

SEALING YOUR JUVENILE COURT RECORD

FREQUENTLY ASKED QUESTIONS

WHEN DOES THE COURT SEAL AUTOMATICALLY SEAL MY RECORD?

- When the petition or complaint alleging delinquency or unruliness is dismissed by the court, the court shall order the sealing of the files and records in the case, including the law enforcement records, fingerprints, and photographs.
- When a case is handled through informal adjustment, once informal adjustment is completed by the youth, the court shall order the sealing of the files and records in the case, including the law enforcement records, fingerprints, and photographs.

WHEN DOES THE COURT SEAL JUVENILE RECORDS WITH THE FILING OF AN APPLICATION?

On the courts own motion or on application of a person who has been adjudicated delinquent or unruly and after a hearing, the court shall order the sealing of the files and records in the case, including the law enforcement records, fingerprints, and photographs, if the court finds that:

- Two years have elapsed since the final discharge of the person;
- Since the final discharge of the person, he or she has not been convicted of a felony or of a misdemeanor involving moral turpitude or adjudicated a delinquent or unruly child and no proceeding is pending against the person seeking conviction or adjudication; **and**
- The person has been rehabilitated.

HOW DOES A JUVENILE SEAL RECORDS?

She/he may file Petition to the Juvenile Court requesting that their records be Sealed. A hearing will be held and notice will be provided to the district attorney, authority granting the discharge, and the law enforcement officers or departments having custody of the files and records.

WHAT HAPPENS ONCE THE RECORD IS SEALED?

The proceeding shall be treated as if it had never occurred. All index references shall be deleted and the person, the court, the law enforcement officers, and the departments shall properly reply that no record exists with respect to the person upon inquiry in any matter.

Copies of the order shall be sent to each agency or official therein named and shall also be sent to the deputy director of the Georgia Crime Information Center. Inspection of the sealed files and records thereafter may be permitted by an order of the court upon petition by the person who is the subject of the records and only by those persons named in the order or to criminal justice officials upon petition to the court for official judicial enforcement or criminal justice purposes.