

EXPUNCTION OF JUVENILE RECORDS IN THE TIGARD YOUTH COURT

A record concerning you now exists in the Tigard Youth Court. Oregon law provides for certain records to be destroyed, a process known as “expunction.” You may obtain an application for expunction from the Tigard Youth Court. In order for you to be eligible for expunction, the court must be satisfied that:

1. At least five years have passed since the date of termination (dismissal) of your most recent Youth Court case; and since the date of your most recent termination you have had no convictions of a felony or a Class A misdemeanor. There must also be no pending proceedings seeking a criminal conviction or an adjudication in any Juvenile Court; **AND**

You are not within the jurisdiction of the court for any delinquent act or certain types of dependency petitions; **AND**

The Youth Court is not aware of any pending investigation of you by any law enforcement agency; **OR**

2. You are at least eighteen years of age and have never been found to be within the jurisdiction of the Youth Court.

Even if neither of the above two criteria are met, the Youth Court has the authority to order all or any part of your record expunged, if it finds that to do so would be in the best interest of you and the public.

If you are eligible to have your record expunged, an Order of Expunction will be sent to each agency that referred you to this department, ordering the destruction of all records. The agency must return the Order indicating compliance with it. Records kept by the State Department of Human Services or the Oregon Youth Authority are not physically destroyed, but are sealed and identified as expunged and cannot be referenced without a Court Order. A Final Order will be sent to you listing the agencies that complied with the Expunction Order.

If the Tigard City Prosecutor exercises the right to contest the expunction, you will be notified and a hearing will be scheduled.

Once you receive your copy of the Order of Expunction, you may legally say that your record never existed. Agencies complying with the Order must treat their contact with you as though it never occurred, and must inform those who inquire about their contact with you that no record exists.

[See Oregon Revised Statute Chapter 419A for the complete statute governing expunction of juvenile records.]

**CITY OF TIGARD, WASHINGTON COUNTY
STATE OF OREGON**

In the Matter of) **Application for Expunction**
) Docket No.
) Citation No.
) Charge
A Youth) Date of Incident

Name of Applicant: _____

Name as appears on juvenile record: _____

Date of Birth: _____ / _____ / _____ Gender: Male Female

- 1) I am a person who is the subject of a Tigard Youth Court record.
- 2) Under penalty for false-swearing, I represent to the Court and hereby swear the following to be true:
 - I am at least 18 years of age and have never been found to be within the jurisdiction of the court.
 - At least five years have have not elapsed since my most recent termination (case closure) or dismissal, which occurred on _____
 - Since the date of the above termination, I have have not been convicted of any Felony or Class A Misdemeanor
 - Proceedings seeking a criminal conviction or an adjudication in any juvenile court
 are are not pending against me.
 - I have have not been found within the jurisdiction of the court for any of the non-expungeable offenses.
 - If I do not qualify for expunction under the conditions stated above, I respectfully request, for the following reasons, that the Court consider my application under ORS 419A.262:

- I believe the Tigard Police Department and the Washington County Juvenile Department possess expungeable records.

3) I was was not fingerprinted.

4) I therefore apply for expunction of my Tigard Municipal Youth Court juvenile record.

I swear or affirm the above-stated facts are true and complete to the best of my knowledge.

_____ Date

_____ Signature

_____ Please print your mailing address

_____ City, State, and Zip Code

Subscribed and sworn to before me on this

_____ day of _____, 20_____ .

_____ Court Clerk or Notary Public

My commission expires: _____