

ASSEMBLY BILL

No. 989

Introduced by Assembly Member Cooper

February 26, 2015

An act to amend Section 786 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 989, as introduced, Cooper. Juveniles: sealing of records.

Existing law subjects any person under 18 years of age who commits a crime to the jurisdiction of the juvenile court, which may adjudge that person to be a ward of the court, except as specified. Under existing law, juvenile court proceedings to declare a minor a ward of the court are commenced by the filing of a petition by the probation officer, the district attorney after consultation with the probation officer, or the prosecuting attorney, as specified. Existing law requires the juvenile court to order the petition of a minor who is subject to the jurisdiction of the court dismissed if the minor satisfactorily completes a term of probation or an informal program of supervision, as specified, and requires the court to seal all records in the custody of the juvenile court pertaining to that dismissed petition, except as specified.

This bill would make a technical, nonsubstantive change to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 786 of the Welfare and Institutions Code
2 is amended to read:
3 786. If the minor satisfactorily completes (a) an informal
4 program of supervision pursuant to Section 654.2, (b) probation
5 under Section 725, or (c) a term of probation for any offense not
6 listed in subdivision (b) of Section 707, the court shall order the
7 petition dismissed, and the arrest upon which the judgment was
8 deferred shall be deemed not to have occurred. The court shall
9 order sealed all records pertaining to that dismissed petition in the
10 custody of the juvenile court, except that the prosecuting attorney
11 and the probation department of any county shall have access to
12 ~~these~~ *the* records after they are sealed for the limited purpose of
13 determining whether the minor is eligible for deferred entry of
14 judgment pursuant to Section 790. The court may access a file that
15 has been sealed pursuant to this section for the limited purpose of
16 verifying the prior jurisdictional status of a ward who is petitioning
17 the court to resume its jurisdiction pursuant to subdivision (e) of
18 Section 388. This access shall not be deemed an unsealing of the
19 record and shall not require notice to any other entity.

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