list-style-type: none"> • Charge dismissed and vacated (not Animal Cruelty 1) • No pending charges • Request” court seal the record (court must order it)
DEFERRED DISPOSITION & TURNED 18 YEARS OLD ON OR AFTER 07/26/2009	<ul style="list-style-type: none"> • Charge dismissed and vacated (not Animal Cruelty 1) • No pending charges • Sealing is automatic (no court order required)⁶
ELIGIBILITY TO DESTROY A RECORD	
ENTIRE RECORD	REQUIREMENTS
CONSISTS OF A SINGLE DIVERSION ENTERED BEFORE 06/12/2008	<ul style="list-style-type: none"> • Age 18 or older • 2 years since completing diversion (or counsel & release) • Motion/Notice to destroy the record (court must order it)
CONSISTS OF A SINGLE DIVERSION ENTERED AFTER 06/11/2008	<ul style="list-style-type: none"> • Age 18 or older • 2 years since completing diversion (or counsel & release) • No pending charges (seeking conviction) • Full restitution paid • Destruction is automatic⁷
CONSISTS OF ONLY DIVERSIONS (any number)	<ul style="list-style-type: none"> • Age 23 or older/No pending charges (seeking conviction) • Motion/Notice to destroy records (court MUST ORDER IT)

¹ “Crime free” means no “adjudications” or “convictions” since the last date of release from confinement, including full-time residential treatment, if any, or entry of disposition. RCW 13.50.050(12)(a)(i).

² §4, SSB 5204, Ch. 338, 62nd Legislature, 2011 Reg. Session. Note, there are no restrictions to sealing if the right to seal “vested” prior to 1997 per *State v. T.K.*, 139 Wn.2d. 320, 334, 987 P.2d 63 (1999); and, *State v. D.S.*, 128 Wn. App. 569, 578, 115 P.3d 1047 (2005).

³ No “conviction” since the date of last release from confinement, including full-time residential treatment, if any, entry of disposition, or completion of a diversion agreement. RCW 13.50.050(12)(b)(i).

⁴ §4, SSB 5204, Ch. 338, 62nd Legislature, 2011 Reg. Session. But no restrictions to sealing if the right to seal “vested” prior to 1997 (see fn. 2).

⁵ Based on 2001 amendment to RCW 13.50.050(14), replacing “the court shall grant” with the court “shall not grant”, the court may no longer be required to grant the sealing motion even if the prerequisites are met, though, there is no case or statutory language to verify that interpretation.

⁶ Court must seal the record within 30 days of turning 18. RCW 13.40.127(10)(a).

⁷ Court has up to 90 days to destroy from the date the file is eligible for destruction. RCW 13.50.050(17)(a)(i). Administrative Office of the Courts will send notification of eligibility. RCW 13.50.050(17)(a)(ii).

KING COUNTY SUPERIOR COURT
JUVENILE DIVISION
1211 E ALDER
SEATTLE, WA 98122
206-296-1181

The materials provided are only for use in King County

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.

Information you need to proceed:

Legal Number
Conviction Date/Charging Date
Charge(s)

If you do not have this information, it may be obtained from the King County Clerk's Office, located at 1211 E Alder, Seattle, WA, 98122 on the 3rd Floor.

Complete one set of paperwork for EACH legal number you wish to seal.

Follow the sample paperwork attached to complete your forms.

When you have completed your paperwork:

Please come to the King County Juvenile Courthouse IN PERSON at 1211 E Alder, Seattle, WA 98122. Check in at the main window and wait until you are called.

DO NOT make copies of the original paperwork until you have met with a Court Operations Staff person and have been given a court date.

Drop-in Days/Hours: **Monday, Wednesday, Thursday or Friday between 10:30 am and 12:00 pm.** No court dates will be provided outside of these hours, as no staff is available.

You must provide valid photo ID.

If you have any questions, please call 206-296-1181 for information.

SAMPLE

SUPERIOR COURT OF WASHINGTON COUNTY OF KING JUVENILE COURT	
STATE OF WASHINGTON v. (PRINT FULL NAME HERE)	Respondent.
D.O.B.: (MM/DD/YYYY)	

No: (##-##-#####-#)

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

- TO: KING County Superior Court Clerk's Office; 1211 E ALDER, ROOM 307; SEATTLE, WA; 98122
- TO: KING County Prosecutor, Juvenile Division
- TO: KING County Juvenile Court Administrator
- TO: (PRINT INVESTIGATING POLICE DEPARTMENT HERE) Police Department
- TO: Washington State Patrol, Records Division ; P.O. BOX 42633; OLYMPIA, WA; 98504
- TO: Juvenile Rehabilitation Administration (DSHS); P.O. BOX 45045; OLYMPIA, WA; 98504
- TO: KING County Juvenile Records; 1-H
- TO: KING County Juvenile Probation Manager; 4-E

PLEASE TAKE NOTICE that on _____ at _____ AM/PM., at KING County Superior Court, Juvenile Division, in Court _____, attorney for/Pro Se Petitioner will move for an order sealing the juvenile records on the above entitled matter.

Dated: (TODAY'S DATE)

_____(SIGN HERE)_____
PRO SE/Attorney for Respondent/ WSBA No.

SAMPLE

SUPERIOR COURT OF WASHINGTON COUNTY OF KING JUVENILE COURT	
STATE OF WASHINGTON v. (PRINT FULL NAME HERE) D.O.B.: (MM/DD/YYYY)	Respondent. 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 RCW 13.40.127(10), GR 15(c) and the declaration of respondent.

Dated: _____ (TODAY'S DATE) _____ (SIGN HERE)
Attorney for Respondent/WSBA No./Pro Se

II. DECLARATION OF RESPONDENT

I, (PRINT FULL NAME HERE) _____, 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.

SAMPLE

(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 13.40.127(10):

I meet the following requirements:

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

I am over 18 years of age.

There are no charges pending against me.

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 __ (TODAY'S DATE) ____, at __ (LOCATION) ____, (City, State).

PRINT INFO

Respondent

Address

Phone # (Including Area Code)

SAMPLE

SUPERIOR COURT OF WASHINGTON COUNTY OF KING JUVENILE COURT	
STATE OF WASHINGTON v. (PRINT FULL NAME HERE) D.O.B.: (MM/DD/YYYY)	Respondent. No: (##-##-####-##) ORDER ON MOTION TO SEAL RECORDS OF JUVENILE OFFENDER (ORSF)

I. BASIS

THIS MATTER came on before the court on respondent's motion to seal records of juvenile offender pursuant to

- RCW 13.50.050(11) and (12),
- RCW 13.40.127(10),
- GR 15(c).

The court heard the matter with without oral argument and considered the pleadings submitted on the matter and the relevant court records.

II. FINDINGS

- 2.1 Adequate notice was was not given to the appropriate parties and agencies.
- 2.2 Compelling privacy or safety concerns that outweigh the public interest in access to the court records have have not been found:
 - Respondent has has not satisfied the requirements of RCW 13.50.050(11) and (12).
 - Respondent has has not satisfied the requirements of RCW 13.40.127(10).
 - Other (GR 15):

LEAVE
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SAMPLE

III. ORDER

Based on the above findings, it is hereby ordered:

- The motion to seal records is denied.
- The court grants the motion to seal records pursuant to GR 15.
- The court grants the motion to seal
 - vacated deferred disposition records pursuant to RCW 13.40.127(10),
 - juvenile court records pursuant to RCW 13.50.050(11) to (16), and:
 1. The order and findings in this case are vacated, if not already vacated by RCW 13.40.127(9).
 2. The official juvenile court file, the social file, and all other juvenile records as specified in RCW 13.50.050(11) in the above-entitled matter are hereby sealed.
 3. The proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed.
 4. Any agency in possession of such records sealed pursuant to this order that was given notice of the motion shall reply to any inquiry concerning such sealed records as follows:

“that any record or social file is confidential and that no information can be given about the existence or nonexistence of records concerning an individual.”
 5. Inspection of any records sealed pursuant to this order shall only be permitted by further order of the court, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(23).
 6. Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying this order. Any charges of an adult felony subsequent to the sealing, has the effect of nullifying the sealing order for the purposes of chapter 9.94A RCW.
 7. Any data related to a non-conviction (“non-Charge”) shall be sealed and the charge(s) vacated.
 8. Any associated judgment shall be sealed and identifying information sealed.

Dated: (XXXXX DO NOT DATE XXXXX)

JUDGE/COMMISSIONER

Submitted by:

(XXXXX DO NOT SIGN XXXXX)
PRO SE/Attorney for Respondent/WSBA No.

