

# Sealing Juvenile Court Records In Washington State

**Forms and Instructions  
Updated April 2018**

**This packet provides information regarding juvenile court records ONLY.  
It DOES NOT provide information on vacating adult criminal records.**

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# SEALING JUVENILE COURT RECORDS IN WASHINGTON STATE

<b>INTRODUCTION.....</b>	<b>1</b>
<b>The Process: How to Seal Your Juvenile Offender Record .....</b>	<b>3</b>
<b>Legal Requirements for Sealing Juvenile Offender Records .....</b>	<b>5</b>
<b>APPENDIX A - Classification of Offenses .....</b>	<b>12</b>
<b>APPENDIX B - County-Specific Practices for Juvenile Record Sealing Requests .....</b>	<b>19</b>
<b>APPENDIX C - Court Forms.....</b>	<b>28</b>
<b>1. Notice of Respondent’s Motion to Seal Records of Juvenile Offender .....</b>	<b>29</b>
<b>2. Motion and Declaration to Seal Records of Juvenile Offender .....</b>	<b>31</b>
<b>3. Order on Motion to Seal Records of Juvenile Offender .....</b>	<b>34</b>
<b>4. Certificate of Service.....</b>	<b>38</b>
<b>APPENDIX D - Sample Letters .....</b>	<b>41</b>

This information is meant to be a public service. This information is specific to Washington State law. It is correct as of the date noted below. It is not meant to be legal advice. If you need legal advice, you should contact a lawyer; you may be able to find one through your local legal aid organization. Because the laws may have changed since the updates in this document and a person’s specific situation can be unique or complicated, always talk to a competent lawyer, if you can, before taking legal action.

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# INTRODUCTION

In Washington, juvenile court records are available and open to the general public until they are sealed. Juvenile court records include things like any crimes you were accused of committing, even if you never had a trial. This means that anyone, including jobs, can see a person's "juvenile record." Sealing the record makes it private so that only people in the court can see it. It should not show up on a background check after it has been sealed. <sup>1</sup> Even though a record has been sealed, **it does still exist**. Records may be **unsealed** if you are convicted of a new juvenile offense, adult crime, or if you are *charged* with a felony.

This information packet describes how to seal your juvenile record. You must meet certain conditions in order to have your record sealed by the court. Most people with juvenile records will need to go through the specific steps described in this packet.

This packet has general information about juvenile record sealing in Washington State. Additional information is available on TeamChild's website. See [www.teamchild.org](http://www.teamchild.org) and search for Juvenile Record Sealing Project. There are also a number of record sealing clinics where you may be able to receive free assistance or legal advice about sealing your record. For more information, contact TeamChild at [kinginfo@teamchild.org](mailto:kinginfo@teamchild.org).

**2015 Update:** *There were many new updates to the law in 2015 that made it easier to seal some kinds of records. If you tried to seal your record in the past, but were not eligible, you may be able to try again now. For example:*

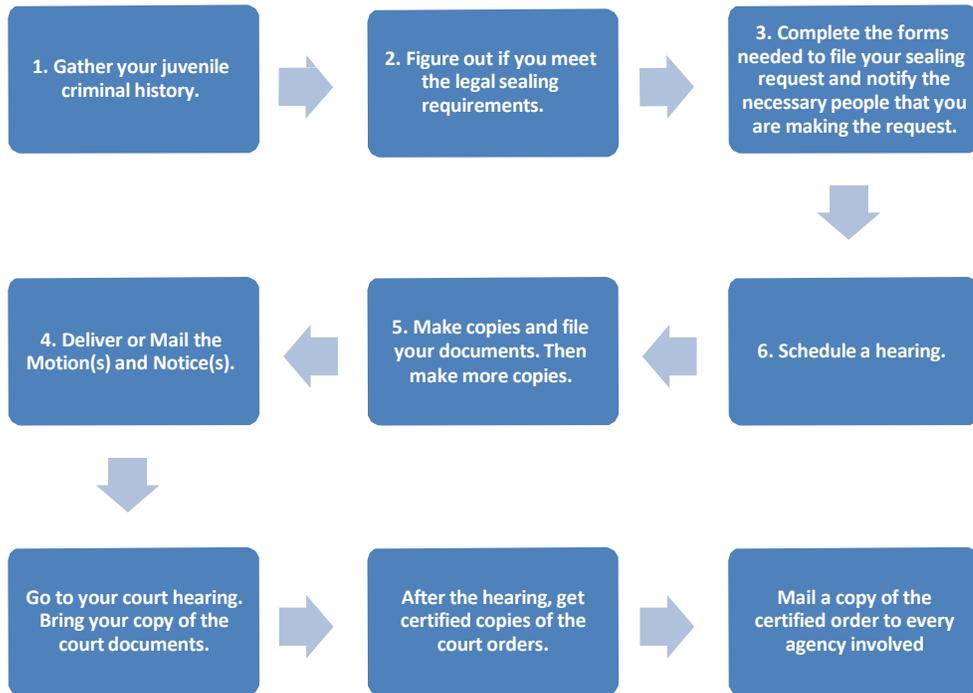
- *If you have paid restitution (the money owed to a victim), you may now be eligible to seal, even without paying fines and other court costs.*
- *If you have unpaid restitution and fines, but cannot afford to pay them, you may be able to ask the court to change them.*
- *If you owe restitution shared with a co-defendant, you may ask the court to split it up into separate amounts of restitution so you can pay for your share of the damage to the victim before sealing your record.*
- *Courts, court clerks, law enforcement agencies, prosecutors, and the Department of Licensing are not allowed to release sealed records to anyone who has not specifically been given access under the law.*

*It's important to know that most of these new opportunities in the law will require more legal advice and representation than this information packet can provide.*

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<sup>1</sup> Some types of searches may still show the record, like a search done by the FBI.

This packet walks through the process of sealing a juvenile record and provides general information for each step.



## The Process: How to Seal Your Juvenile Offender Record

If you have been involved in the juvenile court system, the court keeps a record of your case and other related information. This is what we mean when we use the term, *juvenile court record*. The juvenile court record has two parts: the *official juvenile court file* and the *social file*. The official juvenile court file contains charges, lawyers' documents, findings of the court, and court orders. Anyone may look at the official court file. The social file contains things like the reports from your probation counselors. Only specific people involved in your case may look at the social file. When you seal your record, the public cannot see the official juvenile court file or the social file. The information is private.

The paper copy of the *official juvenile court file* is kept in the court clerk's office in the county where your case went to court. Law enforcement, like the police or sheriff, and other juvenile justice or care agencies might also have a copy. For example, the Juvenile Rehabilitation Administration might have a copy if you were incarcerated there.

The basic information you will need to seal your record is:

- a) What kind of offense is it? for example: Class B felony
- b) When was your last disposition? (a disposition is when you receive your sentence.) For example: 06/20/2017
- c) When was last time you were released from JRA, prison, or jail? 07/20/2017.
- d) What county did your case come from? This matters because you will need to ask the county who gave you each charge to seal them, even if you do not live there anymore.

It may be helpful to read through the whole instruction packet so you can get an idea of the steps before you get started.

### 1. Gather your juvenile criminal history.

First, you will need to get a complete listing of your criminal history. You can get this from the Superior Court clerk or juvenile court in any county.<sup>2</sup> Ask the court clerk for a listing of all of the criminal cases filed against you. The list should also include any cases that were not charged, or that were dismissed.

You should also ask for a copy of the "financial history" for the juvenile cases. The financial history will show the amounts of any fines, fees and or restitution that the court ordered you to pay, and if you still have payments to make.

If you had adult cases, you can ask the clerk for help marking which cases are from juvenile

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<sup>2</sup> You can look at Appendix B for a listing of all the juvenile courts in Washington.

court. Adult cases can't be sealed.

If you had juvenile court cases in more than one county, make sure to ask the clerk for help marking which county each case came from. Remember, you will have to go back to that county to ask the court to seal the case, even if you do not live there anymore.

## **2. Figure out if you meet the legal sealing requirements.**

Look through your criminal and financial history. Decide which cases you will try to seal. If you have more than one juvenile case, you will need to fill out a set of court forms for each one. For example, if you had four cases to seal, you would need to fill out four sets of forms.

In order to seal a juvenile case, you will need to meet a certain set of requirements (or rules) in the law. For each case you want to seal, go through the checklist of questions in the chart on the next page. For a listing of many types of offenses and their "class", you can check Appendix A.

If you go through the checklist and it seems like you are not eligible to seal your case, make sure to keep reading. Some situations have extra steps to finish first.

## Legal Requirements for Sealing Juvenile Offender Records

The juvenile court can only order the sealing of your juvenile court record if you meet certain legal requirements. If you answer “Yes” to all of the questions in this chart, and if you follow the correct procedures, you may be able to have your record sealed.

	Yes	No
1. I do not have any criminal charges pending (open) in the juvenile or adult court.		
2. I am not currently completing a diversion agreement.		
3. The charge I am trying to seal is not classified as a sex offense. <sup>3</sup> (If the charge is a sex offense, check # 7 below)		
4. I do not owe any restitution to a named victim for the case I want to seal. (A named victim is a person. This does not include businesses or insurance companies.)		
<b>5. Eligibility for sealing a juvenile Class A felony (for sex offenses check #7 below).</b>		
A. It has been more than five years since the date of my last sentencing (disposition) or the date I was released from detention, jail, or prison, whichever is later.		
<b>6. Eligibility for sealing any other juvenile case, including in court diversions (for sex offenses see #7 below)</b>		
It has been more than two years since (1) the date of my last sentencing (disposition) or (2) the date I was last released from detention, prison, or jail, whichever date is later.		
<b>7. Eligibility for sealing a juvenile sex offense.<sup>4</sup></b>		
In addition to meeting all of the requirements above		
A. If I had to register as a sex offender under RCW 9A.44.130, I do not have to register anymore.		
B. The Class A felony I am trying to seal is not Rape 1, Rape 2, or Indecent Liberties with Forcible Compulsion.		

<sup>3</sup> There is a Classification of Offenses chart in Appendix A you can use to see how your charge(s) is/are classified.

<sup>4</sup> In July 2011, Washington gave back the ability for most youth who have been convicted of a sex offense to ask the court to seal their juvenile records. (RCW 13.50.260). But, this gets more complicated for three Class A felonies: Rape 1 & 2 and Indecent Liberties with Forcible Compulsion.

### **3. Get all the forms you will need to file with the court.**

If you are eligible to seal your record(s), you must file your forms and ask the court to seal your record in the county where your case took place. Sometimes this can mean driving there; sometimes the court might help you over the phone.

Filing forms means giving official original copies to the court's clerk so they can add it to their files. You can check Appendix B for more information about how each county processes juvenile record sealing requests.

Think of these four forms like a set. You will need to fill out a whole separate set for each and every case you would like to have sealed:

- Notice of Respondent's Motion to Seal Records of Juvenile Offender (NOTICE);
- Motion and Declaration to Seal Records of Juvenile Offender Pursuant to RCW 13.50.260(3) and (4) (MOTION);
- Order on Motion to Seal Records of Juvenile Offender Pursuant to RCW 13.50.260(3) & (4) (ORDER); and
- Certificate of Service (CERTIFICATE)

This packet has the forms and sample letters in Appendix C and D.

**You can also use an online tool that will fill out the court forms for you.  
Go to [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) and select  
Youth Law & Education > Juvenile Offenders.**

#### 4. Filling out the forms

##### General Tips:

- You might want to fill out the forms with blue pen, so after you make copies, you always know which one is the original.
- Read through the whole list to make sure you have a good idea of what you need to do before you get started.
- For each document, the NOTICE, MOTION, ORDER, and CERTIFICATE there is a header. It looks like this:

SUPERIOR COURT OF WASHINGTON COUNTY OF _____ → ¶ JUVENILE COURT ¶		No: <b>Motion and Declaration to Seal Records of Juvenile Offender (MTAF) ¶</b>
STATE OF WASHINGTON v. _____  D.O.B.: _____	Respondent: _____	

You may fill in the header like this:

- Where it says “county of,” you may fill in the county where your case is from, for example: Yakima.
- Where it says “State of Washington v.” you may fill in your name and date of birth (DOB).
- Where it says “No.” in the right square,” it means case number. You may fill in the number of the case.
- Filling out the NOTICE
  - The notice makes a list of all the places you will need to tell that you want to seal your record.
  - Many places are listed out already, and there is a spot for you to fill in the name of the police or sheriff’s department that arrested you. For example: Seattle Police, or Spokane County Sheriff.
  - If the information is right (as far as you know), you may date and sign it where it says “Pro Se” on page (1).
    - Pro Se means “for oneself,” because you are filing the paperwork for yourself.
  - Leave the rest blank until you are ready to go to court to set a hearing date.

- Filling out the MOTION
  - The motion tells the court you are asking them to do something (seal your record). If this is true, you may date and sign this page, under the “Motion” heading, where it says Pro Se.
  - The declaration below that explains to the court why they should seal your record. It lets them know that you meet the requirements to seal your record.
  - The declaration says:
    - the charge, when it happened, and how long it has been since then
    - you have no open cases in Washington or anywhere else;
    - that you do not have to register as a sex offender, and
    - that you have paid any money you owed to a person who was hurt by the offense (“restitution”).
  - If this is true, you may sign the declaration like so:
    - Signed on: put the date here
    - At: put the City and State- for example: Seattle, WA
    - Then sign your name above your name and address.
  
- Filling out the ORDER
  - The order has options for the court to choose, depending on if they agree to seal your record. You can simply sign your name the second page where it says Pro Se, and hold on to the order until your court date.
  
- The CERTIFICATE OF SERVICE
  - The certificate of service lets the court know you have told all the necessary people you are going to go to court to seal your record. You will fill it out after you send copies of the “Notice” and “Motion” to all of those agencies on the Notice page. The information on filling out the certificate of service form is in section #8.

## **5. Schedule a hearing.**

In most counties, sealing your record requires a hearing where you will go in front of a judge. Before you file your motion, you will need to get a hearing date from the juvenile court. You can try calling the clerk to ask what day and time to go to court, but you might have to do this in person. If you do need to go in person, bring your completed forms with you.

At the clerk’s office, you can explain to the juvenile court clerk that you would like to seal your record, and ask for a hearing date and time. When you get a hearing date, you will need to add that information to the form “NOTICE.” If you have more than one case, remember to fill out the NOTICE for each one.

## 6. Make copies and file your documents. Then make more copies.

After you add the hearing date, you should make a copy of the documents to keep for yourself. Now you are ready to file the *original* NOTICE AND MOTION documents with the court. You will keep the ORDER until you go to court.

Now you can file the original documents with the juvenile court clerk. The clerk will keep your original documents. You should ask the clerk to stamp the date on the copy for you to keep. That “date stamp” is proof that you filed the original documents.

Take your copy of the NOTICE and MOTION that has been stamped, and make enough extra copies for you to deliver or mail a copy of both forms to all the agencies listed on the NOTICE, and still have a copy to keep a copy for yourself.

