

<b>GEORGIA DEPARTMENT OF JUVENILE JUSTICE</b>	Transmittal # 15-14	Policy # 1.11
Applicability: <input checked="" type="checkbox"/> All DJJ Staff <input checked="" type="checkbox"/> Administration <input checked="" type="checkbox"/> Community Services <input checked="" type="checkbox"/> Secure Facilities	Related Standards & References: O.C.G.A. §15-11-701 DJJ 5.1, 5.2, 5.5	
Chapter 1: ADMINISTRATION	Effective Date: 11/20/15 Scheduled Review Date: 11/20/16	
Subject: SEALING OF RECORDS	Replaces: 12/15/12 Office of Legal Services	
Attachments: None.	APPROVED:  <hr/> Avery D. Niles, Commissioner	

**I. POLICY:**

The Department of Juvenile Justice shall comply with all court orders to seal a youth's files and records in the juvenile court preceding that are in DJJ's possession.

**II. DEFINITIONS:**

**Juvenile Court Proceeding Record:** Any complaints, petitions, court orders, court-ordered assessments and evaluations, or any other records the court used in the adjudicatory or dispositional proceedings.

**Records Coordinator:** The individual staff member designated, in writing, by the Director of a facility/program/office of the Department of Juvenile Justice to assist with the records management process in his/her work unit.

**Records Custodian:** The individual designated by DJJ to be the official custodian who can certify and authenticate that the record is produced and kept in the ordinary course of operation (i.e. The Director of a facility/program/office of the Department of Juvenile Justice.).

**Records/Information Manager:** The individual employee within the Administrative Services Division responsible for the overall management of DJJ records, including the review of retention schedules and the transfer of records to the State Archives or the Records Center.

**Sealed:** The placement of all Juvenile Tracking System (JTS) and paper records in a secure location pursuant to a court order with access limited to designated DJJ employees as approved by the Office of Legal Services.

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### III. GENERAL PROCEDURES:

- A. Within 3 business days of receipt of a court order to seal juvenile records, the Juvenile Program Manager (JPM) will scan and email the order to the Office of Legal Services. The email will contain the youth's name and date of birth.
- B. Within 10 business days of receipt of an order to seal records, the Office of Legal Services will review the order and, if there are no issues with the order, will authorize records to be sealed by the Office of Technology and Information Services (OTIS), the Records Coordinator, and the Records/Information Manager.
  1. OTIS will seal Juvenile Tracking System (JTS) records within 3 business days of receipt of the order to seal. Sealed JTS records will only be accessible by the Director of OTIS or designee.
  2. Within 3 business days of authorization by the Office of Legal Services, the Records Coordinator will place all paper case records and health records, including the order to seal the records, in a manila envelope that is taped closed.
    - a. The envelope will be identified as sealed pursuant to a court order and will contain the date the record was sealed, the youth's name and date of birth.
    - b. Only the Records Custodian may open the sealed record and only at the direction of the Office of Legal Services. The paper record will be resealed immediately after the completion of the request and the Records Coordinator will document on the envelope the date the record was unsealed, the Legal Services staff member directing the record to be opened, and the date the record was resealed.
  3. The Records/Information Manager will determine if there are any paper records maintained by any secure facility and within 3 business days will notify the secure facility to seal the youth's records.
- C. If a youth, parent/guardian, or third party requests DJJ records after a record has been sealed, the Office of Legal Services will be notified in accordance with DJJ 5.2, Case Records, and DJJ 5.5, Health Records.
  1. The staff member receiving the initial request for records will not comment on whether there is any record on the youth and will advise the requestor that the Office of Legal Services handles all such requests.
  2. The Office of Legal Services will determine if those records can be disclosed. If the records can be disclosed, the Office of Legal Services

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will notify the appropriate office Director or designee to retrieve such record from OTIS, and/or will authorize the local Records Manager to retrieve the requested document(s) from the hard copy record.

- D. If a youth's record has been sealed in JTS pursuant to a court order and the youth re-enters DJJ's custody, care or supervision, a new JTS record will be created.
- E. Sealed case records and health records will be destroyed pursuant to the retention schedule in accordance with DJJ 5.1, Records Management.

**IV. LOCAL OPERATING PROCEDURES REQUIRED: NO**