



## Sealing of Records – Juveniles Adjudicated of Sex or Kidnapping Offenses

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### Can juvenile sex offender records be sealed?

Yes, a juvenile sex or kidnapping offender may have the juvenile court record(s) sealed after filing a motion with the court of conviction. However, a juvenile sex or kidnapping offender may not have their record sealed until after they have been relieved of the duty to register as a sex offender. RCW 13.50.260.

This fact sheet is intended to summarize relevant laws related to Sex and Kidnapping offenders for general understanding. It is not intended to comprehensively re-state all the duties required of an offender for compliance with the law. Please consult an attorney with any questions.

The motion requests the court to vacate the order and findings and to seal the official juvenile court file, the social file, and records of the court ~~and of any other agency in the case~~. Juvenile sex offender records cannot be administratively sealed or automatically sealed by the court.

### Which court does the offender petition and who does the offender serve notice to?

The offender shall submit the petition to seal the record to the court which adjudicated the offense. A request Notice must be given to the prosecution and to any person or agency whose records are sought to be sealed. **What other agencies?**

### What kind of forms are available for use to petition the court?

Pattern forms for sealing juvenile court records are located at [www.courts.wa.gov](http://www.courts.wa.gov) under “Forms”.

**What conditions must be fulfilled for the court to grant a motion to seal records of an adjudication for a sex or kidnapping offense?**

Type of Offense	Time since last date of release from confinement*	Other Requirements
Class A** offense (except for rape in the first degree, rape in the second degree, or indecent liberties with forcible compulsion – these offenses are not eligible for sealing)	Minimum of five consecutive years in the community without committing any crime.	<ul style="list-style-type: none"> <li>• No longer required to register as a sex offender or has been relieved of the duty to register;</li> <li>• No criminal proceeding pending;</li> <li>• Full victim restitution, if any, was has been paid.</li> </ul>
Class B, Class C, Gross Misdemeanor, Misdemeanor, and diversions	Minimum of two consecutive years in the community without committing any crime.	<ul style="list-style-type: none"> <li>• No longer required to register as a sex offender or has been relieved of the duty to register;</li> <li>• No criminal proceeding pending;</li> <li>• Full victim restitution, if any, was paid.</li> </ul>
Deferred disposition vacated under RCW 13.40.127(9) prior to June 7, 2012	None specified.	<ul style="list-style-type: none"> <li>• Person is eighteen or older;</li> <li>• Restitution, if any, was paid.</li> </ul>

\*Confinement includes full-time residential treatment, or entry of disposition, or completion of the diversion agreement.

\*\*Class A refers to those offenses which have a maximum sentence of life in prison for adults. This is separate from the Class designations of the Juvenile Sentencing Guidelines which assign each offense a letter ranking from E to A+.

**Is a juvenile sex or kidnapping offender file permanently sealed?**

Not necessarily. The juvenile offender file is permanently sealed unless there is an adjudication of a subsequent juvenile offense or any charging of an adult felony.

Contacts:

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