

CAUSE NO. JV- _____

IN THE INTEREST OF § IN THE COUNTY COURT AT LAW NO. 1
§
§ OF DENTON COUNTY, TEXAS
§
_____, Respondent § SITTING AS A JUVENILE COURT

ORDER ON APPLICATION TO SEAL RECORDS

I.

On the date set forth below, Respondent’s Application to Seal Records was duly presented to the Court. Appearing with Respondent was Respondent’s attorney _____ and, if Respondent is a minor, Respondent’s (mother/father/guardian). Appearing for the State of Texas was _____.

After hearing testimony and arguments of counsel, and after consideration thereof, it is the opinion of the Court that said Application is with merit and accordingly the Motion is **GRANTED**.

II.

IT IS THEREFORE ORDERED that the records in the above numbered case(s) involving the offense of _____ alleged to have occurred in _____, _____ County, Texas, on or about _____, are immediately sealed.

The identifying information for Respondent is:

Respondent’s full name: _____ Race or ethnicity: _____

Date of birth: _____ Place of birth: _____

SS#: _____ Sex: _____

Texas DL or Identification Card #, if any: _____

III.

IT IS FURTHER ORDERED that the clerk of this Court shall seal all court records relating to the proceedings, including records created in the clerk's case management system and provide a copy of this Order to:

The Denton County District Attorney's Office

The Denton County Probation Department, who is hereby Ordered to provide a copy of this Order to each public or private agency that had custody of or that provided supervision or services to Respondent in relation to the conduct that is the subject of this Sealing Order.

The Texas Department of Public Safety. Address of DPS: _____

Email address: expunctions@dps.texas.gov

The _____ Police Department, whose address is _____

Email address: _____.

Any school district of Respondent possessing information regarding the above case, including but not limited to: the _____ Independent School District, whose address is: _____.

Email address: _____.

_____ The Texas Juvenile Justice Department (TJJD), if checked. This item shall be checked if Respondent was committed to TJJD. Address of TJJD: _____.

Email address: _____.

_____ The Denton County Sheriff's Office, if checked.

_____ Civil Recovery Services, if checked. Address of Civil Recovery Services: _____

Email address: _____.

The following entities or agencies: (List entity and its address and email address.)

IV.

IT IS FURTHER ORDERED that upon entry of this Order, the adjudication in this/these cause number(s) is/are vacated and the proceedings are dismissed and treated for all purposes as though the proceedings had never occurred.

V.

IT IS FURTHER ORDERED an entity receiving this Order shall, not later than the 61st day after the date of receiving this Order, take the following actions as applicable:

A. The Department of Public Safety shall:

Limit access to the records relating to Respondent in the juvenile justice information system to only the Texas Juvenile Justice Department for the purpose of conducting research and statistical studies;

Destroy any other records relating to Respondent in the Department's possession, including DNA records as provided by Section 411.15 of the Government Code; and

Send written verification of the limitation and destruction of the records to this Court.

B. The Texas Juvenile Justice Department shall:

Seal all records relating to Respondent, other than those exempted from sealing under Family Code Section 58.252 (which reads in part as follows: records collected or maintained by the Texas Juvenile Justice Department for statistical and research purposes); and

Send written verification of the sealing of records to this Court.

C. A public or private agency or institution that had custody of or provided supervision or services to Respondent, the juvenile probation department(s), any law enforcement entity subject to this Order, and the prosecuting attorney(s) shall:

Seal all records relating to Respondent; and

Send written verification of the sealing to this Court.

D. Any other entity that receives this Order shall:

Send any records relating to Respondent to this Court;

Delete all index references to Respondent's records; and

Send written verification of the deletion of the index references to this Court.

VI.

Any open "warrant", directive to apprehend, or order of immediate custody regarding this matter should be recalled by the issuing magistrate. Law enforcement should search on-line databases and its in-house records for any such "warrant".

VII.

IT IS FURTHER ORDERED that if an entity that received this Order later receives an inquiry about Respondent or the matter contained in the records, the entity must respond that no records relating to Respondent or the matter exist.

VIII.

IT IS FURTHER ORDERED that if an entity receiving this Order is unable to comply with the Order because the information in the Order is incorrect or insufficient to allow the entity to identify the records that are subject to the Order, the entity shall notify this Court not later than the 30th day after the date of receipt of the Order. The Court

shall take any actions necessary and possible to provide the needed information to the entity, including contacting Respondent or his/her attorney.

IX.

IT IS FURTHER ORDERED that if an entity receiving this Order has no records related to Respondent, the entity shall provide written verification of that fact to this Court not later than the 30th day after the date of receipt of this Order.

X.

IT IS FURTHER ORDERED that Respondent is not required to state in any proceeding or in any application for employment, licensing, admission, housing, or other public or private benefit that he/she has been the subject of the juvenile matter referred to in this Order.

XI.

IT IS FURTHER ORDERED that the information in the records of this matter, the fact that the records of this matter once existed, or Respondent's denial of the existence of the records or of Respondent's involvement in this juvenile matter may not be used against Respondent in any manner, including in a perjury or other criminal proceeding; a civil proceeding, including an administrative proceeding involving a governmental entity; an application process for licensing or certification; or an admission, employment, or housing decisions.

XII.

IT IS FURTHER ORDERED that Respondent may not waive the protected status of the records that are the subject of this Order or the consequences of the protected status.

ENTERED this _____ day of _____, 20____.

Judge Presiding