Prosecuting Attorney/WSBA No.

07/22/2011

LEAVE
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PLEASE USE THE FOLLOWING
BLANK DOCUMENTS TO FILL OUT
YOUR MOTION TO SEAL
PAPERWORK.

**SUPERIOR COURT OF WASHINGTON
COUNTY OF KING
JUVENILE COURT**

STATE OF WASHINGTON v.

Respondent.

D.O.B.:

**No:
NOTICE OF RESPONDENT'S MOTION
TO SEAL RECORDS OF JUVENILE
OFFENDER
(NT)**

- TO: KING County Superior Court Clerk's Office
- TO: KING County Prosecutor, Juvenile Division
- TO: KING County Juvenile Court Administrator
- TO: _____ Police Department
- TO: Washington State Patrol, Records Division ; P.O. BOX 42633; OLYMPIA, WA; 98504
- TO: Juvenile Rehabilitation Administration (DSHS); P.O. BOX 45045; OLYMPIA, WA; 98504
- TO: KING County Juvenile Records; 1-H
- TO: KING County Juvenile Probation Manager; 4-E

PLEASE TAKE NOTICE that on _____ at _____ AM/PM, at KING County Superior Court, Juvenile Division, in Court _____, attorney for/Pro Se Petitioner will move for an order sealing the juvenile records on the above entitled matter.

Dated: _____
PRO SE/Attorney for Respondent/ WSBA No.

SUPERIOR COURT OF WASHINGTON COUNTY OF KING JUVENILE COURT	
STATE OF WASHINGTON v.	
D.O.B.:	Respondent.

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 RCW 13.40.127(10), GR 15(c) and the declaration of respondent.

Dated: _____

 Attorney for Respondent/WSBA No./Pro Se

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 13.40.127(10):

I meet the following requirements:

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

I am over 18 years of age.

There are no charges pending against me.

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 _____, (City,State).

Respondent

Address

Phone # (Including Area Code)

**SUPERIOR COURT OF WASHINGTON
COUNTY OF KING
JUVENILE COURT**

STATE OF WASHINGTON v.

Respondent.

D.O.B.:

No:

**ORDER ON MOTION TO SEAL
RECORDS OF JUVENILE OFFENDER
(ORSF)**

I. BASIS

THIS MATTER came on before the court on respondent's motion to seal records of juvenile offender pursuant to

- RCW 13.50.050(11) and (12),
- RCW 13.40.127(10),
- GR 15(c).

The court heard the matter with without oral argument and considered the pleadings submitted on the matter and the relevant court records.

II. FINDINGS

- 2.1 Adequate notice was was not given to the appropriate parties and agencies.
- 2.2 Compelling privacy or safety concerns that outweigh the public interest in access to the court records have have not been found:
 - Respondent has has not satisfied the requirements of RCW 13.50.050(11) and (12).
 - Respondent has has not satisfied the requirements of RCW 13.40.127(10).
 - Other (GR 15):

III. ORDER

Based on the above findings, it is hereby ordered:

- The motion to seal records is denied.
- The court grants the motion to seal records pursuant to GR 15.
- The court grants the motion to seal
 - vacated deferred disposition records pursuant to RCW 13.40.127(10),
 - juvenile court records pursuant to RCW 13.50.050(11) to (16), and:
 1. The order and findings in this case are vacated, if not already vacated by RCW 13.40.127(9).
 2. The official juvenile court file, the social file, and all other juvenile records as specified in RCW 13.50.050(11) in the above-entitled matter are hereby sealed.
 3. The proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed.
 4. Any agency in possession of such records sealed pursuant to this order that was given notice of the motion shall reply to any inquiry concerning such sealed records as follows:

“that any record or social file is confidential and that no information can be given about the existence or nonexistence of records concerning an individual.”
 5. Inspection of any records sealed pursuant to this order shall only be permitted by further order of the court, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(23).
 6. Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying this order. Any charges of an adult felony subsequent to the sealing, has the effect of nullifying the sealing order for the purposes of chapter 9.94A RCW.
 7. Any data related to a non-conviction (“non-Charge”) shall be sealed and the charge(s) vacated.
 8. Any associated judgment shall be sealed and identifying information sealed.

Dated: _____

JUDGE/COMMISSIONER

Submitted by:

PRO SE/Attorney for Respondent/WSBA No.

Prosecuting Attorney/WSBA No.