

JUVENILE COURT MATTER

If you are representing yourself, you must have your court forms reviewed by a Ramsey County Self-Help Service Center employee. Please visit the Self-Help Service Center after you have completed the forms but before you have served.

JUVENILE DELINQUENCY EXPUNGEMENT

Return completed forms by mailing, emailing or bringing to:

Ramsey County Self-Help Service Center
15 W. Kellogg Blvd
Room 190
St Paul, MN 55102
Telephone: 651-266-5125
Email: 2ndFamilySHSC@courts.state.mn.us

Hours of Operation:
Monday – Friday, 8:00 am – 4:30 pm

The Self-Help Service Center is reviewing forms remotely by phone or zoom. Self-help staff will call or email you to set up your virtual form review.

The Self-Help Service Center has limited in-person form reviews. Please call us to schedule an appointment if you would like to have your paperwork reviewed in person.

Please make sure you include your phone number and email in your paperwork.

EXPUNGEMENT OF YOUR JUVENILE DELINQUENCY RECORD

The records of most juvenile cases are sealed from view by the public. However, the public can view the records of offenses that would be a felony if committed by an adult where the child was at least 16 years old at the time of the offense. This packet contains forms and instructions to request that this kind of juvenile record be sealed (expunged) from public view. Please read all instructions before filling out paperwork. You will need to make additional copies if you are seeking to expunge more than one file.

NOTE: If you were a juvenile prosecuted as an adult, you will need to file for expungement in ADULT COURT, not juvenile court. Petitions for ADULT cases must be filed separately in ADULT court.

- A petition for expungement is a complicated legal procedure.
- Once you have your paperwork filled out, turn it in at the Self-Help Service Center. Self-Help staff will review your paperwork for completeness, consistency, and conformity with statutes and rules. Self-Help staff cannot help you fill out your paperwork. Once you have your paperwork filled out, please mail it in or drop it off at the Self-Help Service Center, 15 W. Kellogg Blvd., Room 190, St. Paul, MN 55102 or email a PDF copy of your documents to 2ndFamilySHSC@courts.state.mn.us.
- The juvenile court administrator's office cannot give you legal advice. There are legal organizations that offers free legal clinics during which a volunteer attorney can provide legal advice.

If you have any questions or need help, you should contact an attorney or attend an Expungement Workshops:

Expungement workshops

Ramsey County Courthouse, Law Library, 18th Floor
15 W Kellogg BIVD
Fourth Tuesday of each month
1:00 PM – 3:00 PM
Phone Number: 612-752-6677

St Thomas Law Clinic:

University of St. Thomas (MN) School of Law
30 South 10th Street Suite 100
Minneapolis, MN 55403-2009
Intake phone: 651-962-4960

Website : <https://www.stthomas.edu/ipc/clinic/criminalandjuveniledefenseclinic/>

- Lawyer locator resources are on the court's website at www.mncourts.gov/selfhelp/?page=252.

Expungement

Expungement is a court order sealing your records from the public and prohibiting disclosure of their existence or their opening except under court order or statutory authority. In other words, your records will **not** be destroyed or returned to you, even if the judge grants your request to have your records expunged.

According to Minn. Stat. §260B.198, subd. 6, in deciding whether or not to grant your expungement petition, the Court must consider the following 8 factors:

- (1) the age, education, experience, and background, including mental and emotional development, of the subject of the record at the time of commission of the offense;
- (2) the circumstances and nature and severity of the offense, including any aggravating or mitigating factors in the commission of the offense;
- (3) victim and community impact, including age and vulnerability of the victim;
- (4) the level of participation of the subject of the record in the planning and carrying out of the offense, including familial or peer influence in the commission of the offense;
- (5) the juvenile delinquency and criminal history of the subject of the record;
- (6) the programming history of the subject of the record, including child welfare, school and community-based, and probation interventions, and the subject's willingness to participate meaningfully in programming, probation, or both;
- (7) any other aggravating or mitigating circumstance bearing on the culpability or potential for rehabilitation of the subject of the record; and
- (8) the benefit that expungement would yield to the subject of the record in pursuing education, employment, housing, or other necessities.

