

# EXPUNGEMENT

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There is no legal authority to expunge traffic offenses in juvenile court. Traffic offenses may **not** be expunged.

# Order Dismissing Charges and Expunction

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If there is no finding of probable cause or the state is not pursuing the charges, this order will show the offenses are dismissed and this case is expunged.

## IN THE JUVENILE COURT OF CHESTER COUNTY, TENNESSEE

IN THE MATTER OF:

Case No. 12JC1-2019-JD-1

**Laura Ingalls - DOB 4/12/2007 AGE 12 years**

A child under 18 years of age  
(at the time of the offense)

CHARGE(S): Case 1, Count 1 - Shoplifting/Theft of merchandise (TCA 39-14-146), a Misdemeanor  
Case 1, Count 2 - Simple possession or casual exchange (TCA 39-17-418), a Misdemeanor

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### ORDER DISMISSING CHARGES ORDER TO EXPUNGE THE OFFICIAL FILE AND RECORDS

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This matter came on to be heard on 23rd day of August, 2019, before the Honorable Larry F. McKenzie, upon petition filed alleging the above offense(s).

Those present were Laura Ingalls, Caroline Ingalls (Mother) and Charles Ingalls (Father).

The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

1. The child was advised of the charge(s) against her and of her rights, pursuant to Rule 205 of the Rules of Juvenile Practice and Procedure, including the right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to the child.
2. The child executed a Waiver of Right to Counsel with written waiver duly filed.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

1. The following offense(s) shall be dismissed: **Shoplifting/Theft of merchandise (TCA 39-14-146), a Misdemeanor and Simple possession or casual exchange (TCA 39-17-418), a Misdemeanor.**
2. The Clerk shall expunge the following Case No(s) 12JC1-2019-JD-1 at no cost.
3. IT IS FURTHER ORDERED, pursuant to T.C.A. § 37-1- 153(f), that the Clerk shall maintain and place under seal the order of expunction, the original delinquent or unruly petition, and the order of adjudication and disposition. The sealed orders and petition shall not be released to anyone except at the written request of the movant or in response to an order of a court with proper jurisdiction.

ENTERED this 6th day of September, 2019.

# Motion for Expunction of Juvenile Court Records

A child can file this motion at no cost. This motion must be available to the child and the child must be informed of the need to petition the court.

When the child presents the motion to the Clerk, it should be file stamped and scanned. The Judge can enter an order expunging or set the matter for hearing.

## IN THE JUVENILE COURT OF CHESTER COUNTY, TENNESSEE

IN THE MATTER OF:

Case No. 12JC1-2019-JD-1

**Laura Ingalls - DOB 4/12/2007 AGE 12 years**

A child under 18 years of age  
(at the time of the offense)

CHARGE(S): Case 1, Count 1 - Shoplifting/Theft of merchandise (TCA 39-14-146), a Misdemeanor  
Case 1, Count 2 - Simple possession or casual exchange (TCA 39-17-418), a Misdemeanor

## MOTION FOR EXPUNCTION OF JUVENILE COURT RECORDS

COMES, Laura Ingalls - DOB 4/12/2007, pursuant to T.C.A. § 37-1-153(f), and moves this Court for an order of expunction of the juvenile court records related to Case No. 12JC1-2019-JD-1, involving the violation of the following statutes/ordinances: Shoplifting/Theft of merchandise (TCA 39-14-146), a Misdemeanor and Simple possession or casual exchange (TCA 39-17-418), a Misdemeanor.

In support of this Motion, movant states that: The case was disposed by an informal adjustment, pretrial diversion, or judicial diversion, and it has been at least 1 year since I successfully completed the informal adjustment, pretrial diversion, or judicial diversion.

