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Juvenile Record Clearance 2017 Legislative Reforms

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Speakers

Serena Holthe, National Juvenile Defender Center

Meghan Garvey, Orleans Public Defenders

Lisa Minutola, Delaware Office of Defense Services

Clean Slate

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Clearinghouse

 Online clearinghouse of each state's adult and juvenile record clearance policies, resources, guides, and legal service providers

Audience

 Legal service providers, people with criminal records, policymakers, and reentry and workforce service providers

Goals

- Provide accessible, up to date information for record clearance policies across the country
- Increase capacity of legal service providers and create a community of practice around record clearance

cleanslateclearinghouse.org



Juvenile Record Clearance: 2017 Legislative Reforms

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Overview: Juvenile Record Clearance Laws

- Eligible records
- Eligible offenses
- Exclusions



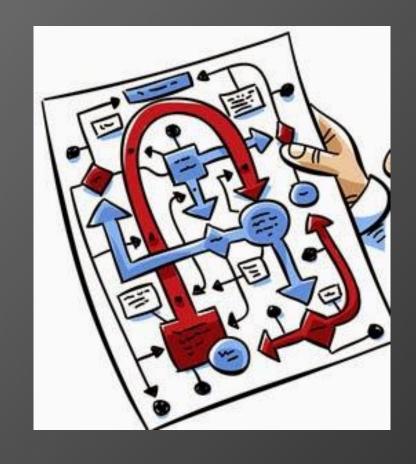


Legal Aid Foundation (Chicago)



Overview: Juvenile Record Clearance Laws

- Procedure
- Discretionary or mandatory
- Waiting period
- Fee





2017 Legislative Reforms

- Expand access for human trafficking-related offenses
- Decrease waiting time
- Increase eligible offenses
- Increase of automatic record clearance
- Simplify record clearance process



State-Specific Legislative Reforms



Louisiana: How They Achieved Reforms

- ABA Model Act Governing the Confidentiality and Expungement of Juvenile Delinquency Records
- State bar support
- Law Institute collaboration
- Lobbyist assistance



Louisiana: Changes to the Law

- Increased eligible offenses
- Decreased waiting time
- Simplified process
- Tightened confidentiality rules





Delaware: How They Achieved Reforms

Coalition building

- Worked with non-profit organizations
- Key allies/Unlikely allies
- Bipartisan support





Delaware: How They Achieved Reforms

Strategy

- Personal stories
- Packaged as part of juvenile justice reform bills

Persistence

- Multiple drafts over several years
- Educating legislators



Delaware: Changes to the Law

- Expanded eligible offenses
- Streamlined process
- Shortened time frames

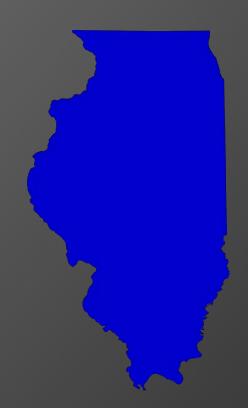




Illinois: Changes to the Law

- Expanded automatic expungement
- Hearing only required if prosecutor objects
- Decreased waiting period
- Strengthened confidentiality laws





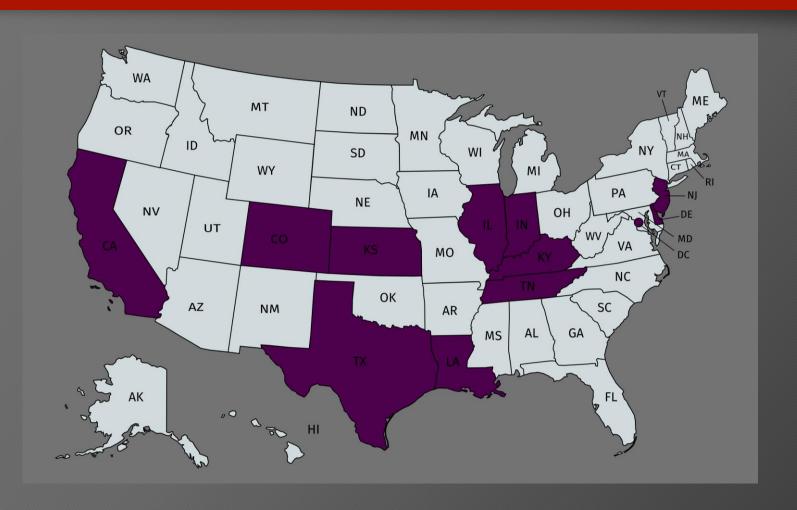
California: Changes to the Law

- Increased eligible offenses
- Increased matters eligible for automatic sealing





States with 2017 Legislative Reforms





Why Expand Juvenile Record Clearance?



Record Clearance





2018 Reforms

Which states are poised to

change their juvenile record clearance laws

or court rules in 2018?



Presenters

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