## 7. Deliver or Mail the Motion(s) and Notice(s).

Court rules say that after you file your NOTICE and MOTION (s) for sealing, you must deliver and/or mail copies to these agencies:

- The juvenile court prosecutor in the county where your case was originally heard; and
- The juvenile court administrator in the county where your case was originally heard; and
- The probation department of the court where you had probation; and
- Law enforcement agencies that have records of your case, including the Washington State Patrol (WSP), and local police departments or county sheriffs; and
- The Juvenile Rehabilitation Administration, if you were incarcerated there for the case(s) you are trying to seal.

How to find where to mail or deliver the NOTICES and MOTIONS:

- **Prosecutor:** Look up the mailing address for the county prosecutor. Sometimes they are in the same building as the court, so you can deliver it in person. Make sure you have them stamp the copy you are keeping, or give you a receipt. This is so you can prove they got it.
- **Juvenile Court Administrator:** You can send or deliver it to the County Juvenile Court. Appendix B has a listing of Juvenile Court addresses.
- **Juvenile Probation:** If you don't know where the probation office is, you can ask the clerk. It may also be in the same building as the court.
- **Washington State Patrol:** *Washington State Patrol, Records Division, PO Box 42633, Olympia, WA 98504.*
- **Other Law Enforcement Agencies:** Remember, you listed a local police department or sheriff's office on your NOTICE. You will also have to mail or deliver the NOTICE and MOTION to that office. If you do not know or are not sure, then you should send the NOTICE and MOTION to both the local police and the county sheriff.
- **Juvenile Rehabilitation Administration:** *Records Coordinator, Juvenile Rehabilitation Administration, DSHS, P.O. Box 45045, Olympia, WA 98504.*

If you mail the documents, you may want to send a cover letter so they know what you have sent them, and so they can call you if they have questions. You can use the first sample letter in Appendix D, to write one that has your personal information. Sign and date the letter. Make and keep a copy of each letter that you send.

If you need to send NOTICES and MOTIONS for more than one case, you can send them in the same envelope. For example, if you are sealing 4 cases, you can put all 4 into the same envelope for the prosecutor's office. If you can afford it, you should send the NOTICES and MOTIONS by certified mail, so you will know and be able to prove that they received it.

## 8. Complete the Certificate of Service

After you have mailed or delivered the NOTICES and MOTIONS to everyone on your list, you can fill out the Certificate of Service. You can find an example in Appendix C.

A Certificate of Service is a sworn statement saying that you mailed or delivered the NOTICE and MOTION to the necessary places. A sworn statement is a promise to the court that you are telling the truth. Bring at least one copy to your court hearing.

The court requires a certificate of service for each case you would like to seal.

- Filling out the CERTIFICATE:
  - Fill out the top just like the other documents, including the county, your name and birthday, and the case number
  - Where it says "I, \_\_\_\_\_, certify" you may fill in your name.
  - If you delivered the notice in person:
    - On each line under "I served the notice by delivering a true copy to the following" you may put the name of the agency, the address where you delivered the copy, and the date you delivered it *in person*.
  - If you mailed the notice:
    - On each line under "I served the Notice by depositing in the United States Post Office a true copy of the Notice enclosed in a sealed envelope having adequate postage and sent as follows:" you may put the name of the agency, the address where you mailed the copy, and the date you mailed it.
  - If you run out of lines, you may use an additional piece of paper.
  - When you complete the signature block at the end, including the date, your name and signature and your location, you are telling the court this information is the truth, under the law. If you sign a paper that says you did something but you did not do it, that may be a crime. If the information you wrote down is true, you may sign it and file your documents with the court.

**9. Go to your court hearing. Bring your copy of the court documents.**

The hearing will take place in front of a judge or commissioner at Juvenile Court. Bring your copy of the NOTICES and MOTIONS that you filed, your copy of the CERTIFICATE OF SERVICE, and the ORDER that you filled out for each case.

It's smart to arrive a few minutes early and check with the front desk. You can go into the courtroom when they call you, or when the doors are opened. The judge may want to talk to you. They may ask about what you have been doing, and why you'd like to seal your record.

The court will ask if you sent the copies to all of the listed places, and you can show them the certificate of service. They may make a copy of it to keep.

Some courts use their own orders, but if they ask if you have brought one, hand the orders you brought to the Bailiff. If they ask about where you got them, you can say that you used this packet. The bailiff will take them back to the judge. You can wait for the orders to be signed.

**10. After the hearing, get certified copies of the court orders.**

If the court signs your order, take the signed orders to the clerk's office and ask for certified copies. The order that TeamChild gives you says that you should get one free certified copy, but the judge might cross that out. If the judge crosses that out, it is ok; a certified copy will cost you some money though. It will probably be around \$6.00 per case. If you can't afford a certified copy, make sure to get a regular copy. Otherwise you will have no proof that your record has been sealed- once it is sealed, it will be very hard to get a copy.

**11. Mail a copy of the certified order to every agency involved.**

Make enough copies of the order that you can bring or mail a copy to all of the places you sent a copy of the NOTICE to before.

Sometimes the clerk will give a copy of the orders to the Prosecutor's office and Probation Office. You can ask them if they do. If not, you may bring or mail a copy of the signed order to them, just like you send to the other places, like Washington State Patrol. If you do not send them a copy of the order, they do not know your record is sealed. **This step is the BIG ONE!**

**Background Checks:** Government agencies update their records quickly. Some will still be able to see your information, like the FBI, but people like landlords or employers should not be able to see your juvenile record once it is sealed. It can take up to three months for private background checks to update—if it is still a problem after that, you can contact TeamChild at [kinginfo@teamchild.org](mailto:kinginfo@teamchild.org) for help.

## APPENDIX A - Classification of Offenses

Juvenile offenses are ranked under [RCW 13.40.0357](#) from A+ through E. The rankings correspond to adult crime categories: Offense category A equals class A felony; offense category B equals class B felony; offense category C equals class C felony; offense category D equals gross misdemeanor; and offense category E equals misdemeanor. Felonies are generally more serious than misdemeanors.

OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	CATEGORY FOR ATTEMPT, BAIL JUMP, CONSPIRACY, OR SOLICITATION
<b>Arson and Malicious Mischief</b>		
A	Arson 1 ( <a href="#">9A.48.020</a> )	B+
B	Arson 2 ( <a href="#">9A.48.030</a> )	C
C	Reckless Burning 1 ( <a href="#">9A.48.040</a> )	D
D	Reckless Burning 2 ( <a href="#">9A.48.050</a> )	E
B	Malicious Mischief 1 ( <a href="#">9A.48.070</a> )	C
C	Malicious Mischief 2 ( <a href="#">9A.48.080</a> )	D
D	Malicious Mischief 3 ( <a href="#">9A.48.090(2)(a) and (c)</a> )	E
E	Malicious Mischief 3 ( <a href="#">9A.48.090(2)(b)</a> )	E
E	Tampering with Fire Alarm Apparatus ( <a href="#">9.40.100</a> )	E
E	Tampering with Fire Alarm Apparatus with Intent to Commit Arson ( <a href="#">9.40.105</a> )	E
A	Possession of Incendiary Device ( <a href="#">9.40.120</a> )	B+
<b>Assault and Other Crimes Involving Physical Harm</b>		
A	Assault 1 ( <a href="#">9A.36.011</a> )	B+
B+	Assault 2 ( <a href="#">9A.36.021</a> )	C+
C+	Assault 3 ( <a href="#">9A.36.031</a> )	D+
D+	Assault 4 ( <a href="#">9A.36.041</a> )	E