Expungement or Sealing of a Record – What Does It Mean?

Once sealed, a record will not be available to the general public. However, certain people can still view the record, even after it is sealed. Law enforcement agencies, prosecution, immigration and correctional authorities, among others, may seek an order signed by a judge to re-open a sealed case for the purpose of criminal investigation, prosecution, or sentencing. Sealed records may also be opened without a court order if you apply for a job in law enforcement.

Arrest Record

If there is no court file (the prosecution did not file formal charges) and you've had a clean record for the past 10 years, a petition to the court is not necessary to expunge your arrest record. You should contact the arresting agency and/or the Minnesota Bureau of Criminal Apprehension (BCA). There is a process to expunge arrest records under Minn. Stat. §299C.11. Visit the Self Help Center for more information.

Other Considerations

Juvenile Court staff, the County Attorney's Office, the Bureau of Criminal Apprehension, the Sheriff's Office, the Attorney General's Office, and the Department of Corrections **cannot** help you fill out these forms.

- If you need legal advice, you will need to speak with an attorney. If you'd like to hire an attorney to represent you, contact the Ramsey County Bar Association's Lawyer Referral Service **651.224.1775**.
- You **must** fill out all forms (including the petition, the Proof of Service, and a separate Order for each case you want expunged).
- Type your answers or print clearly in dark ink.
- If you plan to file an application to become a citizen of the United States, you should get **certified copies** of the following documents BEFORE you start the expungement process:
 - Police reports – from the police department where the offense or arrest occurred; and
 - "Register of Actions" from the court's records

The U.S. Department of Immigration and Customs Enforcement will require you to provide these documents and it will be difficult to get them if the case is expunged.

PROCEDURES FOR JUVENILE EXPUNGEMENTS

STEP 1
COMPLETE THE PETITION AND
COMPLETE A SEPARATE ORDER FOR EACH CASE YOU WANT EXPUNGED

- Notice of Hearing and Petition for Expungement

Your Petition for Expungement is your formal written request to the Court for an Order. You must fill out this document completely. The Petition must list **each juvenile case** that you are asking to expunge. YOU ARE REQUIRED to list all prior and pending criminal charges in Minnesota or any other state on the petition, including any stays of adjudication, continuances for dismissal, or pretrial diversions in ANY jurisdiction. If you are unsure about your court records, please contact District Court Records at (651)266-8237. The Minnesota Bureau of Criminal Apprehension will provide a printed record for a fee. You may contact them at (651)642-0670 for more information.
- Proposed Order to Expunge Criminal Records

After your expungement court hearing, the Court will issue a written order either granting or denying your request. This expungement packet contains form orders that you will fill out and that the judge will review prior to your hearing. The judge may or may not use your form order when issuing the Court's order. **You must complete a separate order for each case you want expunged.**

STEP 2

GET A COURT DATE

- After you have filled out your expungement paperwork, turn it in at the Self-Help Service Center. Self-Help staff will review your paperwork for completeness, consistency, and conformity with statutes and rules. Self-Help staff cannot help you fill out your paperwork. Once you have your paperwork filled out, please mail it in or drop it off at the Self-Help Service Center, 15 W. Kellogg Blvd., Room 190, St. Paul, MN 55102 or email a PDF copy of your documents to 2ndFamilySHSC@courts.state.mn.us
- Expungement hearings are heard by the Chief Judge. Self-Help staff will help you get an expungement hearing date and instruct you on how and who to serve with your paperwork.. The expungement paperwork needs to be served upon required parties/agencies at least 63 days before the hearing date.

