

JUVENILE RECORDS: MYTH vs. FACT

Myth: "My juvenile record automatically went away when I turned 18."

Fact: Juvenile records are never automatically expunged in Minnesota. While most juvenile records are confidential, felony level cases committed by those age 16 or older are public information. Private background check agencies can often obtain juvenile arrest records and court records despite confidentiality rules.

Myth: "A juvenile record won't really harm me once I'm an adult."

Fact: Consequences of having a juvenile record can follow you into the future. It can affect your ability to get jobs, professional licenses, housing, and educational loans. It may also interfere with your ability to vote or serve in the military.

Myth: "I cannot expunge my record because I pleaded/was found guilty."

Fact: Almost all juvenile records are legally eligible for expungement. If you entered a guilty plea or were adjudicated delinquent, you can still apply for expungement.

Myth: "My juvenile record is a criminal record."

Fact: Even though juvenile court uses terms like "crime" and "guilt," it is not the same as an adult criminal record. If you do not have an adult record you can respond "no" when asked if you have a criminal record.

JUVENILE EXPUNGEMENT PACKET and SUPPORT

The juvenile expungement packet includes the forms, fees and step-by-step instructions to start the expungement process.

Find it online at:

www.mncourts.gov

and enter "juvenile expungement" in the search field.

—or—

Pick up a packet at:

Hennepin County Juvenile Justice Center
590 Park Ave. First Floor
Minneapolis, MN 55487
M-F 8:00am-4:30pm

—or—

Hennepin County Government Center
Self Help Center, Skyway Level
300 South 6th Street
Minneapolis, MN 55487
M-F 8:00am-3:30pm

Self Help Center can help you with the expungement process. They cannot provide you with legal advice, however they can refer you to legal resources and expungement clinics.

JUVENILE EXPUNGEMENT 101

Minor Offenses

Misdemeanors

Gross Misdemeanors

Felonies



FIND OUT HOW TO EXPUNGE (SEAL) YOUR JUVENILE RECORD



MINNESOTA JUDICIAL BRANCH

FOURTH JUDICIAL DISTRICT • HENNEPIN COUNTY

For assistance visit the

Self Help Center

located on the Skyway Level at the

Hennepin County

Government Center

300 South 6th Street

Minneapolis, MN 55487

(612) 348-9399 (automated message)

This brochure contains information about juvenile expungement laws in Minnesota and information about juvenile expungement procedures in Hennepin County, effective March 2017.

WHAT IS EXPUNGEMENT?

Expungement is the process of going to court and asking a judge to seal a court record so that it is no longer available to the public and/or certain agencies. Usually, people ask for an expungement when they have been denied a job, housing, or a professional license because of their prior juvenile court record.

In Minnesota, the records of most juvenile cases are sealed from view (meaning they are private). However, the public can view records of offenses that would be a felony if you were at least 16 years old at the time of the offense. Juvenile records such as these may be accessible, including to agencies that conduct background checks.

It is important to know that **an expunged record is NOT destroyed**. The police, FBI, immigration officers, and other public officials may still see sealed court files for certain purposes.

What is the benefit of expungement?

If your case is expunged, you have a legal right to say you do not have a juvenile record when you apply for employment, college admission, financial aid, and housing.

It is illegal for employers to ask about expunged records. If an employer other than a law enforcement agency asks, you can say you do not have a juvenile record.

WHICH JUVENILE RECORDS *can I* EXPUNGE?

Who can ask for an expungement?

Anyone can ask for the expungement of their own juvenile record. There are no stated limitations on what types juvenile offenses can be expunged so you can request it for anything from a petty offense to a felony offense.

When can I apply for expungement?

You can request expungement of juvenile cases at any time so long as you have completed all the court-ordered conditions connected to that offense (probation supervision, restitution, fines, fees, community service, etc.)

What if (as a juvenile) I was convicted in adult court?

If you were prosecuted as an adult, you must request expungement of your record in adult court. The Self Help Center can also provide you with the papers you need to file for expungement in adult court.

What if I have juvenile cases from other counties or states?

Hennepin County Court only has the authority to review and expunge cases that were filed in Hennepin County. If you have cases from other jurisdictions, you must contact them and follow their expungement procedures.

HOW DO I EXPUNGE *my* JUVENILE RECORD?

Where do I start?

In order to have your records expunged, first you must complete an expungement petition, serve it, and file it with the court. For juvenile cases, you may file one single petition to request that multiple cases be expunged.

How does the judge decide?

The law says the Court must consider several factors (your age and background at the time of the offense, the nature and severity of the offense, the impact on the victim and the community, your prior delinquency history, and the benefit of granting the expungement). If a judge grants your expungement petition, then your records will be sealed.

How long does the process take?

The entire process of expungement may take up to 6 months. You will be given a court date at least 60 days after you file your expungement paperwork. At your hearing, the judge will review your petition and make a decision. If the decision is to expunge your case, the record stays open another 60 days (to allow for appeals) before it is sealed.

How much does it cost?

There is a fee for filing expungement petitions, however fees can be waived if you are unable to pay. The Self Help Center can help you request a fee waiver.