B+	Drive-By Shooting ( <a href="#">9A.36.045</a> )	C+
D+	Reckless Endangerment ( <a href="#">9A.36.050</a> )	E
C+	Promoting Suicide Attempt ( <a href="#">9A.36.060</a> )	D+
D+	Coercion ( <a href="#">9A.36.070</a> )	E
C+	Custodial Assault ( <a href="#">9A.36.100</a> )	D+
<b>Burglary and Trespass</b>		
B+	Burglary 1 ( <a href="#">9A.52.020</a> )	C+
B	Residential Burglary ( <a href="#">9A.52.025</a> )	C
B	Burglary 2 ( <a href="#">9A.52.030</a> )	C
D	Burglary Tools (Possession of) ( <a href="#">9A.52.060</a> )	E
D	Criminal Trespass 1 ( <a href="#">9A.52.070</a> )	E
E	Criminal Trespass 2 ( <a href="#">9A.52.080</a> )	E
C	Mineral Trespass ( <a href="#">78.44.330</a> )	C
C	Vehicle Prowling 1 ( <a href="#">9A.52.095</a> )	D
D	Vehicle Prowling 2 ( <a href="#">9A.52.100</a> )	E
<b>Drugs</b>		
E	Possession/Consumption of Alcohol ( <a href="#">66.44.270</a> )	E
C	Illegally Obtaining Legend Drug ( <a href="#">69.41.020</a> )	D
C+	Sale, Delivery, Possession of Legend Drug with Intent to Sell ( <a href="#">69.41.030(2)(a)</a> )	D+
E	Possession of Legend Drug ( <a href="#">69.41.030(2)(b)</a> )	E
B+	Violation of Uniform Controlled Substances Act - Narcotic, Methamphetamine, or Flunitrazepam Sale ( <a href="#">69.50.401(2) (a)</a> <a href="#">or (b)</a> )	B+
C	Violation of Uniform Controlled Substances Act – Non-narcotic Sale ( <a href="#">69.50.401(2)(c)</a> )	C

E	Possession of Marijuana <40 grams ( <a href="#">69.50.4014</a> )	E
C	Fraudulently Obtaining Controlled Substance ( <a href="#">69.50.403</a> )	C
C+	Sale of Controlled Substance for Profit ( <a href="#">69.50.410</a> )	C+
E	Unlawful Inhalation ( <a href="#">9.47A.020</a> )	E
B	Violation of Uniform Controlled Substances Act - Narcotic, Methamphetamine, or Flunitrazepam Counterfeit Substances ( <a href="#">69.50.4011(2) (a) or (b)</a> )	B
C	Violation of Uniform Controlled Substances Act - Nonnarcotic Counterfeit Substances ( <a href="#">69.50.4011(2) (c), (d), or (e)</a> )	C
C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance ( <a href="#">69.50.4013</a> )	C
C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance ( <a href="#">69.50.4012</a> )	C
<b>Firearms and Weapons</b>		
B	Theft of Firearm ( <a href="#">9A.56.300</a> )	C
B	Possession of Stolen Firearm ( <a href="#">9A.56.310</a> )	C
E	Carrying Loaded Pistol Without Permit ( <a href="#">9.41.050</a> )	E
C	Possession of Firearms by Minor (<18) ( <a href="#">9.41.040(2)(a)(iii)</a> )	C
D+	Possession of Dangerous Weapon ( <a href="#">9.41.250</a> )	E
D	Intimidating Another Person by use of Weapon ( <a href="#">9.41.270</a> )	E
<b>Homicide</b>		
A+	Murder 1 ( <a href="#">9A.32.030</a> )	A
A+	Murder 2 ( <a href="#">9A.32.050</a> )	B+

B+	Manslaughter 1 ( <a href="#">9A.32.060</a> )	C+
C+	Manslaughter 2 ( <a href="#">9A.32.070</a> )	D+
B+	Vehicular Homicide ( <a href="#">46.61.520</a> )	C+
<b>Kidnapping</b>		
A	Kidnap 1 ( <a href="#">9A.40.020</a> )	B+
B+	Kidnap 2 ( <a href="#">9A.40.030</a> )	C+
C+	Unlawful Imprisonment ( <a href="#">9A.40.040</a> )	D+
<b>Obstructing Governmental Operation</b>		
D	Obstructing a Law Enforcement Officer ( <a href="#">9A.76.020</a> )	E
E	Resisting Arrest ( <a href="#">9A.76.040</a> )	E
B	Introducing Contraband 1 ( <a href="#">9A.76.140</a> )	C
C	Introducing Contraband 2 ( <a href="#">9A.76.150</a> )	D
E	Introducing Contraband 3 ( <a href="#">9A.76.160</a> )	E
B+	Intimidating a Public Servant ( <a href="#">9A.76.180</a> )	C+
B+	Intimidating a Witness ( <a href="#">9A.72.110</a> )	C+
<b>Public Disturbance</b>		
C+	Riot with Weapon ( <a href="#">9A.84.010(2)(b)</a> )	D+
D+	Riot Without Weapon ( <a href="#">9A.84.010(2)(a)</a> )	E
E	Failure to Disperse ( <a href="#">9A.84.020</a> )	E
E	Disorderly Conduct ( <a href="#">9A.84.030</a> )	E
<b>Sex Crimes</b>		
A	Rape 1 ( <a href="#">9A.44.040</a> )	B+
A-	Rape 2 ( <a href="#">9A.44.050</a> )	B+
C+	Rape 3 ( <a href="#">9A.44.060</a> )	D+
A-	Rape of a Child 1 ( <a href="#">9A.44.073</a> )	B+
B+	Rape of a Child 2 ( <a href="#">9A.44.076</a> )	C+
B	Incest 1 ( <a href="#">9A.64.020(1)</a> )	C

C	Incest 2 ( <a href="#">9A.64.020(2)</a> )	D
D+	Indecent Exposure (Victim <14) ( <a href="#">9A.88.010</a> )	E
E	Indecent Exposure (Victim 14 or over) ( <a href="#">9A.88.010</a> )	E
B+	Promoting Prostitution 1 ( <a href="#">9A.88.070</a> )	C+
C+	Promoting Prostitution 2 ( <a href="#">9A.88.080</a> )	D+
B+	Indecent Liberties ( <a href="#">9A.44.100</a> )	C+
A-	Child Molestation 1 ( <a href="#">9A.44.083</a> )	B+
B	Child Molestation 2 ( <a href="#">9A.44.086</a> )	C+
<b>Theft, Robbery, Extortion, and Forgery</b>		
B	Theft 1 ( <a href="#">9A.56.030</a> )	C
C	Theft 2 ( <a href="#">9A.56.040</a> )	D
D	Theft 3 ( <a href="#">9A.56.050</a> )	E
B	Theft of Livestock 1 and 2 ( <a href="#">9A.56.080</a> and <a href="#">9A.56.083</a> )	C
C	Forgery ( <a href="#">9A.60.020</a> )	D
A	Robbery 1 ( <a href="#">9A.56.200</a> )	B+
B+	Robbery 2 ( <a href="#">9A.56.210</a> )	C+
B+	Extortion 1 ( <a href="#">9A.56.120</a> )	C+
C+	Extortion 2 ( <a href="#">9A.56.130</a> )	D+
C	Identity Theft 1 ( <a href="#">9.35.020(2)</a> )	D
D	Identity Theft 2 ( <a href="#">9.35.020(3)</a> )	E
D	Improperly Obtaining Financial Information ( <a href="#">9.35.010</a> )	E
B	Possession of Stolen Property 1 ( <a href="#">9A.56.150</a> )	C
C	Possession of Stolen Property 2 ( <a href="#">9A.56.160</a> )	D
D	Possession of Stolen Property 3 ( <a href="#">9A.56.170</a> )	E

C	Taking Motor Vehicle Without Permission 1 and 2 ( <a href="#">9A.56.070</a> and <a href="#">9A.56.075</a> )	D
<b>Motor Vehicle Related Crimes</b>		
E	Driving Without a License ( <a href="#">46.20.005</a> )	E
B+	Hit and Run - Death ( <a href="#">46.52.020(4)(a)</a> )	C+
C	Hit and Run - Injury ( <a href="#">46.52.020(4)(b)</a> )	D
D	Hit and Run-Attended ( <a href="#">46.52.020(5)</a> )	E
E	Hit and Run-Unattended ( <a href="#">46.52.010</a> )	E
C	Vehicular Assault ( <a href="#">46.61.522</a> )	D
C	Attempting to Elude Pursuing Police Vehicle ( <a href="#">46.61.024</a> )	D
E	Reckless Driving ( <a href="#">46.61.500</a> )	E
D	Driving While Under the Influence ( <a href="#">46.61.502</a> and <a href="#">46.61.504</a> )	E
<b>Other</b>		
B	Animal Cruelty 1 ( <a href="#">16.52.205</a> )	C
B	Bomb Threat ( <a href="#">9.61.160</a> )	C
C	Escape 1 ( <a href="#">9A.76.110</a> )	C
C	Escape 2 ( <a href="#">9A.76.120</a> )	C
D	Escape 3 ( <a href="#">9A.76.130</a> )	E
E	Obscene, Harassing, Etc., Phone Calls ( <a href="#">9.61.230</a> )	E
A	Other Offense Equivalent to an Adult Class A Felony	B+
B	Other Offense Equivalent to an Adult Class B Felony	C
C	Other Offense Equivalent to an Adult Class C Felony	D
D	Other Offense Equivalent to an Adult Gross Misdemeanor	E

E	Other Offense Equivalent to an Adult Misdemeanor	E
V	Violation of Order of Restitution, Community Supervision, or Confinement ( <a href="#">13.40.200</a> )	V

## APPENDIX B - County-Specific Practices for Juvenile Record Sealing Requests

*The following information was provided by the juvenile court clerks in each county and was last updated in May 2012. The laws have changed since then, so before starting, you should call your county court clerk to make sure that you have the most up to date instructions about the local record sealing process.*

Updated 05/2012

<b>County</b>	
Adams County	<p>They recommend you contact a private attorney. They will allow you to file without an attorney, but will not offer help in the process.</p> <p>For more information, contact:</p> <p>Adams County Juvenile Court 425 E. Main Suite 100 Othello, WA 99344 Phone: 509-488-5646</p>
Asotin County	<p>Asotin County follows the general process described in this Manual. The Clerk's office will help you get a court date and give you information regarding your cause numbers and potential fines owed.</p> <p>For more information, contact:</p> <p>Asotin County Clerk's Office 135 2nd St, PO Box 159 Asotin, WA 99402-0159 Phone: 509-243-2081</p>
Benton/ Franklin Counties	<p>Benton and Franklin Counties follow the general process described in this Manual.</p> <p>For more information, contact:</p> <p>Benton County Clerk's Office 7122 W Okanogan Pl, Bldg A Kennewick, WA 99336-2359 Phone: 509-735-8388 x5</p>

Chelan County	<p>Chelan County has its own sealing process. If you are not hiring a lawyer, you must follow their process. You can buy all forms and instructions from the Clerk's Office for \$5. Chelan County needs some additional documentation. Their instruction packet explains. If you are out of the County, you can have someone process the paperwork for you.</p> <p>For more information, contact the Clerk's office:</p> <p>350 Orondo Ave  PO Box 3025  Wenatchee, WA 98807-3025  509-667-6380</p>
Clallam County	<p>Contact Clallam County Juvenile Court for help. Court staff will check your eligibility to seal for a \$20 non-refundable fee. If you are eligible, court staff will complete the sealing process for you for an extra \$80. The process takes about three weeks. You can either go to the hearing or have the signed order mailed to you.</p> <p>Clallam County may ask that you have no outstanding restitution on any matters before sealing.</p> <p>Juvenile and Family Services  1912 West 18th Street  Port Angeles, Washington 98363  Phone: (360) 417-2282</p>
Clark County	<p>Clark County Juvenile Court provides full assistance with the records sealing process. This process takes approximately <b>four months</b>. To start the process, you must fill out two forms and return them to the Juvenile Justice Center. The Juvenile Justice Center then reviews your motion for eligibility. If you are eligible, they will handle providing notice to the parties and will ultimately provide you with a signed order.</p> <p>More information online at <a href="http://www.clark.wa.gov/juvenile/sealing-destroying.htm">http://www.clark.wa.gov/juvenile/sealing-destroying.htm</a></p> <p>Or contact:</p> <p>Juvenile Justice Center  500 W 11th St  PO Box 5000  Vancouver, WA 98666-5000  Phone: 360-397-2201 x2</p>
Columbia County	<p>You must get a motion form from the Juvenile Justice Center. You may fill out the form right there in the office. Staff at the Center will help you get your</p>

	<p>criminal history, which you must attach to your motion. Your motion is then provided to the Prosecutor’s Office. If you are eligible to seal your record(s), the Prosecutor’s Office will handle the rest of the process and help you get a signed order.</p> <p>For more information contact:</p> <p>Juvenile Justice Center  455 W Rose St  PO Box 1754  Walla Walla, WA 99362-1790</p> <p>Phone: 509-524-2800</p> <p>Or find information online at  <a href="http://www.co.walla-walla.wa.us/departments/jjc/SealRecords.shtml">http://www.co.walla-walla.wa.us/departments/jjc/SealRecords.shtml</a></p>
Cowlitz County	<p>You must stop by the Juvenile Department and fill out a record sealing request form. Juvenile Department staff will complete further paperwork for you and set a court date for you about six weeks out. You must then return and sign that paperwork. Notice will be sent to all the parties. If there is no objection, your motion will be presented to the court on the day of your hearing.</p> <p>For more information see:  <a href="http://www.co.cowlitz.wa.us/juvenile/probation_services/rec_seal_procedure.htm">http://www.co.cowlitz.wa.us/juvenile/probation_services/rec_seal_procedure.htm</a></p> <p>Cowlitz County  Juvenile Department  1725 1st Avenue, Longview, WA 98632  Phone: 360.577.3100</p>
Douglas County	<p>Douglas County follows the general process described in this Manual. You can buy a hard copy of the manual for \$5 from the Clerk’s office. If you live out of the county, you can petition the Prosecutor’s Office to have your presence waived. Paperwork must be filed with the Clerk’s Office in Waterville, WA. Court hearings are held every Wednesday.</p> <p>For more information contact:</p> <p>Douglas County Clerk’s Office  203 S Rainier  Waterville, WA 98858-0516  Phone: 509-745-8529</p>

<p>Ferry/Pend Oreille/ Stevens County</p>	<p>Ferry County follows the general process described in this Manual. You are encouraged to seek help from an attorney.</p> <p>For more information contact:</p> <p>Juvenile Court 350 E Delaware Ave, Ste 10 Republic, WA 99166-9747 Phone: 509-775-5225 ext. 1108</p>
<p>Franklin County</p>	<p>See listing for Benton/Franklin above.</p>
<p>Garfield County</p>	<p>Garfield County follows the general process described in this Manual.</p> <p>Staff at Juvenile Court will help you figure out and get through the court process. Juvenile Court hearings are held once a month on the first Tuesday of the month.</p> <p>For more information, contact:</p> <p>Garfield County Juvenile Court 135 2nd St Asotin, WA 99402 Phone: 509-243-2024</p>
<p>Grant County</p>	<p>Grant County follows the general process described in this Manual.</p> <p>Staff at Juvenile Court will help you figure out and get through the court process.</p> <p>For more information, contact:</p> <p>Grant County Juvenile Court 303 Abel Rd PO Box 818 Ephrata, WA 98823-0818 Phone: 509-754-5690</p>
<p>Grays Harbor County</p>	<p>Grays Harbor County follows the general process described in this Manual. The Grays Harbor Prosecutor files a response to <b>every</b> sealing motion. If the Prosecutor disagrees with your Motion to Seal, it does not mean the motion is denied. You should still appear at your court hearing and allow the Judge to decide whether or not to sign your Order. You can also call the Prosecutor's</p>

	<p>office a week after you file the notice and motion to see if you are eligible. This will allow you to take any needed actions that will make you eligible at the time of your court hearing.</p> <p>For more information contact:</p> <p>Grays Harbor Juvenile Court 103 Hagara St Aberdeen, WA 98520-3198 Phone:360-533-3919</p>
Island County	<p>Island County follows the general process described in this Manual. You can get a free packet of information at Juvenile Court. The court charges for copies.</p> <p>For more information, contact:</p> <p>Island County Juvenile Court 501 N Main St PO Box 5000 Coupeville, WA 98239-5000 Phone:360-679-7325</p>
Jefferson County	<p>Contact Juvenile Court for help with the process. Court staff will help determine whether you are eligible to seal your records. If you are eligible, you will be sent a packet of forms to complete. Court staff will assist you with obtaining a court date and will notify the other parties for you. There is a \$30 filing fee for each record that you are trying to seal.</p> <p>For more information, contact:</p> <p>Jefferson County Juvenile Court 1820 Jefferson St PO Box 1220 Port Townsend, WA 98368-0920 Phone:360-385-9190</p>
King County	<p>Follow sealing process described in this manual. You may also be able to get help from the Department of Public Defense.</p>
Kitsap County	<p>You must visit Juvenile court between 8:30 am and 4:00 pm. Show a copy of your picture ID. Staff will help you get a copy of your criminal history. Staff will then review your criminal history with you to see if you are eligible to</p>

	<p>seal. If it appears that you are, you must make an appointment to meet further with a staff member. There are three staff members who meet with people to explain the sealing process, help filling out the needed paperwork, and give you a court date. You must then mail out notice to the parties. The process takes about four weeks.</p> <p>For more information visit:</p> <p><a href="http://www.kitsapgov.com/juv/sealing.htm">http://www.kitsapgov.com/juv/sealing.htm</a></p> <p>or contact Juvenile Court directly at:</p> <p>614 Division St, MS-28  Port Orchard WA 98366  Phone: 360-337-5401</p>
<p>Kittitas County</p>	<p>Kittitas County generally follows the process as described in this Manual. Juvenile Court staff is unable to help with the process.</p> <p>For more information, contact:</p> <p>Kittitas County Juvenile Court  205 W 5th Ave, Ste 211  Ellensburg, WA 98926-2887  Phone: 509-962-7516</p>
<p>Klickitat County</p>	<p>The Klickitat Clerk's office will process everything for you. Just call them. They will give you a court date and notify all of the necessary parties.</p> <p>For more information, contact:</p> <p>Klickitat County Juvenile Court  131 W Court St, MS CH-16  Goldendale, WA 98620-8932  Phone: 509-773-3355</p>
<p>Lewis County</p>	<p>Lewis County generally follows the process as described in this Manual. You can get a packet of information and instructions from Juvenile Court. If you call the court, they will look up your record for you. Lewis County contracts with one attorney who will handle the sealing process for you for a negotiated price of \$150 per cause number.</p> <p>For more information, contact:</p> <p>Lewis County Juvenile Court</p>

	<p>1255 SW Pacific Ave  Chehalis, WA 98532-4802  Phone: 360-740-1178</p>
Lincoln County	<p>Lincoln County generally follows the process as described in this Manual. The court will help you get your criminal history and see if you are eligible to have your record sealed. Contact juvenile court for information regarding attorneys who will help you for a reduced fee.</p> <p>For more information, contact:</p> <p>Lincoln County Juvenile Court  450 Logan St  PO Box 5  Davenport, WA 99122-0005  Phone: 509-725-7475</p>
Mason County	<p>Mason County generally follows the process as described in this Manual. You can get a packet of information and instructions from Juvenile Court.</p> <p>For more information, contact:</p> <p>Mason County Juvenile Court  615 W Alder St  PO Box 368  Shelton, WA 98584-0368  Phone: 360-427-9670</p>
Okanogan County	<p>Contact juvenile court for help. You will be asked to provide your name and date of birth to staff who will review your criminal history with you. You may choose to pay a fee of \$100 for court staff to complete the sealing process for you. You must go to a court hearing. This process takes approximately three weeks. Okanogan County requires you to have NO outstanding court fines on any matters before sealing.</p> <p>For more information, contact:</p> <p>Okanogan County Juvenile Court  237 N 4th Ave  PO Box 432  Okanogan, WA 98840-0432  Phone: 509-422-7250</p>
Pacific County	<p>You may get help with the process from juvenile court. Contact juvenile court to schedule an appointment with a staff member who will screen for eligibility. If you are eligible for sealing, staff will complete the sealing process</p>

	<p>for you. You must go to your court hearing unless you live outside of the county. This process takes approximately one month.</p> <p>For more information, contact:</p> <p>Pacific County Juvenile Court 300 Memorial Dr PO Box 93 South Bend, WA 98586-0093 Phone:360-875-9350</p>
Pend Oreille County	See Ferry County above
Pierce County	<p>Pierce County generally follows the process as described in this Manual. However, they require specific forms, available on their website and at the Clerk's Office. You may be able to file your motions by mail. You may also get help at the Pierce County Volunteer Legal Services Record Sealing clinic.</p> <p>For more information, contact:</p> <p>Pierce County Juvenile Court 5501 6th Ave Tacoma, WA 98406-2603 Phone:253-798-7900</p> <p><a href="http://www.co.pierce.wa.us/pc/abtus/ourorg/juvct/abtusjuv.htm">http://www.co.pierce.wa.us/pc/abtus/ourorg/juvct/abtusjuv.htm</a></p>
San Juan County	<p>You may get help with the process from juvenile court.</p> <p>For more information contact:</p> <p>San Juan County Juvenile Court 350 Court St, #4 Friday Harbor, WA 98250-7901 360-378-4620</p>
Skagit County	<p>Skagit County generally follows the process as described in this Manual. You may buy a packet of forms and instructions for \$5 from the Clerk's Office. Clerk's Office staff will help you get a copy of your criminal history and schedule a court date. Court hearings are held on Tuesdays and must be scheduled a minimum of two weeks out. Once the judge has signed your order, the Clerk's Office will send copies to the agencies which have your criminal records.</p>

