

**JUVENILE RECORD SERIES  
BOOK TWO**

**HOW TO SEAL YOUR MASSACHUSETTS JUVENILE  
AND YOUTHFUL OFFENDER RECORDS**

**WHO CAN SEE YOUR JUVENILE DELINQUENCY AND YOUTHFUL OFFENDER RECORDS?**

Massachusetts Juvenile Court files at the courthouse involving delinquency cases are not open to the public. Juvenile records are much more protected than adult criminal records. If a juvenile record is not sealed, a job applicant in Massachusetts may answer "no record" related to prior arrests, court appearances and adjudications in all cases of delinquency or child in need of services which did not result in a complaint transferred to Superior Court for prosecution. The Commissioner of Probation will answer "no record" to inquiries made by employers for Juvenile records, EXCEPT for inquiries from courts, law enforcement or others specially authorized to obtain such information by statute, such as, for example, operators of children's summer camps. G.L. c. 276, § 100A; G.L. c. 6, § 172G.

After a juvenile record is sealed, police and other court related agencies making inquiries will be told there is "a sealed delinquency record over 3 years old." Except as permitted by certain laws, other employers or agencies will be told there is "no record." G.L.c. 276, § 100B. Sealed juvenile and/or adult criminal records can be used against a person if the court imposes a sentence in a future court case. G.L. c. 276, 5§ 100A-C.

Youthful offender cases are treated differently than juvenile delinquency cases. Youthful offender hearings and court files are open to the public. Youthful offender cases will also show on an adult CORI if:

- ▶ You went to state prison or a House of Corrections, or
- ▶ You were on probation after age 21 for this case.

This is why it is important to seal a youthful offender record if you are eligible to seal it. Youthful offender cases have a "YO" in the docket number.

**WHEN CAN YOU SEAL A JUVENILE OR YOUTHFUL OFFENDER RECORD?**

Juvenile Court delinquency and youthful offender cases can be sealed if court supervision, probation, commitment or parole ended at least 3 years ago, but only if:

- ▶ The person has no new delinquency adjudications or convictions (except motor vehicle convictions with a fine not greater than \$50) during the last 3 years, and
- ▶ The person has no delinquency commitments or imprisonment in the last 3 years in or outside Massachusetts, and
- ▶ The person is not required to register as a sex offender. (G.L. c. 276, § 100B; G.L. c. 6, § 178G).

**IMPORTANT:** If you are not a citizen or are living here without legal documents, you should consult with an immigration attorney before sealing your records.

### HOW DO YOU SEAL JUVENILE RECORDS IN MASSACHUSETTS?

After a juvenile record has "aged out" as described above, you can seal it by filling out and mailing in the same form used to seal adult convictions. A blank form you can use is attached along with a sample of a completed form.

If you think you may need copies of the records you are trying to seal in the future, get certified copies of the records at the courthouse before mailing in the form. Such documents might be needed if you are applying for a "green card" or other legal immigration status. Once your record is sealed, you cannot get a copy of it unless you go to court to "unseal" your records.

### FOR MORE INFORMATION

- Call the Legal Advocacy & Resource Center (LARC) at 617-603-1700. If you live in the Boston area, you'll be screened for eligibility for an intake for Greater Boston Legal Services (GBLS). GBLS is not able to take every case, but LARC or GBLS may be able to refer you to programs or resources to help solve your problem.
- For help or referral on ongoing juvenile delinquency related cases: Youth Advocacy Project, Roxbury: 617-989-8100 ext. 8144
- Children's Law Project, Lynn: 781-581-1977
- To find a legal aid program near you, go to website on the internet: [www.masslegalhelp.org](http://www.masslegalhelp.org)
- To read information on CORI, including but not limited to "The CORI Reader," go to the CORI section of the Mass Legal Help website: [www.masslegalhelp.org](http://www.masslegalhelp.org)

