

## ISLAND COUNTY JUVENILE COURT SERVICES

### Instruction for Sealing Juvenile Records

Following are guidelines for Island County Record Sealing process:

1. **All outstanding balances owing must be paid in full before records can be sealed. You can check at the Clerk's office for balance owing information.**
2. Obtain the following forms from Juvenile Court Services:
  - a. Motion and Order Sealing Records;
  - b. Notice of Hearing;
  - c. Order Sealing Records.These forms can be printed from the Island County Juvenile Court website:  
[www.islandcounty.net/Courts/Juvenile](http://www.islandcounty.net/Courts/Juvenile), or [www.courts.wa.gov](http://www.courts.wa.gov), or purchased (\$5.00/packet) from the Juvenile Court Services office @ 501 N. Main Street, Coupeville WA 98239
3. Fill out the forms taking care to provide accurate information. Providing a willful misstatement on the Motion may subject you to criminal prosecution. You will need one set of forms for each case number you want to seal. **Case Numbers can be obtained from the Island County Clerks Office; JCS number can be obtained at Island County Juvenile Court Services office, after you obtain the Case Number.** SAMPLE DOCUMENTS ARE PROVIDED IN THIS PACKET, FOR YOUR USE, TO HELP YOU FILL OUT THE ORIGINAL DOCUMENTS..
4. Make sufficient copies of the Notice of Hearing and the Motion. You will need a copy of the Notice and Motion for each agency listed on the Notice of Hearing. Make one copy of the forms for your use.
5. Court date on the Notice of Hearing will be on a Monday at 1:30 p.m. (unless it is a Holiday) preferably 30 days from the date the documents are filed; allows time to serve the Notice and Motion on all the agencies listed on the Notice of Hearing and for them to attend the hearing. You may request this date from the Clerk's Office when filing the documents.
6. File the original Notice of Hearing and Motion and Affidavit at the Clerk's Office in the Courthouse. Use the file stamp at the Clerk's office to stamp each copy of the Notice and Motion as well as the copy made for your use. The Order to Seal Records will remain in your possession until the date of the hearing.
7. Serve the Notice and Motion to each agency. One copy of the Notice is to be left with the agency. Someone in authority at each agency should receipt the copy of the Notice and Motion; please ask for a copy of the stamped receipted copy and keep that copy to take to court on the date of your hearing. **Be sure to serve the Notice and Motion at least two weeks before the date of the hearing.**
8. On the date of your hearing be sure to bring the Order to Seal with you. You will find your hearing listed on the calendar outside of the courtrooms. You may also ask court personnel inside the courthouse.
9. At the hearing: The Prosecuting Attorney will agree or oppose your Motion to Seal. If the Prosecuting Attorney agrees, you and the Prosecuting Attorney will sign the Order before it is handed to the Judge for signature. The Judge will hand the Order to the Clerk for filing. Please go to the Clerk's office after the hearing to obtain copies. You will be responsible for providing copies of the Order to Seal to all agencies listed on the Notice to Seal that was originally filed. The agency receiving the copy of the Order to Seal is responsible for carrying out the Court Order.

**PLEASE NOTE: COPIES OF THE ORDER TO SEAL CAN ONLY BE MADE ON THE DAY OF THE HEARING. You must obtain a copy of the Court Order on the day of the court hearing from the Clerk's Office. This will be the only time the file is available for copies to be made; failure to obtain a copy on the day of the hearing will require further court action to get a copy. You will need to mail a copy of the Order to Seal for each agency listed on the Notice to Seal Records.**

**The Clerk's office will not accept a personal check for this cost; it is suggested that you bring cash on the date of your hearing. Agencies listed on the Notice to Seal cannot seal your record without receiving a copy of the Order to Seal; hand deliver or mail the copy.**

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF ISLAND  
JUVENILE COURT**

STATE OF WASHINGTON v.

Respondent.