	<p>For more information, contact:</p> <p>Skagit County Clerk's Office  205 W Kincaid St, Rm 103  Mount Vernon, WA 98273-4225  Phone: 360-336-9440</p>
<p>Skamania County</p>	<p>Contact Juvenile Court for assistance. Staff will help you fill out the needed paperwork and send out notice to the parties. If there is no objection to the motion to seal, the order will be signed by the judge without a hearing. A copy of the signed order will then be sent to you for your records.</p> <p>For more information, contact:</p> <p>Skamania County Juvenile Court  240 Vancouver Ave.  Stevenson, WA 98648  Phone: 509-427-3715</p>
<p>Snohomish County</p>	<p>Snohomish County generally follows the process as described in this Manual.</p> <p>For more information see:</p> <p>Denney Juvenile Justice Center  2801 10<sup>th</sup> Street  Everett, Washington 98201  Phone: (425) -388 -7800</p>
<p>Spokane County</p>	<p>Call the court at the number below. They will determine your eligibility for free. This process takes approximately two weeks. You will get a letter stating your eligibility. If you are eligible, you can choose to process the paperwork on your own, hire a private attorney, or pay the court a \$100 fee to process the paperwork for you. If you choose to pay the court, you do not need to appear to the hearing. The court will send you a copy of the signed order. The sealing process takes approximately four to six weeks.</p> <p>For more information see:</p> <p><a href="http://www.spokanecounty.org/data/juvenile/pdf/Sealing%20and%20Destruction%20of%20Juvenile%20Court%20Records.pdf">http://www.spokanecounty.org/data/juvenile/pdf/Sealing%20and%20Destruction%20of%20Juvenile%20Court%20Records.pdf</a></p> <p>Or contact:</p> <p>Juvenile Court</p>

	<p>1208 W Mallon Ave          Spokane, WA 99201-2091          Phone: 509-477-2411</p>
Stevens County	See Ferry County above
Thurston County	<p>You must get a packet of forms and instructions from Thurston County Juvenile Court. Staff at Thurston County Juvenile Court will help you figure out which agencies hold your juvenile records. Once you fill out the needed paperwork, your motion will be provided to the Prosecutor's Office and then to the Judge for signature. You will be notified once your Order is signed. You generally do not need to appear for a court hearing.</p> <p>For more information, contact:</p> <p>Dave Furman, Juvenile Probation          2801 32nd Ave. SW., Tumwater, WA 98501          Phone: 360-709-3189</p>
Wahkiakum County	<p>Contact Juvenile Court for help. You will be asked to provide your name, date of birth and current address. If you are eligible to seal your records, you will be sent a form to fill out and send back. Court staff will then give you a court date and send out notice of the hearing to all parties. These hearings are held only once a month. You must appear at the hearing.</p> <p>For more information, contact:</p> <p>Wahkiakum County Juvenile Court          300 Memorial Ave, Fl 2          South Bend, WA 98586-0093          Phone: 360-875-9350</p>
Walla Walla County	<p>You must get a motion form from the Walla Walla Juvenile Justice Center. Staff at the Center will help you get your criminal history, which you must attach to your motion. Your motion is then provided to the Prosecutor's Office. If you are eligible to seal your record(s), the Prosecutor's Office will handle the rest of the process and help you get a signed order.</p> <p>For more information, contact: Juvenile Justice Center</p>

	<p>455 W Rose St  Walla Walla, WA 99362-0033  Phone: 509-524-2800</p> <p>Or online at:  <a href="http://www.co.walla-walla.wa.us/departments/jjc/SealRecords.shtml">http://www.co.walla-walla.wa.us/departments/jjc/SealRecords.shtml</a></p>
Whatcom County	<p>You must contact the Whatcom Juvenile court and fill out a sealing request form. Once the request form is turned in, your records are reviewed for eligibility. You will be notified of your eligibility and the next steps to take about a week later. Court hearings are held on Wednesdays at 10am.</p> <p>For more information, contact:  Whatcom County Juvenile Court  311 Grand Ave, Ste 501  Bellingham, WA 98225-4048  Phone: 360-676-6780</p> <p>Or online at  <a href="http://www.co.whatcom.wa.us/juvenile/sealingrecords.jsp">http://www.co.whatcom.wa.us/juvenile/sealingrecords.jsp</a></p>
Whitman County	<p>You may buy a packet of forms and instructions for \$5 from Clerk's Office. Follow the procedures in the packet.</p> <p>For more information, contact:  Whitman County Clerk  400 N Main St  Colfax, WA 99111-0598  Phone: 509-397-6240</p>
Yakima County	<p>Yakima County generally follows the process as described in this Manual.</p> <p>For more information see:  County of Yakima: Juvenile Court Administration  1728 Jerome Avenue  Yakima, Washington 98902  Phone: 509-574-2050</p>

## **APPENDIX C - Court Forms**

- 1. Notice of Respondent's Motion to Seal Records of Juvenile Offender**
- 2. Motion and Declaration to Seal Records of Juvenile Offender**
- 3. Order on Motion to Seal Records of Juvenile Offender**
- 4. Certificate of Service**

# **1. Notice of Respondent's Motion to Seal Records of Juvenile Offender**

<b>SUPERIOR COURT OF WASHINGTON</b> <b>COUNTY OF _____</b> <b>JUVENILE COURT</b>	
STATE OF WASHINGTON v.   D.O.B.: _____	Respondent.

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

- TO: \_\_\_\_\_ County Superior Court Clerk's Office
- TO: \_\_\_\_\_ County Prosecutor, Juvenile Division
- TO: \_\_\_\_\_ County Juvenile Court Administrator
- TO: \_\_\_\_\_ Police Department/Sheriff's Office
- TO: Washington State Patrol, Records Division
- TO: Juvenile Rehabilitation Administration (DSHS)
- TO: \_\_\_\_\_
- TO: \_\_\_\_\_

PLEASE TAKE NOTICE that on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., at \_\_\_\_\_ County Superior Court, Juvenile Division, attorney for \_\_\_\_\_, will move for an order sealing the juvenile records on the above entitled matter.

Dated: \_\_\_\_\_  
 \_\_\_\_\_  
 Pro Se Respondent (Sign Name)

## **2. Motion and Declaration to Seal Records of Juvenile Offender**

**SUPERIOR COURT OF WASHINGTON**  
**COUNTY OF \_\_\_\_\_**  
**JUVENILE COURT**

STATE OF WASHINGTON v.

Respondent.

D.O.B.:

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 Title 13.50.260 and the declaration of respondent.

Dated: \_\_\_\_\_

PRO SE

**II. Declaration of Respondent**

I, \_\_\_\_\_, state as follows:

2.1. Finding of guilt: On or around \_\_\_\_\_ my charge of \_\_\_\_\_  
\_\_\_\_\_ was resolved as \_\_\_\_\_ and it has been  
more than  two  five years since my last date of confinement.

**2.2 Sealing records - factors pursuant to RCW Title 13.50.260:**

**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.

I have paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.

I am eligible to have my records sealed under RCW Title 13.50 in that I have satisfied all the requirements of those statutes.

**2.3 Sealing records of vacated deferred disposition – factors pursuant to RCW Title 13.50:**

I meet the following requirements:

The court vacated my deferred disposition and dismissed the case with prejudice pursuant to RCW 13.40.127(9) prior to June 7, 2012.

I am over 18 years of age.

I have paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.

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 \_\_\_\_\_, Washington.

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Address

\_\_\_\_\_  
\_\_\_\_\_

### **3. Order on Motion to Seal Records of Juvenile Offender**

**SUPERIOR COURT OF WASHINGTON**  
**COUNTY OF \_\_\_\_\_**  
**JUVENILE COURT**

STATE OF WASHINGTON v.

Respondent.