**This information is provided as a public service by Greater Boston Legal Services and does not constitute legal advice which can only be given to you by your own attorney. This booklet relates to criminal records located in Massachusetts and to the laws, forms, and practices in effect as of February 1, 2016. Bills are often filed to change various laws. This booklet is made available through funding from the Gardiner Howland Shaw Foundation and is also available online at [masslegalhelp.org](http://masslegalhelp.org)**



**BLANK FORMS  
YOU CAN FILL IN AND USE BY MAIL**

PETITION TO SEAL

To: Commissioner of Probation, One Ashburton Place, Rm. 405, Boston, MA 02108

SELECT appropriate box(es). If 1, 2, or 3 are selected, you must sign the corresponding numbered affidavit below.

- PART A
1 - 4
Section 100B - Chapter 276. Delinquency (juvenile) cases, all sentence elements of which, and of any subsequent court appearances, were completed 3 years prior to this request.
Section 100A - Chapter 276. Misdemeanor cases, all sentence elements of which, and any subsequent court appearances, were completed 5 years prior to this request (or, which was a felony when committed, and is presently a misdemeanor).
Section 100A - Chapter 276. Felony cases, all sentence elements of which, and of any subsequent court appearances, were completed 10 years prior to this request. For eligible sex offenses 15 years prior to this request.
Section 100A - Chapter 276. Recorded offense which is no longer a crime, except where the elements of the offense continue to be a crime under a different designation.

Print
Last name First name Middle name Date of Birth:
Alias/Maiden/Previous name
Mailing Address City State Zip
Occupation Social Security # Place of Birth
Father's Name Mother's Maiden Name Husband/ Wife's Name
Petitioner's Signature

In accord with the provision of Chapter 276, Sections 100A and 100B, as established by Chapter 686 of the Acts of 1971, Chapter 404 of the Acts of 1972, Chapter 322 of the Acts of 1973 and Chapter 256 of the Acts of 2010, respectively, I hereby request that my record of adult criminal and/or juvenile Massachusetts court appearances and dispositions be sealed forthwith.

To the best of my knowledge:

- 1. a) My delinquency court appearances or dispositions including court supervision, probation, commitment or parole, the records for which are to be sealed, terminated not less than three years prior to said request; b) I have not been adjudicated delinquent or found guilty of any criminal offense within the commonwealth in the three years preceeding such request, except motor vehicle offenses in which the penalty does not exceed a fine of fifty dollars nor been imprisoned under sentence or committed as a delinquent within the commonwealth within the preceeding three years; and c) I have not been adjudicated delinquent or found guilty of any criminal offenses in any other state, United States possession or in a court of federal jurisdiction, except such motor vehicle offenses as aforesaid, and have not been imprisoned under sentence or committed as a delinquent in any other state or county within the preceeding three years.

Signed under penalties of perjury,

Signature of Petitioner

To the best of my knowledge:

- 2. a) All of my court appearance and court disposition records, including any period of incarceration or custody for any misdemeanor occurred not less than five years prior to this request; b) that my court appearance and court disposition records, including any period of incarceration or custody for any felony occurred not less than ten years prior to this request; c) that I have not been found guilty of any criminal offense within the commonwealth in the case of a misdemeanor, five years before such request, and in the case of a felony, ten years before such request, except motor vehicle offenses in which the penalty does not exceed a fine of fifty dollars; d) I have not been convicted of any criminal offense in any other state, United States possession or in a court of federal jurisdiction, except such motor vehicle offenses as aforesaid, and have not been imprisoned in any other state or county in the case of a misdemeanor within the preceeding five years and in the case of a felony the preceeding ten years; and e) my record does not include convictions of offenses other than those to which the section applies, or convictions for violations of sections 121 to 131 H, inclusive, of chapter 140 or for violations of chapter 268 or chapter 268 A.

Signed under penalties of perjury,

Signature of Petitioner

PETITIONER NOT TO WRITE BELOW THIS LINE

Petition Allowed/Disallowed 01 02 03 04
Allowed (Copy to Clerk and Probation Office)
Reason for Disallowance (Copy to petitioner only)