D.O.B.:  
JCS #:

No:

**NOTICE OF RESPONDENT'S MOTION  
TO SEAL RECORDS OF JUVENILE  
OFFENDER  
(NT)**

TO: ISLAND County Superior Court Clerk's Office  
TO: ISLAND County Prosecutor, Juvenile Division  
TO: ISLAND County Juvenile Court Administrator  
TO: ISLAND COUNTY Sheriff's Office  
TO: Washington State Patrol, Records Division 840 se 8<sup>TH</sup> Avenue #101, Oak Harbor WA 98277  
TO: Juvenile Rehabilitation Administration (DSHS) 20816 44<sup>th</sup> Avenue W Suite #240, Lynwood WA 98036-7744  
TO: Oak Harbor PD, 860 SE Barrington, Oak Harbor WA 98277  
TO: Coupeville Marshall, POB 725, Coupeville WA 98239  
TO: Langley PD, POB 366, Langley WA 98260

PLEASE TAKE NOTICE that on \_\_\_\_\_ at 1:30 p.m., at the Law & Justice Center, Island County Superior Court, Juvenile Division, 101 NE 6<sup>th</sup> Street, Coupeville WA 98239, \_\_\_\_\_, will move for an order sealing the juvenile records on the above entitled matter.

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

\_\_\_\_\_  
Respondent

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF ISLAND  
JUVENILE COURT**

STATE OF WASHINGTON v.

Respondent.

D.O.B.:  
JCS #:

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 or  GR 15(c) and the declaration of respondent.

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

Respondent

**II. Declaration of Respondent**

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

2.1. Finding of guilt: On \_\_\_\_\_ [date] I was found guilty of

\_\_\_\_\_  
[name of offense].

2.2 Sealing records - factors pursuant to RCW Title 13.50:

**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 Forceable 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.

Full restitution has been paid.

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 restitution.

2.4 Other circumstances that I believe require sealing of my juvenile court records (GR 15):

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

SUPERIOR COURT OF WASHINGTON  
COUNTY OF ISLAND  
JUVENILE COURT

STATE OF WASHINGTON v.

D.O.B.:  
JCS #:

Respondent.

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 Title 13.50:** Respondent's motion to vacate and seal records of juvenile offender pursuant to RCW Title 13.50.

**Administrative Sealing Under RCW Title 13.50 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 Title 13.50:** Sealing of juvenile records pursuant to  acquittal of charges in the case, or  dismissal of charges (RCW Title 13.50).

**Re-Sealing Post Nullification Under RCW Title 13.50:** 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 Title 13.50).

**Motion to Seal Records Under GR 15:** Respondent's motion to seal records of juvenile offender pursuant to GR 15.

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 Title 13.50:

- Notice of motion: Adequate notice  was  was not given to the appropriate parties and agencies; and,
- Satisfaction of motion requirements:  
Respondent
  - \* has satisfied the requirements of RCW Title 13.50 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 in the case
  - \* has not satisfied the requirements of RCW Title 13.50 and is not entitled to have sealed the official juvenile court record, the social file, and the records of the court and of any other agency in the case for the following reason(s):
    - Respondent still owes \$\* in restitution pursuant to RCW 13.40.127 and RCW 13.40.190.

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2.2  Administrative sealing under RCW 13.50.050 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 after June 11, 2014: 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 Title 13.50 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 Title 13.50 because respondent complied with all terms of the disposition order, including payment of financial obligations
  - Failure to complete the terms of the disposition: The respondent failed to complete the terms of the disposition order, including full payment of legal financial obligations. 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. At least 18 days notice of today's hearing  has  has not been given to respondent and counsel. After hearing arguments from counsel, 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:** 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:** 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 Title 13.50).

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:

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### 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 Title 13.50 or RCW 13.40.127:** The court grants the motion to seal pursuant to RCW Title 13.50 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;
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 Title 13.50 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 hereby 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:

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Attorney for Respondent/Respondent  
WSBA #

Approved as to form:

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Deputy Prosecuting Attorney  
WSBA #

SUPERIOR COURT OF WASHINGTON  
COUNTY OF ISLAND  
JUVENILE COURT

STATE OF WASHINGTON v.

LAST, FIRST MIDDLE

D.O.B.: 00-00-0000  
JCS #: 00-R-000000

Respondent.

