

## Must I report my juvenile record on applications?

Frequently Asked Questions:

**Have you ever been convicted of a crime? Have you ever been convicted of a felony or misdemeanor?**

*Answer:* If you only have a juvenile record (no adult convictions), you can say “No.” Being adjudicated delinquent is not the same as being convicted of a crime in Maryland.

**Have you ever been arrested?**

*Answer:* If you have ever been placed in police custody in Maryland, you have likely been arrested. You may have to answer “Yes” to this question.

The Common Application for College (Common App) asks the following:

**“Have you ever been adjudicated guilty or convicted of a misdemeanor or felony? Note that you are not required to answer “yes” to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise required by law or ordered by a court to be kept confidential.”**

*Answer:* Because Maryland juvenile records are confidential, you can answer “no” to this question if you only have a juvenile record in Maryland, you don’t have an adult record, and you don’t have a juvenile record in another state.

**Contact your local public defender office if you have questions.**

## Talking about your juvenile record:

It is rare that you will need to talk about your record. But in case you must tell someone you have a juvenile record, here are some tips:

1. Emphasize how you’ve made better choices since then and focus on the positive changes you have made in your life.
2. If you must explain, be brief, don’t give too many details, and avoid blaming others.
3. Practice! Sometimes it’s hard to talk about past events — practice with a friend or mentor to make sure you feel comfortable.
4. Get a letter of recommendation from a mentor, teacher, or someone who supervised your volunteer work that talks about your good qualities and why you should be hired or accepted.



NATIONAL JUVENILE DEFENDER CENTER

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## Your Juvenile Record Can Affect Your Future



**Job and college applications often ask about juvenile records**



**Learn how you can minimize the damage**

## **DID YOU KNOW?**

In Maryland, being adjudicated delinquent (similar to being found guilty) in a juvenile court case **IS NOT** a conviction.

## **Do I have a juvenile record?**

A juvenile record is all the information kept by police and courts about a youth's arrest and/or court case. An arrest while under the age of 18 and any involvement with juvenile court will be part of your juvenile record.

## **Who can look at my juvenile record?**

Juvenile records in Maryland are generally ***confidential***, which means that they are not usually available for the public to see.

However, many people may still be able to view your juvenile record, such as court officials, the State's Attorney's Office, law enforcement, and other state government agencies. Also, your school may be notified if you are arrested or are charged with certain crimes. And the Court can give anyone access to your record if it finds that there is a good reason to do so.

**To limit people from being able to see your juvenile record, you may be able to get your record sealed or expunged.**

## **Can my juvenile record be completely destroyed?**

Yes, If a juvenile record is ***expunged***, it either means that both the court and police records will be destroyed or they will be fully removed from public inspection and only allowed to be accessed with special permission from the judge.

**You MAY be able to have your juvenile record expunged, if:**

- (1) You are 18 or older, AND
- (2) You have only one non-violent misdemeanor adjudication on your record, AND
- (3) You have no open cases or pending charges, AND
- (4) More than 2 years have passed since anything happened in your juvenile case, AND
- (5) You have paid all restitution, AND
- (6) You are not required to register as a sex offender.

Even if all of the factors above are true in your case, it is still up to the judge to decide whether to expunge your record or not. **If your record cannot be expunged, you still may be eligible to get your record sealed.**



## **How can I keep people from seeing my juvenile record?**

You can make a request to the court and ask to seal your juvenile record. When a record is sealed, it means that fewer individuals can access the court record of your juvenile adjudication. Employers and colleges are less likely to discover your juvenile record if it is sealed.

### ***How can I seal my juvenile record?***

**If you are 21 or older**, you can file a petition with the Juvenile Court where you were charged. The Court **must** grant your request to seal your record.

**If you are under 21**, you must show the court that you have a good reason why your record should be sealed. A good reason may be that sealing your juvenile record may keep you from having to report it on college or employment applications, and allow you to obtain a professional license.

***Why should I get my juvenile record sealed?*** Getting your record sealed means less people can look at your record. It also means that you may not have to reveal your juvenile record on certain applications for college or employment.

***Sealing doesn't get rid of all records.*** When a court seals your juvenile record, it only seals the court's file, not the police records. Also, law enforcement and those given special permission by the court may still see your record.

To get more information or help in sealing or expunging your juvenile record, **contact your attorney or local Public Defender's Office.**