Respectfully submitted,

Dated: \_\_\_\_\_

\_\_\_\_\_  
Laura Ingalls, Child

Dated: \_\_\_\_\_

\_\_\_\_\_  
Parent, Guardian or Legal Custodian

# Order for Expunction of Juvenile Court Records

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If the child has filed a Motion for Expunction and the court has granted it, this is the order to use. If you have a designated person who is responsible for expunging cases in Quest, these orders can be automatically sent to them.

## IN THE JUVENILE COURT OF CHESTER COUNTY, TENNESSEE

IN THE MATTER OF:

Case No. 12JC1-2019-JD-1

**Laura Ingalls - DOB 4/12/2007 AGE 12 years**

A child under 18 years of age  
(at the time of the offense)

CHARGE(S): Case 1, Count 1 - Shoplifting/Theft of merchandise (TCA 39-14-146), a Misdemeanor  
Case 1, Count 2 - Simple possession or casual exchange (TCA 39-17-418), a Misdemeanor

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### ORDER TO EXPUNGE THE OFFICIAL FILES AND RECORDS

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This matter came on to be heard on 10/3/19, before the Honorable Larry F. McKenzie, upon motion for the expunction of the juvenile court records in the above case numbers, involving the violation of the above statutes/ordinances:

The Court, having considered the movant's entire record, finds as follows:

1. Pursuant to T.C.A. § 37-1-153(f)(3), (4), or (5), Case No(s) 12JC1-2019-JD-1 was/were disposed by an informal adjustment, pretrial diversion, or judicial diversion, and the movant: has proven by clear and convincing evidence that it has been at least 1 year since the movant successfully completed the informal adjustment, pretrial diversion, or judicial diversion.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Clerk shall expunge the following Case No(s) 12JC1-2019-JD-1.

**IT IS FURTHER ORDERED**, pursuant to T.C.A. § 37-1-153(f), that the Clerk shall maintain and place under seal the order of expunction, the original delinquent or unruly petition, and the order of adjudication and disposition. The sealed orders and petition shall not be released to anyone except at the written request of the movant or in response to an order of a court with proper jurisdiction.

ENTERED this 3rd day of October, 2019.

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The Honorable Larry F. McKenzie  
Juvenile Court Judge  
(TCA § 16-1-115)

### **CERTIFICATION OF SERVICE**

# Expunging the case in Quest



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## Add Case Status

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Best practice is to add a Case Status of Expunged so you can easily pull stats on how many cases we expunge during a time period.


Click on the Case that is being expunged, once case at a time.

<b>- Cases</b>	<b>Top</b>
<b>Delinquency - 83SCJ-2019-JR-10 (Dismissed; Successfully Completed Judicial Diversion)</b>	
Ingalls, Laura(Case 4) - Defendant from 6/28/2019 thru 9/6/2019	
<b>Dependency/Neglect - 83SCJ-2019-JV-2 (Adjudicated; Dependent &amp; Neglected Child)</b>	
Oleson, Harriet(Case 1) - Petitioner from 7/22/2019 thru present	
Ingalls, Caroline(Case 3) - Respondent from 5/21/2019 thru present	
Ingalls, Charles(Case 5) - Respondent from 5/21/2019 thru present	
Ingalls, Laura(Case 2) - Child from 4/21/2019 thru present	
<b>Delinquency - 83SCJ-2019-JR-1 (Dismissed; Successfully Completed Informal Adjustment)</b>	
Ingalls, Caroline(Case 1) - Responsible Party from 6/28/2019 thru 9/6/2019	
Ingalls, Charles(Case 1) - Responsible Party from 4/30/2019 thru 9/6/2019	
Ingalls, Laura(Case 1) - Defendant from 4/15/2019 thru 9/6/2019	
<b>- Incidents</b>	<b>Top</b>
<b>8/29/2019 4:00 PM - Law Enforcement referred by Sumner County Sheriff's Department</b>	
1 - Simple possession or casual exchange (TCA 39-17-418), a Misdemeanor	
<b>8/19/2019 3:00 PM - Violation referred by Sumner County Youth Services</b>	
1 - Violation of County Probation (TCA 37-1-131), a Violation	
<b>4/15/2019 8:30 AM - Law Enforcement referred by Gallatin Police Department</b>	
1 - Especially Aggravated Robbery (TCA 39-13-403), a Felony	
2 - Handgun Possession Prohibited Person under 18 (TCA 39-17-1319), a Misdemeanor	

Add a Case Status of Expunged.