No: 00-0-00000-00  
NOTICE OF RESPONDENT'S MOTION  
TO SEAL RECORDS OF JUVENILE  
OFFENDER  
(NT)

TO: ISLAND County Superior Court Clerk's Office  
TO: ISLAND County Prosecutor, Juvenile Division  
TO: ISLAND County Juvenile Court Administrator  
TO: ISLAND COUNTY Sheriff's Office  
TO: Washington State Patrol, Records Division 840 se 8<sup>TH</sup> Avenue #101, Oak Harbor WA 98277  
TO: Juvenile Rehabilitation Administration (DSHS) 20816 44<sup>th</sup> Avenue W Suite #240, Lynwood WA 98036-7744  
TO: Oak Harbor PD, 860 SE Barrington, Oak Harbor WA 98277  
TO: Coupeville Marshall, POB 725, Coupeville WA 98239  
TO: Langley PD, POB 366, Langley WA 98260

PLEASE TAKE NOTICE that on \_\_\_\_\_ at 1:30 p.m., at the Law & Justice Center, Island County Superior Court, Juvenile Division, 101 NE 6<sup>th</sup> Street, Coupeville WA 98239, \_\_\_\_\_ [print name], will move for an order sealing the juvenile records on the above entitled matter.

Dated: \_\_\_\_\_  
**Filing date**

Respondent (signature)

SUPERIOR COURT OF WASHINGTON  
COUNTY OF ISLAND  
JUVENILE COURT

STATE OF WASHINGTON v.

**LAST, FIRST MIDDLE**

D.O.B.: 00/00/0000  
JCS #: **00-R-000000**

Respondent

No: **00-0-00000-0**

**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 or  GR 15(c) and the declaration of respondent.

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

**(Date)**

Respondent **(SIGNATURE)**

**II. Declaration of Respondent**

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

2.1. Finding of guilt: On \_\_\_\_\_ **[date of referral]** I was found guilty of

\_\_\_\_\_ **[name of offense]**.

2.2. Sealing records - factors pursuant to RCW Title 13.50:

**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 Forceable 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.

Full restitution has been paid.

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 restitution.

2.4 Other circumstances that I believe require sealing of my juvenile court records (GR 15):

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 00/00/0000, at Coupeville, Washington.

Respondent (print name)

Address

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF ISLAND  
JUVENILE COURT**

STATE OF WASHINGTON v.

**LAST, FIRST MIDDLE**

D.O.B.: **00-00-0000**  
JCS #: **00-R-000000**

Respondent.

No: **00-0-00000-0**

**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 Title 13.50:** Respondent's motion to vacate and seal records of juvenile offender pursuant to RCW Title 13.50.
- Administrative Sealing Under RCW Title 13.50 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 Title 13.50:** Sealing of juvenile records pursuant to  acquittal of charges in the case, or  dismissal of charges (RCW Title 13.50).
- Re-Sealing Post Nullification Under RCW Title 13.50:** 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 Title 13.50).
- Motion to Seal Records Under GR 15:** Respondent's motion to seal records of juvenile offender pursuant to GR 15.

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 Title 13.50:

- Notice of motion: Adequate notice  was  was not given to the appropriate parties and agencies; and,
- Satisfaction of motion requirements:  
Respondent
  - \* has satisfied the requirements of RCW Title 13.50 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 in the case
  - \* has not satisfied the requirements of RCW Title 13.50 and is not entitled to have sealed the official juvenile court record, the social file, and the records of the court and of any other agency in the case for the following reason(s):
    - Respondent still owes \$\* in restitution pursuant to RCW 13.40.127 and RCW 13.40.190.

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2.2  Administrative sealing under RCW 13.50.050 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 after June 11, 2014: 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 Title 13.50 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 Title 13.50 because respondent complied with all terms of the disposition order, including payment of financial obligations
  - Failure to complete the terms of the disposition: The respondent failed to complete the terms of the disposition order, including full payment of legal financial obligations. 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. At least 18 days notice of today's hearing  has  has not been given to respondent and counsel. After hearing arguments from counsel, 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:** 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:** 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 Title 13.50).

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:

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**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 Title 13.50 or RCW 13.40.127:** The court grants the motion to seal pursuant to RCW Title 13.50 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;
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 Title 13.50 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 hereby 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:

**SIGNATURE**

Attorney for Respondent/Respondent  
WSBA #

Approved as to form:

\_\_\_\_\_  
Deputy Prosecuting Attorney  
WSBA #

**SAMPLE**