

## SEALING YOUR CHILD'S JUVENILE RECORD

A juvenile record is a permanent record that can be accessed by any agency or any other party having "legitimate interest." For many youth who have come in contact with the juvenile justice system, having an open criminal record can result in significant obstacles in obtaining financial aid, housing, employment and licensing opportunities, educational opportunities, and public benefits.



TEXAS CRIMINAL  
JUSTICE COALITION

### WHAT IS IN MY CHILD'S JUVENILE RECORD?

A juvenile record can contain any documentation that was filed during your child's encounter with the juvenile justice system. This includes but is not limited to the following items:

- Basic information (date of birth, address, etc.)
- Records of arrest, detention, and charges
- Court documents
- Disposition and probation status
- Programming (e.g., treatment programs, schooling, etc.)

### WHEN CAN MY CHILD'S JUVENILE RECORD BE SEALED?

- If your child was not found guilty or the charges were dismissed, a juvenile record can be sealed.
- If your child's offense was a misdemeanor, a juvenile record must be sealed, pending a two-year restriction.
- If your child's offense was a felony, a juvenile record may be sealed, pending a two-year restriction.
- If your child has successfully completed a drug court program, a juvenile record can be sealed.

### WHEN CAN'T MY CHILD'S JUVENILE RECORD BE SEALED

- If your child has received a determinate sentence for a felony.
- If your child committed a felony and the case began in juvenile court but was later transferred to adult court.
- If your child has engaged in habitual felony conduct, resulting in a determinate sentence.
- If your child has been required to register and report to the Texas Sex Offender Registration Program.



### HOW DO I SEAL MY CHILD'S JUVENILE'S RECORD?

Effective June 17, 2011, Texas is required to apply an Automatic Restriction of Access to Records once your child turns 17. This restriction includes records created before, on, or after the effective date. This process limits the information available to criminal justice agencies for criminal justice purposes only (e.g., investigation/prosecution). All other inquiries into your child's juvenile record will return a notification of "does not exist," thus allowing your child to deny arrest, prosecution, and adjudication for the relevant offense. However, to further limit access to your child's juvenile record, an application/petition for the Sealing of Filing and Records must be filed with the court where your child's case was decided. To obtain further assistance in filing an application/petition, please contact your child's juvenile probation department or your county court clerk.

### ADDITIONAL INFORMATION

If you are still unclear about whether your child meets the criteria required to have their record sealed, please contact our organization so that we may assist you.