STEP 3

MAKE COPIES OF FORMS

The petition must be served on ALL state and local agencies whose records would be affected by the proposed order. Examples of these agencies include: the Minnesota Bureau of Criminal Apprehension, the Attorney General's Office, the local police department, the prosecuting attorney, the sheriff's department, the Department of Corrections (probation) and the Department of Human Services. **Remember to keep a copy of your papers for yourself.**

Make sure the following are included in the copies:

- Notice of Hearing and Petition for Expungement
- The unsigned proposed Order(s) you want the judge to sign.

STEP 4

SERVICE ON EACH AGENCY AND THEIR ATTORNEYS

- Service means that you are required to make sure each agency receives a copy of your paperwork. The completed paperwork must include the upcoming court hearing date.
- You are responsible to make sure that service is done properly. Court staff cannot serve the documents for you.
- Service of expungement papers is done by mail. They must be mailed by you or someone else who is at least 18 years old.

- After mailing, the Proof of Service must be completed by filling in the information on the form and then signing the Proof of Service. Service must be completed at least 63 days (approximately 9 weeks) before the scheduled hearing date.

STEP 5

FILE YOUR PAPERWORK

- After service is complete, you are ready to file your paperwork. Turn in the following paperwork:
 1. Notice of Hearing and Petition for Expungement
 2. Proposed Order
 3. Completed Proof of Service

You can turn in this paperwork by mailing it to or dropping it off at:

Ramsey County Juvenile and Family Justice Center
25 West 7th Street, #B134
St. Paul, MN 55102

Your paperwork must be filed at least 30 days before your hearing. If you do not turn in your paperwork at least 30 days before your hearing, your hearing may be cancelled.

STEP 6

THE COURT HEARING

You must appear at the hearing. Bring your copies of the documents along with you to court for your own reference. The original documents will already be in the court file.

At the hearing, the judge will review your petition and any attachments you have submitted. The judge will also consider any information presented by the prosecutor, any of the various law enforcement agencies to which you sent your paperwork, and the victim. These parties may support your petition, may take no position on your petition, or may oppose your petition. The victim has the right to submit an oral or written statement to the court. The judge may or may not grant the expungement. The judge may sign the proposed order that you have provided (granting or denying your request), or may prepare his or her own order.

The judge may deny the expungement if your request does not meet the requirements, even if no one objects.

When the order is signed, the juvenile court administrator's office will send a copy of the order to all agencies named in the order to receive notice. Note that these agencies have 60 days to appeal the order.

State of Minnesota

District Court

County of Ramsey

Judicial District:	Second
Court File Number:	62-J
Case Type:	Juvenile Delinquency

State of Minnesota,

Plaintiff

vs.

Respondent/Petitioner

**Notice of Hearing and
Petition for Expungement**

**(Sealed Records)
Minn. Stat. §§ 609A.03,
260B.198**

Notice of Hearing

Notice to Law Enforcement/Prosecutor: Any objection to expungement in this case shall be filed with the court as soon as possible, and within 60 days. This matter is scheduled for hearing on _____(date) at _____(time); at Ramsey County _____.

The day of the hearing, inquire at a court counter to find out which courtroom the hearing will be in. You must be in the courtroom by the scheduled time.

Petition for Expungement

1. I state under oath that I am petitioning the court for expungement (sealing) of a juvenile record.
2. My full name, and all other legal names or aliases I have been known as, are:

3. My date of birth is: _____

REMOTE HEARING INSTRUCTIONS

Meeting ID: _____

Meeting Password: _____

To join the Zoom:

Go to <https://zoomgov.com/join>

Join the meeting by typing in the **Meeting ID** and **Password**.

To appear by video on Zoom, you will need to have an electronic device with an internet connection. You may use a smart phone, iPad/tablet, or webcam/built in camera with sound and video. You will also need to install the free Zoom App before the conference begins.

When attending Zoom remote hearings please utilize video connectivity whenever possible. The Phone/Audio only option should be used only when video is unavailable.

If at any point you are dropped from the meeting while the hearing is in progress, please repeat the above procedure to join again.