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Status date:  

Status:\*  

Status reason:

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- Case status history	Close case	Top
<b>9/6/2019 - EXPUNGED</b>		
9/6/2019 - Dismissed; Successfully Completed Judicial Diversion		
8/30/2019 - Judicial Diversion Extended		
6/10/2019 - Judicial Diversion		
5/30/2019 - Case Filed		

## Expunge the Case

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You should not expunge a case before the final court order goes out to the parties. If the Clerk's office sends copies of orders, they won't be able to mail this order out if the case is already expunged.

And if there are fees that were paid this month, you shouldn't expunge the case until the Clerk has disbursed those funds or the Clerk will get an error when trying to disburse because they can't see the expunged case.

You must have special authority to Expunge cases. Click the **Expunged: Yes** to expunge the case.

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### Case Detail

Case number: 83SCJ-2019-JR-10


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[ntly assigned](#) | [Case attributes](#) | [Case status history](#) | [Case number history](#) | [Deadlines](#) | [Warr Requirements](#) | [Codefendants](#) | [Facility stays](#) | [Events](#) | [Folder locations](#) | [Notes](#) | [Docun](#)

Case type:\*   [Cover sheet](#)

Access:\*  Normal  Confidential  Sealed Expunged:\*  Yes  No

Assigned/home court:  

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The case now shows the current case status of Expunged.



<a href="#">- Cases</a> <a href="#">Top</a>
<b>Delinquency (Expunged) - 83SCJ-2019-JR-10 (EXPUNGED)</b> Ingalls, Laura(Case 4) - Defendant from 6/28/2019 thru 9/6/2019

A normal person logging into the system would only see this:

<a href="#">- Cases</a> <a href="#">Top</a>
<b>Dependency/Neglect - 83SCJ-2019-JV-2 (Adjudicated; Dependent &amp; Neglected Child)</b> Oleson, Harriet(Case 1) - Petitioner from 7/22/2019 thru present Ingalls, Caroline(Case 3) - Respondent from 5/21/2019 thru present Ingalls, Charles(Case 5) - Respondent from 5/21/2019 thru present Ingalls, Laura(Case 2) - Child from 4/21/2019 thru present
<a href="#">- Incidents</a> <a href="#">Top</a>
None

Everything attached to the expunged case is now gone, such as the incident and all the documents. However, anything that is NOT attached to a case remains, such as schools, drug tests, and contact notes.

It is possible to make these items disappear as well. There is a RULE called Secure By Open Case. This rule says that if you want to see this type of information, such as contact notes or substance reports, there must be an open case.

The only possible downside to this is that if a child has a history in Quest, but currently has no open cases, all this information will be hidden until you add a new case, then it will all be displayed again.

Some counties will actually change the child's name from Laura Ingalls to last name Expunged 4, 4 being the child's file number, so that everything to do with this child disappears. This is not an option when the child has other cases in the system, such as being a child in a D&N or Paternity case.

We never want to delete information and lose statistical information that we may have already reported.

