

LETA/Implementation Recommendations - Automatic Sealing of Juvenile Records

Office of General Counsel – Legal Education and Technical Assistance

Distributed to CJPOs on August 27, 2015

Re: Automatic Sealing of Juvenile Records
HB 263/SB 1707

During the 84th Legislative Session, House Bill 263 and Senate Bill 1707 (identical bills) contained important amendments to Section 58.003 of the Family Code (Sealing of Records). The new process, described as “automatic sealing,” eliminates the requirement to file an application or petition to seal records and places the responsibility on the juvenile court to initiate the process. The attached resource information has been prepared by the Office of General Counsel - Legal Education and Technical Assistance to assist juvenile probation departments in implementing a local plan to address these changes.

One important development will help to bring statewide consistency and reliability to the eligibility verification process. Specifically, the Department of Public Safety has agreed to conduct computerized searches of juvenile delinquency and criminal history records searches in the JJIS and CJIS repositories. Although the legislation will take effect on September 1, 2015, the ability to retrieve the eligibility certification notices from CJIS will not be available until November 1, 2015.

We hope that the recommendations contained in the attached PDF document will be helpful. It will be important to review this information and work closely with your local counsel, juvenile court, probation staff, and other records administrators to interpret the new provisions and develop a workable implementation plan for your county.

Should you have additional questions, please feel free to contact the TJJD Legal Help Desk at legalhelp@tjjd.texas.gov or 512.490.7121.

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