Visit <https://www.mncourts.gov/Remote-Hearings.aspx> for more information and options for joining remote hearings.

- Contact the court at 651-266-5115 if you do not have access to the internet, or are unable to connect by video.

4. The following are all of the addresses I have lived at since the date of the offense for which I am seeking expungement: (street address, city, state) _____

5. I am seeking expungement because (include whether expungement is sought for employment or licensure purposes, the statutory or other legal authority under which expungement is sought, and state in detail and with specifics why expungement should be granted. Attach additional pages if necessary.): _____

6. My criminal record including all charges, adjudications, convictions, stays of adjudication or imposition of sentence and pending actions for misdemeanors, gross misdemeanors or felonies in this state, another state, federal court, or a foreign country, whether the conviction occurred before or after the offense for which expungement is sought, consists of:

Case Number	County-State	Type of Charge	Date of Offense	Adjudication (Y/N)	Date (If Yes)

7. I have no criminal records, other than listed at #6, in this state or elsewhere.

8. All prior requests for expungement, pardon or sealing of a criminal record, whether for this offense or for any other offense, whether granted or not, that I have made include: _____

9. I qualify for an expungement because:

- A delinquency matter was resolved in my favor (use Order Concerning Sealing of Records/No Adjudication).
- I entered a guilty plea or a finding of guilt was made, but I have rehabilitated myself. The benefit to me outweighs the disadvantage to the public and the burden on the court (use Order Sealing Record/Stay of Adjudication OR Adjudication) (this also includes if your first time controlled substance violation was dismissed and the proceedings against you were discharged pursuant to a diversion program).

10. The details of the offense I want to expunge are:

Case Number: _____
 Jurisdiction/City where the offense occurred: _____
 Type of Offense: _____
 Date of Offense: _____
 Date of disposition: _____

11. The names of the victims in this case are: _____
 _____ Or, there were no identifiable victims.

12. There is is not a current or prior order for protection, restraining order or other no-contact order prohibiting me from contacting the victims (attach copies of any orders to petition).

13. Since disposition, I have taken the following steps toward personal rehabilitation, including treatment, work, or other personal history (Attach additional pages if necessary.): _____

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: _____

 Signature

Name: _____

Street Address: _____

City/State/Zip: _____

Telephone: _____

E-mail address: _____

State of Minnesota

Ramsey County

District Court

Judicial District:	Second
Court File	62-J
Case Type:	Juvenile Delinquency

In the Matter of the Welfare of:

Order Concerning Sealing of Record

Respondent/Petitioner

Date of Birth _____

The above-entitled matter came before the Court upon a Petition for Expungement in the above matter.

Appearances were:

- Petitioner
- County Attorney _____
- Other _____
- Waived

Upon the files and records, the court finds:

1. On _____ (date) in the District Court of Ramsey County, the petitioner:
 - Entered a guilty plea to the crime of _____ and received a continuance without adjudication; –or–
 - Entered a plea or was found guilty of _____ and was adjudicated for that offense.
2. Petitioner was not adjudicated of an offense that requires registration under Minn. Stat. § 243.166.
3. The petitioner was placed on probation and an order discharging the petitioner from probation has been filed and/or the proceedings dismissed.
4. Proper service has has not been given including notice to any victim(s) if required.
5. Based on review of the eight factors required by Minn. Stat. § 260B.198, subd. 6 to be considered by this Court, this Court finds that there is is not clear and convincing evidence that sealing the record pursuant to the Court’s authority would yield a benefit to petitioner commensurate with the disadvantages to the public and public safety of: (1) sealing the record; and (2) burdening the court and public authorities to issue, enforce, and monitor an expungement order.