# AOC FORMS

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IN THE \_\_\_\_\_ COUNTY JUVENILE COURT

STATE OF TENNESSEE )  
 ) CHILD/CHILDREN UNDER  
 ) THE AGE OF EIGHTEEN

IN THE MATTER OF )  
 \_\_\_\_\_ ) DOCKET NO: \_\_\_\_\_

## MOTION FOR EXPUNCTION OF JUVENILE COURT RECORDS

Comes, \_\_\_\_\_, pursuant to T.C.A. § 37-1-153(f), and moves this Court for an order of expunction of the juvenile court records related to Case No. \_\_\_\_\_, involving the violation of the following statutes/ordinances: \_\_\_\_\_

In support of this Motion, movant states that: **(CHECK ONLY ONE):**

- The case was disposed by an informal adjustment, pretrial diversion, or judicial diversion, and it has been **at least 1 year** since I successfully completed the informal adjustment, pretrial diversion, or judicial diversion.
- The case was disposed by an informal adjustment, pretrial diversion, or judicial diversion; it has been **less than 1 year** since I successfully completed the informal adjustment, pretrial diversion, or judicial diversion, and I am requesting that the Court find by clear and convincing evidence that I successfully completed all requirements and that I have made such an adjustment of circumstances that the expunction serves my best interest and that of the community.
- The case involved a delinquent adjudication of a misdemeanor or unruly adjudication, and it has been **at least 1 year** since I successfully completed and was discharged from any probation or conditions of supervision.
- The case involved a delinquent adjudication of a felony; I am 17 or older; and it has been **at least 1 year** from my most recent delinquency or unruly adjudication. I have never been convicted of a criminal offense as an adult; I have never been convicted of a criminal offense following transfer from juvenile court pursuant to T.C.A. § 37-1-134; and I have never been convicted of a sexual offense as defined in T.C.A. § 40-39-202, whether in juvenile court, following transfer from juvenile court pursuant to T.C.A. § 37-1-134, or as an adult; and I do not have an adjudication of delinquency for a violent juvenile sexual offense as defined in T.C.A. § 40-39-202.
- The case involved a delinquent felony or misdemeanor adjudication or unruly adjudication, and I am requesting that the Court find by clear and convincing evidence that I have successfully completed all requirements, and I have made such an adjustment of circumstances that the expunction serves my best interest and the best interest of the community. *(There is no age requirement and the 1 year does not apply.)*



The case was dismissed (not as a result of an informal adjustment, pretrial diversion, or judicial diversion.) *If the case was dismissed after July 1, 2016, the order dismissing the case should have included a finding that the case be expunged and no hearing regarding expunction is required.*

Respectfully submitted,

\_\_\_\_\_  
Child

\_\_\_\_\_  
Parent/Guardian

This motion shall be heard on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of this Motion was forwarded by U.S. Mail, postage prepaid, to the following persons on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Clerk

**THERE IS NO COST FOR THIS MOTION**

IN THE \_\_\_\_\_ COUNTY JUVENILE COURT

STATE OF TENNESSEE )
) CHILD/CHILDREN UNDER
) THE AGE OF EIGHTEEN
IN THE MATTER OF )
)
\_\_\_\_\_ ) DOCKET NO: \_\_\_\_\_

ORDER FOR EXPUNCTION OF JUVENILE COURT RECORDS

This cause came on to be heard before the Honorable \_\_\_\_\_ on this the \_\_\_\_\_ day
of \_\_\_\_\_, \_\_\_\_\_, upon motion for the expunction of the juvenile court records in the following
Case No(s): \_\_\_\_\_, involving the violation of the following
statutes/ordinances: \_\_\_\_\_

Present for the hearing were: \_\_\_\_\_

- The Court, having considered the testimony, evidence presented, and the entire record, finds as follows:
The Court, having considered the movant’s entire record, finds as follows:

Pursuant to T.C.A. § 37-1-153(f)(3), (4), or (5), Case No(s) \_\_\_\_\_ was/were disposed by
an informal adjustment, pretrial diversion, or judicial diversion, and the movant:

- has proven by clear and convincing evidence that it has been at least 1 year since the movant successfully
completed the informal adjustment, pretrial diversion, or judicial diversion.
has failed to prove by clear and convincing evidence that it has been at least 1 year since the movant
successfully completed the informal adjustment, pretrial diversion, or judicial diversion.

