



ALAMEDA COUNTY PROBATION DEPARTMENT

Record Sealing Clerk: 510-618-1918

DAVID MUHAMMAD
Chief Probation Officer

RECORD SEALING INFORMATION SHEET

Dear Applicant:

Effective January 15, 2010, there is a non-refundable fee of \$150.00 required with your application packet. **Payment(s) made by mail with your application will only be accepted in the form of a Money Order or Cashier's Check made payable to "Alameda County Probation Department"**. Cash payments will only be accepted in person at the Juvenile Justice Center, 2500 Fairmont Drive, First Floor, Room C1055, in San Leandro, 94578. Separately, if you wish to have non-felony traffic violations sealed, an additional \$50.00 processing fee (made payable to "Treasurer of Alameda County") is due at the time of application. **Applications received without payment(s) will not be processed.**

When you apply to have your record sealed, it may include any case in which you appeared or were cited to appear before a Police Officer, Probation Officer, Traffic Hearing Officer or the Juvenile Court of Alameda County for any violation of the law that occurred prior to your 18th birthday. Only records falling under the jurisdiction of Alameda County will be sealed. If you have a record elsewhere, you should submit a separate application to the county where the offense(s) occurred. It is important that all your contacts with Alameda County arresting agencies or Police Departments be reported because all agencies known to have your record will receive an order to seal. If you fail to report a contact, however minor the offense was, it is possible that a portion of your record might not be sealed.

Under the provisions of Section 781 of the California Welfare and Institutions Code, you may petition the Juvenile Court to seal your juvenile record after you have reached your 18th birthday or five years after your last contact with law enforcement.

Conditions

You have reached your 18th birthday, or in a case in which no petition was filed, it has been at least five years from the date of your arrest or juvenile court finding and you have met all of the following conditions:

- You have not been convicted of a felony after age 18.
- At least one year has elapsed since your last arrest or court finding as a juvenile or adult (unless the matter was closed or dismissed for insufficient evidence).
- You are not currently undergoing any type of adult criminal court action/or investigation (including traffic court) and/or you are not on any form of adult probation or parole.
- You have not been convicted as an adult of any misdemeanor offenses involving moral turpitude.

Conditions Continued

- You have not been found by the Juvenile Court to have committed an offense listed in Section 707(B) of the Welfare and Institutions Code when you were 14 years or older.
- You do not have a civil case pending based on any juvenile offense.
- All traffic matters must be clear.
- Driver’s License must not be suspended or revoked.
- If the traffic record is to be sealed, you must not have the sufficient number of points considered by the Department of Motor Vehicles to be classified as a negligent operator.

The Court May Not Grant your Sealing Request If:

- You have had a sustained petition after age 16, which is a “strike” under the three strikes law in California. Section 667.5 and 1192.7 of the Penal Code list offenses that could be considered a “strike” (example: residential burglary, robbery).
- OR, if rehabilitation has not been attained to the satisfaction of the Court.

Exceptions

- Sealing a juvenile record does not affect the ability of insurance companies to access records which are retained by the Department of Motor Vehicles in Sacramento.
- The federal governments, including all branches of the military service, have indicated that they may not recognize the sealing of juvenile records pursuant to Section 781 of the Welfare and Institutions code. All juvenile records must be reported even though sealed when applying for a security clearance or employment with a private company that does business with the federal government.

Once the Juvenile Court orders a juvenile record sealed, a copy of that order is sent to each agency and official named by the applicant directing them to seal their records. Once these records have been sealed, the applicant may respond to any inquiry regarding a juvenile record that he/she has none. You will receive a notice from the Alameda County Superior Court Clerk’s Office after all involved agencies have complied with the court’s order to seal your records.

Any questions regarding the procedure to apply to seal your record can be directed to the Record Sealing Clerk at 510-618-1918.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF
ALAMEDA IN SESSION AS A JUVENILE COURT**

In the Matter of)	Proceeding No.:
)	
Birthdate:)	Probation Case No.:
)	
.....)	Dept. No.:

**AFFIDAVIT AND PETITION FOR THE SEALING OF RECORDS
(Section 389/781 Welfare and Institutions Code)**

Petitioner in the above-entitled Court and cause hereby alleges:

That the jurisdiction of this Court over your petitioner terminates on or about the _____ day of _____, and that a period of time in excess of five years has elapsed (or that your petitioner is now at least eighteen years of age) since said date of termination of jurisdiction.

That since the termination of said jurisdiction, petitioner has not been convicted of a felony or any misdemeanor involving moral turpitude, and that rehabilitation has been attained.

That there is no pending civil litigation directly relating to, or arising from, the criminal act that caused the records to be created.

Attached hereto is a list of all Juvenile Courts, Probation Departments, and other agencies including law enforcement and public officials who may have records of arrests or other information concerning the petitioner's juvenile record.

WHEREFORE, your petitioner prays that this Court conduct a hearing pursuant to Section 389/781 of the Welfare and Institutions Code and thereupon order sealed all records, papers and exhibits in your petitioner's care.

I declare under penalty of perjury that I have read this Affidavit and petition and the attachment(s) thereto, and that the statements and information contained in these documents are true.

The above petition is hereby set for hearing on:

X _____
PETITIONER

X _____
DATE

PAT SWEETEN, Executive Officer/
Clerk of the Superior Court of the State
Of California, in and for the County of Alameda

By: _____