Upon the Findings of the Court and the files and records herein, IT IS ORDERED:

- 1. Petitioner's request for sealing of records is denied.
- 2. Petitioner's request for sealing of records is granted. All official records held by the following agencies, other than the non-public record retained by the Bureau of Criminal Apprehension, including all records relating to arrest, indictment or complaint, trial, dismissal and discharge shall be sealed and their existence shall be disclosed only by court order, except as authorized by law:
 - Ramsey County Attorney
 - _____ City Police
 - Attorney General
 - County Probation/Court
 - Ramsey County Sheriff
 - Bureau of Criminal Apprehension
 - MN Dept. of Corrections
 - Other _____
- 3. This order restores the petitioner to the status occupied before the arrest. The petitioner will not be guilty of perjury for failure to acknowledge the arrest or proceeding in response to any inquiry made for any purpose.
- 4. The court administrator shall send a copy of this expungement order to each agency and jurisdiction whose records are affected.
- 5. The petitioner shall continue to be prohibited from shipping, transporting, possessing, or receiving a firearm for the remainder of the petitioner's lifetime since the conviction was for a crime of violence and a relief of disability order was not issued under Minn. Stat. § 609.165, subd. 1d.
- 6. Other: _____

NOTE: This order is stayed for 60 days, and during any appeal. The records will not be sealed until after this time.

Dated: _____

Judge of District Court

State of Minnesota

District Court

Ramsey County

Judicial District:	Second
Court File Number:	62-J
Case Type:	Juvenile Delinquency

PROOF OF SERVICE

I, _____ (name of person who mailed the documents), state that on _____ (date), I served the attached documents, *Notice of Hearing and Petition for Expungement* and proposed *Order*, by mailing true and correct copies to the parties checked below at the addresses listed by putting envelopes with sufficient postage in the U.S. Mail in the City of _____.

1 <input checked="" type="checkbox"/>	MN Bureau of Criminal Apprehension CJIS-CCH-Court Orders / Petitions 1430 Maryland Avenue East St. Paul, MN 55106 <i>(Required)</i>	2 <input checked="" type="checkbox"/>	Public Safety Office of the MN Attorney General Suite 1800 NCL Towers 445 Minnesota Street St. Paul, MN 55101 <i>(Required)</i>	3 <input checked="" type="checkbox"/>	MN Dept. of Corrections Attn: Records 1450 Energy Park Drive, Ste. 200 St. Paul, MN 55108-5219 <i>(Required)</i>
4 <input checked="" type="checkbox"/>	Ramsey County Attorney's Office Juvenile Prosecution Division 360 Wabasha St N Suite 100 St. Paul, MN 55102 <i>(Required)</i>	5 <input checked="" type="checkbox"/>	Ramsey County Juvenile Probation Attn: Juvenile Office Manager, 25 W 7 th Street #E300 St. Paul MN 55102 <i>(Required)</i>	6 <input checked="" type="checkbox"/>	Ramsey County Sheriff's Office Attn: Records 425 Grove Street St. Paul, MN 55101 <i>(Required)</i>
7 <input type="checkbox"/>	St. Paul Police Dept. Attn: Records 367 Grove Street St. Paul MN 55101 <i>(check box & use if related to your case)</i>	8 <input type="checkbox"/>	_____ Police Dept. Attn: Records _____ _____ _____ <i>(check box & use if related to your case)</i>	9 <input type="checkbox"/>	MN Dept. of Human Services Attn: Licensing, Legal Division P.O. Box 64242 St. Paul, MN 55164-0242 <i>(check box & use if related to your case)</i>
10 <input type="checkbox"/>	MN Dept. of Health 85 E. 7 th Place, #220 P.O. Box 64970 St. Paul, MN 55164-0970 <i>(check box & use if related to your case)</i>	11 <input type="checkbox"/>	MN Dept. of Natural Resources 500 Lafayette Road St. Paul, MN 55155-4040 <i>(check box & use if related to your case)</i>	12 <input type="checkbox"/>	_____ _____ _____ <i>(check box & use if related to your case)</i>

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: _____

Signature

Name: _____

Street Address: _____

City/State/Zip: _____

Telephone: _____

E-mail address: _____