Pursuant to T.C.A. § 37-1-153(f)(7), Case No(s) \_\_\_\_\_ was/were disposed by an
informal adjustment, pretrial diversion, or judicial diversion; it has been less than 1 year since the movant
successfully completed the informal adjustment, pretrial diversion, or judicial diversion, and the movant:

- has proven by clear and convincing evidence that the movant has made such an adjustment of circumstances
that the expunction serves the movant’s best interest and that of the community.
has failed to prove by clear and convincing evidence that the movant has made such an adjustment of
circumstances that the expunction serves the movant’s best interest and that of the community.

Pursuant to T.C.A. § 37-1-153(f)(8), Case No(s) \_\_\_\_\_ involved a delinquent
adjudication of a misdemeanor or unruly adjudication, and the movant:

- has proven by clear and convincing evidence that it has been at least 1 year since the movant successfully
completed and was discharged from probation or conditions of supervision.
has failed to prove by clear and convincing evidence that it has been at least 1 year since the movant
successfully completed and was discharged from probation or conditions of supervision.

Pursuant to T.C.A. § 37-1-153(f)(1)(A), Case No(s) \_\_\_\_\_ involved a delinquent or unruly
adjudication, the movant is 17 years of age or older, and the movant:

has proven by clear and convincing evidence that *it has been at least 1 year* from the movant's most recent delinquency or unruly adjudication; the movant has never been convicted of a criminal offense as an adult; has never been convicted of a criminal offense following transfer from juvenile court pursuant to T.C.A. § 37-1-134; has never been convicted of a sexual offense as defined in T.C.A. § 40-39-202, whether in juvenile court, following transfer from juvenile court pursuant to T.C.A. § 37-1-134, or as an adult; and does not have an adjudication of delinquency for a violent juvenile sexual offense as defined in T.C.A. § 40-39-202.

has failed to prove by clear and convincing evidence that *it has been at least 1 year* from the movant's most recent delinquency or unruly adjudication; the movant has never been convicted of a criminal offense as an adult; has never been convicted of a criminal offense following transfer from juvenile court pursuant to T.C.A. § 37-1-134; has never been convicted of a sexual offense as defined in T.C.A. § 40-39-202, whether in juvenile court, following transfer from juvenile court pursuant to T.C.A. § 37-1-134, or as an adult; and does not have an adjudication of delinquency for a violent juvenile sexual offense as defined in T.C.A. § 40-39-202.

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 Pursuant to T.C.A. § 37-1-153(f)(1)(B) or (C), Case No(s) \_\_\_\_\_ was/were involved a *delinquent or unruly adjudication*, and the movant:

has proven by clear and convincing evidence that the movant has maintained a consistent and exemplary pattern of responsible, productive and civic-minded conduct for 1 or more years immediately preceding the filing of the expunction petition.

has failed to prove by clear and convincing evidence that the movant has maintained a consistent and exemplary pattern of responsible, productive and civic-minded conduct for 1 or more years immediately preceding the filing of the expunction petition.

OR

has proven by clear and convincing evidence that the movant has made such an adjustment of circumstances that the expunction serves the movant's best interest and that of the community.

has failed to prove by clear and convincing evidence that the movant has made such an adjustment of circumstances that the expunction serves the movant's best interest and that of the community.

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 Pursuant to T.C.A. § 37-1-153(f)(6), Case No(s) \_\_\_\_\_ was/were dismissed.  
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IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Clerk *shall expunge* the following Case No(s) \_\_\_\_\_.

IT IS FURTHER ORDERED, pursuant to T.C.A. § 37-1-153(f), that the Clerk shall maintain and place under seal the order of expunction, the original delinquent or unruly petition, and the order of adjudication and disposition. The sealed orders and petition shall not be released to anyone except at the written request of the movant or in response to an order of a court with proper jurisdiction.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Clerk *shall not expunge* the requested records.

