

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
PORTAGE COUNTY, OHIO**

**NOTICE TO APPLY TO HAVE
JUVENILE COURT RECORDS SEALED AND EXPUNDED**

[R.C. §2151.356(D)(2)]

TO: _____
Name of Child

CASE NO: _____

DATE: _____

JUDGE PATRICIA J. SMITH

Application to Seal Record

When a juvenile court “seals” a record, the juvenile’s record is removed from the main file and is secured in a separate file that only contains sealed records. Only the court and certain government agencies are able to view the sealed juvenile record. As to the types of records a juvenile court can seal they include those where the juvenile has been adjudicated as follows: (1) Delinquent for committing an act other than aggravated murder, murder, or rape; (2) Unruly; or (3) Juvenile Traffic Offender.

If a person has not yet attained the age of eighteen, he or she may apply to have their record sealed six months after termination of all court orders.

If a person is eighteen years of age or older, he or she may apply to have their record sealed at any time after the following:

1. The person’s attainment of the age of eighteen years of age;
2. After all orders made by the court have terminated;
3. The unconditional discharge of the person from the department of youth services with respect to a dispositional order made in relation to the adjudication to which the person was committed;
4. The court enters an order under section 2152.84 or 2152.85 of the Revised Code that contains that the child is no longer a juvenile offender registrant.

A juvenile can file PC Form “Application to Seal Record” with the juvenile clerk to begin the process of sealing the juvenile’s record. Once the application is filed, the court will consider the juvenile’s application and make a determination as to whether the sealing of the juvenile’s record is appropriate. The court will consider the juvenile’s school performance, age, employment history, nature of the offense, and any other circumstance that may relate to the juvenile’s application.

Further, the prosecutor will be notified of the applicant's request to seal his or her juvenile record and may object to the request. If there is an objection, the court may schedule a hearing on the application to seal the juvenile's record. If there is no objection from the prosecutor, the court may grant the sealing with or without a hearing.

Application to Expunge Record

Expungement of a juvenile record means to destroy, delete, and erase the juvenile record. Expunging a record means that the record is physically destroyed. No one will be able to view the record, and the juvenile has no court record.

All sealed juvenile records are automatically expunged five years after the juvenile's record has been sealed, or when the juvenile turns 23, whichever occurs first. However, a juvenile can file to have their record expunged earlier, as long as the juvenile's record has been sealed. The juvenile court can only consider expunging a record if the record is first sealed.

The applicant can file PC Form "Application to Expunge Record" to begin the expunging process.

Although a juvenile can file to expunge his or her record, applying does not automatically mean it will be expunged. The court will consider the applicant's age, education, and employment, the nature of the offense, any other delinquent or criminal acts, and any other circumstances that may be deemed appropriate.

The prosecutor will be notified of the applicant's request to expunge his or her juvenile record and may object to the request. If there is an objection, the court may schedule a hearing on the application to expunge the juvenile's record. If there is no objection from the prosecutor, the court may grant the expungement with or without a hearing.

Acknowledgment

I acknowledge that I have received this Notice to Apply to Have Juvenile Court Records Sealed and Expunged on this _____ day of _____, 20__.

Child's Signature

Witness

Parent's Signature