D.O.B.:

No:

**Order Re: Sealing Records of  
Juvenile Offender  
(ORSF, ORSFD)**

**I. Basis**

- 1.1 THIS MATTER came on before the court on (choose one):
- Motion to seal records under RCW 13.50.260:** Respondent's motion to vacate and seal records of juvenile offender pursuant to RCW Title 13.50.260.
  - Administrative Sealing Under RCW 13.50.260 or 13.40.127:**
    - Administrative sealing of juvenile records pursuant to regular statutory administrative sealing of a qualified disposition order entered after June 11, 2014 (RCW Title 13.50), or,
    - Vacated deferred disposition dismissed and vacated after June 6, 2012 (RCW 13.40.127).
  - Acquittal or Dismissal of Charges Under RCW 13.50.260:** Sealing of juvenile records pursuant to acquittal or dismissal of charges with prejudice and subject to the state's right, if any, to appeal the dismissal. (RCW 13.50.260).
  - Re-Sealing Post Nullification under RCW 13.50.260:** Sealing of juvenile records previously nullified by subsequent adjudication and disposition in a different case number, but for which the respondent requests re-sealing (RCW 13.50.260).
- 1.2 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  Motion to seal records pursuant to RCW 13.50.260:
- Notice of motion: Adequate notice  was  was not given to the appropriate parties and agencies; and,
  - Respondent has satisfied the requirements of RCW 13.50.260 and is entitled to have sealed the official juvenile court record, the social file, and the records of the court and of any other agency.

- 2.2  **Administrative sealing under RCW 13.50.260 or 13.40.127:**
- Deferred disposition vacated after June 6, 2012:** The deferred disposition was dismissed and vacated after June 6, 2012. The respondent is entitled to have the files and records in this case sealed under to RCW 13.40.127.
  - Regular statutory administrative sealing:** A disposition in this case was entered after June 11, 2014, and, the respondent is entitled to have the files and records in this case reviewed for automatic sealing pursuant to RCW 13.50.260 because the respondent is now at least 18 years of age and is no longer subject to community supervision and/or JRA commitment and parole. At the regular sealing hearing set for this matter, the court found:
    - Entitled to administratively seal:** there is no objection to sealing, nor is there any compelling reason not to seal. The respondent is entitled to have the files and records in this case administratively sealed pursuant to RCW 13.50.260 because respondent complied with all terms of the disposition order and has paid in full the amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.
    - Failure to complete the terms of the disposition:** The respondent failed to complete the terms of the disposition order and has failed to pay in full the amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW. The respondent is not entitled to administrative sealing of the files and records in this case.
    - Objection or compelling reason:** Despite being eligible for administrative sealing, there was an objection made to sealing and/or the court found a compelling reason not to seal the case. A hearing was set for today. This date  was  was not at least 18 days after notice of the hearing and opportunity to object was sent to the respondent, the victim, and respondent's attorney. After hearing arguments from the attorneys, the court finds sealing the files and records in this case  appropriate  inappropriate.
- 2.3  **Acquittal or dismissal of charges under RCW Title 13.50.260:** The respondent is entitled to sealing of juvenile records base on  acquittal of charges in the case, or  dismissal of charges.
- 2.4  **Re-sealing post nullification under RCW Title 13.50.260:** This case was previously sealed and then the sealing order nullified after adjudication in a subsequent case number \_\_\_\_\_-8-\_\_\_\_\_. Since nullification, there has been a disposition in the subsequent case number. Now, this case  does qualify  does not qualify for sealing by statute. Re-sealing in this case is  appropriate  inappropriate (RCW 13.50.260).
- 2.5  **Motion to seal records under GR 15:** Compelling  privacy or  safety concerns that outweigh the public interest in access to the court records  have  have not been found. In addition, the court finds as follows:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**III. Order**

Based on the above findings, it is hereby ordered:

**Sealing Denied:** The files and records in this case shall not be sealed.

**Sealing Granted:** The files and records in this case shall be sealed as follows:

**Pursuant to RCW 13.50.260 or RCW 13.40.127:** The court grants the motion to seal pursuant to RCW 13.50.260 or RCW 13.40.127, as applicable, including any administrative review required by statute. Pursuant to this order:

1. With the exception of identifying information specified in RCW 13.50.050(13), the official juvenile court record, the social file, and other records relating to the case as are named herein are sealed;
2. 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, the records of which are sealed. However, county clerks may interact or correspond with the respondent, respondent's parents, and any holders of potential assets or wages of the respondent for the purposes of collecting any outstanding legal financial obligations even after juvenile court records have been sealed.
3. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual;
4. Inspection of the files and records included in this order may only be permitted by order of the court and upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(13);
5. Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying this order; however, the court may order this case resealed upon disposition of the subsequent matter if this case meets the sealing criteria under RCW 13.50.260 and this case has not previously been resealed;
6. Any charging of an adult felony subsequent to this order has the effect of nullifying this order.

**Pursuant to GR 15:** The court grants the motion to seal pursuant to GR 15. The files and records in this case are sealed for a period not to exceed the following time period:

\_\_\_\_\_, and  
the clerk of the court is ordered to seal the entire court file and to secure it from public access. Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying this order.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Submitted by:

\_\_\_\_\_  
Attorney for Respondent/WSBA No.

# 4. Certificate of Service

**SUPERIOR COURT OF WASHINGTON**  
**COUNTY OF \_\_\_\_\_**  
**JUVENILE COURT**

STATE OF WASHINGTON

**No:**  
**CERTIFICATE OF SERVICE**

Respondent.

D.O.B.:

I, \_\_\_\_\_, certify under that today I served a copy of the Notice and Motion to Seal Records in the above referenced matter to the following in the manner indicated below:

**PERSONAL SERVICE**

I served the Notice by delivering a true copy to the following:

<b>Name of court/prosecutor/agency</b>	<b>Address Where Served</b>	<b>Date</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____

SERVICE BY MAIL (Attach to this form both the postal receipt and the return receipt signed by the defendant)

I, \_\_\_\_\_, certify that I served the Notice by depositing in the United States Post Office a true copy of the Notice enclosed in a sealed envelope having adequate postage and sent as follows:

Name of court/prosecutor/agency	Address Where Served	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signed on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.  
(date) (City, State)

\_\_\_\_\_  
Signature, Pro Se

## APPENDIX D - Sample Letters

Sample Letter to Law Enforcement, Juvenile Rehabilitation  
Administration (JRA), and/or, Washington State Patrol (WSP)

### **Motion and Notice of Hearing**

**(Write the date here)**

Washington State Patrol  
Records Division  
P.O. Box 42633  
Olympia, WA 98504

RE: Motion to Seal Juvenile Records- **(write your name here)** No: **(write your case numbers here)**

This letter has a copy of Notice and Motion to Seal Records of Juvenile Offender Pursuant to RCW 13.50.260 for the cases listed above. There is a hearing set for **(write the date of your hearing here)** at **(write the county here)** Superior Court, Juvenile Division.

Sincerely,

Your signature here

**(Print your name and address here)**

Sample Letter to Law Enforcement, Juvenile Rehabilitation  
Administration (JRA), and/or, Washington State Patrol (WSP)  
**After Order is Signed**

**(Write the date here)**

Washington State Patrol  
Records Division  
P.O. Box 42633

Olympia, WA 98504

RE: Motion to Seal Juvenile Records

Attached to this letter is a copy of **(write your name here)**'s Orders on Motion to Seal Records of Juvenile Offender Pursuant to RCW 13.50.260. This order, under RCW 13.50.260 requires any agency in possession of sealed records keep the content of the records, as well as their existence or nonexistence, confidential.

Thank you for your help. If you have any questions about these documents, please telephone me at **(write your telephone number or a message number here)**.

Respectfully,

Your signature here

**(Print your name and address here)**