Entered this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of this Order was forwarded by  U.S. Mail, postage prepaid,  by email to the following persons on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Clerk

# STATUTES

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## **37-1-153. Court files and records -- Inspection limited -- Exceptions for certain violent offenders -- Confidentiality -- Expunction.**

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- (a) Except in cases arising under § 37-1-146, all files and records of the court in a proceeding under this part are open to inspection only by:
- (1) The judge, officers and professional staff of the court;
  - (2) The parties to the proceeding and their counsel and representatives;
  - (3) A public or private agency or institution providing supervision or having custody of the child under order of the court;
  - (4) A court and its probation and other officials or professional staff and the attorney for the defendant for use in preparing a presentence report in a criminal case in which the defendant is convicted and who prior thereto had been a party to the proceeding in juvenile court; and
  - (5) With permission of the court, any other person or agency or institution having a legitimate interest in the proceeding or in the work of the court.
- (b) Notwithstanding subsection (a), petitions and orders of the court in a delinquency proceeding under this part shall be opened to public inspection and their content subject to disclosure to the public if:
- (1) The juvenile is fourteen (14) or more years of age at the time of the alleged act; and
  - (2) The conduct constituting the delinquent act, if committed by an adult, would constitute first degree murder, second degree murder, rape, aggravated rape, aggravated sexual battery, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping.
- (c) Notwithstanding the provisions of this section, if a court file or record contains any documents other than petitions and orders, including, but not limited to, a medical report, psychological evaluation or any other document, such document or record shall remain confidential.
- (d)
- (1) Except as otherwise permitted in this section, it is an offense for a person to intentionally disclose or disseminate to the public the files and records of the juvenile court, including the child's name and address.
  - (2) A violation of this subsection (d) shall be punished as criminal contempt of court as otherwise authorized by law.
- (e) Notwithstanding other provisions of this section, where notice is required under § 49-6-3051, an abstract of the appropriate adjudication contained in the court file or record shall be made and provided to the parent, guardian, or other custodian of the juvenile, including the department, and this abstract shall be presented to the school in which the juvenile is, or may be, enrolled, in compliance with § 49-6-3051.
- (f)
- (1) Notwithstanding any law to the contrary, any person who is tried and adjudicated delinquent or unruly by a juvenile court may subsequently file a motion for expunction of all court files and the juvenile records. The court may order all or any portion of the requested expunction if, by clear and convincing evidence, the court finds that the movant:
    - (A)
      - (i) Is currently seventeen (17) years of age or older;

(ii) Is at least one (1) year removed from the person's most recent delinquency or unruly adjudication;

(iii) Has never been convicted of a criminal offense as an adult, has never been convicted of a criminal offense following transfer from juvenile court pursuant to § 37-1-134, and has never been convicted of a sexual offense as defined in § 40-39-202, whether in juvenile court, following transfer from juvenile court pursuant to § 37-1-134, or as an adult; and

(iv) Does not have an adjudication of delinquency for a violent juvenile sexual offense as defined in § 40-39-202;

(B) Has maintained a consistent and exemplary pattern of responsible, productive and civic-minded conduct for one (1) or more years immediately preceding the filing of the expunction motion; or

(C) Has made such an adjustment of circumstances that the court, in its discretion, believes that expunction serves the best interest of the child and the community.

(2) Nothing in this subsection (f) shall be construed to apply to any law enforcement records, files, fingerprints or photographs pertaining to any delinquency or unruly adjudication.

(3) In any case in which there is successful completion of an informal adjustment without adjudication under § 37-1-110, the juvenile records shall be expunged by the juvenile court after one (1) year, upon the filing of a motion for expunction and without cost to the child. The court shall inform the child, at the time of the informal adjustment, of the need to file the motion for expunction after a year of successful completion of an informal adjustment and provide the child with a model expunction motion prepared by the administrative office of the courts. The administrative office of the courts shall create a motion that can be completed by a child and shall be circulated to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all movants.

(4) In any case in which there is a successful completion of a pretrial diversion pursuant to § 37-1-110, the juvenile record shall be expunged by the juvenile court after one (1) year, upon the filing of a motion for expunction and without cost to the child. The court shall inform the child, at the time of the pretrial diversion, of the need to file the motion for expunction after a year of successful completion of the pretrial diversion and provide the child with a model expunction motion prepared by the administrative office of the courts. All juvenile court clerks shall make this model expunction motion accessible to all movants.

(5) In any case in which there is a successful completion of a judicial diversion pursuant to § 37-1-129, the juvenile record shall be expunged by the juvenile court after one (1) year, upon the filing of a motion for expunction and without cost to the child. The court shall inform the child, at the time of the judicial diversion, of the need to file the motion for expunction after a year of successful completion of the judicial diversion and provide the child with a model expunction motion prepared by the administrative office of the courts. All juvenile court clerks shall make this model expunction motion accessible to all movants.

(6) In any case that is dismissed, excluding a case dismissed after successful completion of an informal adjustment, pretrial diversion, or judicial diversion, the juvenile record shall be expunged by the juvenile court as a part of the court's order of dismissal, without the filing of a pleading for expunction, and at no cost to the child.

(7) A motion for expunction may be filed prior to the one-year period outlined in subdivisions (f)(3), (f)(4), and (f)(5). If the motion is filed, the court may order all or any portion of the requested expunction if the court finds by clear and convincing evidence that the movant has successfully completed the informal adjustment or diversion and has made such an adjustment of circumstances that the court, in its discretion, determines that expunction serves the best interest of the child and the community.

(8) In any case in which a child's juvenile record contains convictions solely for unruly adjudications or delinquency adjudications for offenses that would be misdemeanors if

committed by an adult, the juvenile court shall expunge all court files and records after one (1) year from the child's completion of and discharge from any probation or conditions of supervision, upon the filing of a motion by the child. The court shall inform the child, at the time of adjudication, of the need to file a motion to expunge after a year from the successful completion of probation and provide the child with a model expunction motion prepared by the administrative office of the courts. The administrative office of the courts shall create a motion that can be completed by a child and shall circulate the motion to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all children.

**(9)** The order of expunction, the original delinquent or unruly petition, and the order of adjudication and disposition under subdivisions (f)(1)-(8) shall be sealed and maintained by the clerk of the court in a locked file cabinet and kept separate from all other records. In courts that maintain a case management system capable of expunging a record and only allowing access to the system administrator, paper copies need not be maintained. The sealed orders and petition shall not be released to anyone except at the written request of the person whose records are expunged or in response to an order of a court with proper jurisdiction. Any person whose records are expunged under subdivisions (f)(1)-(8) shall be restored to the status that the person occupied before arrest, citation, the filing of a juvenile petition, or referral. Once a person's juvenile record is expunged, the person shall not be held criminally liable under any provision of state law to be guilty of perjury or otherwise giving a false statement by reason of the person's failure to recite or acknowledge such record or arrest in response to any inquiry made of the person for any purpose.

**(10)** For purposes of this subsection (f), a juvenile record includes all documents, reports, and information received, kept, or maintained in any form, including electronic, by the juvenile court clerk or juvenile court staff relating to a delinquency or unruly case, with the exception of assessment reports under § 37-1-136.

**(11)** The court shall inform the child, at the time of adjudication, of the need to file a motion to expunge the child's juvenile record. The administrative office of the courts shall create a motion that can be completed by a child and shall be circulated to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all children.

**(12)** The court may order all or any portion of a juvenile's court files and juvenile records expunged if:

**(A)** The juvenile is tried and adjudicated delinquent or unruly by a juvenile court for conduct that would constitute the offense of prostitution under § 39-13-513 or aggravated prostitution under § 39-13-516 if committed by an adult;

**(B)** The court finds that the conduct upon which the adjudication is based was found to have occurred as a result of the person being a victim of human trafficking under § 39-13-314; and

**(C)** The juvenile has filed a motion for expunction of all court files and juvenile records.