

Who Do You Contact to Begin the Expungement Process?

- If you are a **current or former KidsVoice client**, contact KidsVoice at 412-391-3100. KidsVoice may be able to assist you with the expungement of your juvenile record.

- If you have never been involved with KidsVoice:
 - Contact Neighborhood Legal Services Association (NLSA) at 412-255-6700. They may be able to assist you with the expungement process for the purpose of employment.
 - Contact the Allegheny County Bar Association (ACBA) Lawyer Referral Service at 412-261-2555. They may be able to refer you to a private attorney who handles expungement cases.

KidsVoice:

Attorney (Child Advocate):

Child Advocacy Specialist (CAS):

Delinquency:

Attorney (Public Defender):

Probation Officer:

Office of the Public Defender
County Office Building
542 Forbes Avenue, Room 400
Pittsburgh, PA 15219
Phone: 412-350-2401
Fax: 412-350-2555
www.alleghenycounty.us/opd/

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Protecting Children's Rights
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Pittsburgh, PA 15219



EXPUNGEMENT OF JUVENILE RECORDS

What Is Expungement?

Why Should You Expunge Your Record?

What Kinds Of Records CAN Be Expunged?

What Kinds of Records CANNOT Be Expunged?

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What is Expungement?

Expungement is a legal process by which your juvenile record is erased and no one can see it. Your juvenile delinquency record is **not confidential or sealed**. Your record **does not** automatically go away when you turn 18.

Why Should You Expunge Your Record?

Your delinquency record may prevent you from receiving the following benefits as you transition to adulthood:

➤ *Employment*

Federal and state laws prohibit employment of ex-offenders with criminal convictions in certain jobs.

➤ *Public Benefits*

- There is a lifetime ban on Temporary Assistance For Needy Families (TANF) and Food Stamps for felony drug convictions after August 1996
- Subsidized Housing (Section 8 and Public Housing) has the right to conduct a criminal background check before approving your application for housing

➤ *Student Loans*

If you were convicted of a federal or state law involving the possession or sale of a controlled substance you are banned from receiving student financial aid for the following time periods:

<u>Possession Convictions</u>	<u>Ineligibility Period</u>
First offense	One year
Second offense	Two years
Third offense	Indefinite

<u>Sale Convictions</u>	<u>Ineligibility Period</u>
First offense	Two years
Second offense	Indefinite

➤ *Child Welfare System*

- Birth parents, if convicted of certain crimes, may be prohibited from having their dependent child placed in their care
- Felony convictions, including crimes against children, homicide, rape, sexual assault, assault, battery, homicide, or drug-related offences, may not allow you to be approved as a foster or adoptive parent

➤ Juvenile delinquency records may be considered when setting bail or during sentencing in an adult criminal case

What Kinds of Records CAN Be Expunged?

Records of juvenile delinquency cases and records from the magistrate involving summary offenses committed while you were under 18 years old can be expunged, upon the court's motion or motion of a child, the parent or guardian, after 30 days notice to the district attorney, and if one of the following apply:

1. a petition or complaint is filed which is withdrawn or dismissed by the court; or
2. six months have elapsed since the expiration of a consent decree or diversion program and no further action is pending (talk to your probation officer about expunging your consent decree); or
3. five years have elapsed since the final discharge from commitment or probation and no other adjudications or proceedings are pending; or
4. you are 18 years of age or older and it has been six months since you satisfied/completed all terms and conditions of your sentence from a summary offense conviction before a magistrate (except a violation of Section 6308) and you have

not been convicted of a felony, misdemeanor or adjudicated delinquent and there are no proceedings pending; or

5. you are 18 years of age or older and six months have elapsed since you have satisfied/completed all terms and conditions of your sentence from a conviction for a violation of Section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages), including any suspension of operating privileges; or
6. five years have elapsed since your probation case closed and since then you have not been convicted of a felony, misdemeanor or adjudicated delinquent and there are no proceedings pending; or
7. the attorney for the Commonwealth agrees and a court orders expungement after consideration of the following:
 - a. type of offense
 - b. your age, employment history, criminal activity and drug and alcohol issues
 - c. adverse consequences to you if your records are not expunged
 - d. whether retention of records is required for public safety

What Kinds of Records CANNOT Be Expunged?

If you were 14 years of age or older at the time one of the follow offenses was committed:

- Rape
- Involuntary deviate sexual intercourse
- Aggravated indecent assault
- An attempt, solicitation or conspiracy to commit one of the above