

28 proceeding involving [the] a felony or misdemeanor is pending or being instituted against him, and
29 if the court further finds that the rehabilitation of the petitioner has been attained to the satisfaction
30 of the court, it shall order sealed all records in the petitioner's case in the custody of the juvenile
31 court and any records in the custody of any other agency or official pertaining to the petitioner's
32 adjudicated juvenile court cases, except fingerprint records. Fingerprint records shall be retained
33 in the custody of the juvenile court and any other agency or official. Copies of the order shall be
34 sent to each agency or official named in the order and any entity notified of the original
35 adjudication under Subsection 78-3a-118(1)(b). To avoid destruction or sealing of the records in
36 whole or in part, the agency or entity receiving the expungement order shall only expunge all
37 references to the petitioner's name in the records pertaining to the adjudicated juvenile court cases.
38 The petitioner, based on good cause, may petition the court to expunge the records in whole or in
39 part.

40 (b) Upon the entry of the order, the proceedings in the petitioner's case shall be considered
41 never to have occurred and the petitioner may properly reply accordingly upon any inquiry in the
42 matter. Inspection of the records may thereafter only be permitted by the court upon petition by
43 the person who is the subject of the records, and only to persons named in the petition.

Legislative Review Note**as of 2-5-99 7:11 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel