



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

May 29, 2014

Hon. Tom Ammiano, Chair
Assembly Public Safety Committee
State Capitol, Room 3146
Sacramento, California 95814

Subject: SB 1038 (Leno), as amended March 28, 2014 – Support, if amended and funded
Hearing: Assembly Public Safety Committee – June 10, 2014

Dear Assembly Member Ammiano:

The Judicial Council supports, if amended and funded SB 1038, which eliminates the 21-year age limit by which a ward or former ward must request dismissal of a petition against him or her.

SB 1038 requires automatic sealing of a juvenile court record if a minor satisfactorily completes a specified informal supervision program, or, for certain offenses, probation. The bill further limits the individuals and circumstances under which a sealed record can be viewed, limiting access to prosecuting attorneys and probation departments in order to determine the youth's eligibility for a future deferred entry of judgment, and that courts would have access to the files in order to verify a ward's previous status. The council supports these sealing provisions of the bill, provided that there is funding for the added workload on court clerks to automatically seal all eligible files.

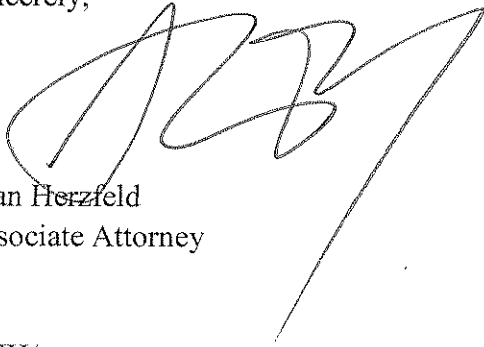
The council supports SB 1038 because it furthers one of the primary goals of the juvenile justice system—rehabilitation—by automatically sealing the records of nonviolent offenders, which will assist them in obtaining employment and government benefits. The council supports the provisions in the bill that would remove the 21-year age limit for requesting dismissal of a

Hon. Tom Ammiano
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petition, provided the bill is amended to clarify that the juvenile court can dismiss petitions after the former ward turns 21, but that the court does not maintain jurisdiction over the ward until the petition is dismissed.

For these reasons, and with these minor amendments, the Judicial Council supports, if amended and funded, SB 1038.

Sincerely,

A handwritten signature in black ink, appearing to be 'A Herzfeld', written over the printed name.

Alan Herzfeld
Associate Attorney

ANH/yc-s

cc: Members, Assembly Public Safety Committee
Hon. Mark Leno, Member of the Assembly
Mr. Shaun Naidu, Counsel, Assembly Public Safety Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy



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May 29, 2014

Hon. Mark Leno
Member of the Senate
State Capitol, Room 5100
Sacramento, California 95814

Subject: SB 1038 (Leno), as amended March 28, 2014 – Support, if amended and funded
Hearing: Assembly Public Safety Committee – June 10, 2014

Dear Senator Leno:

The Judicial Council supports, if amended and funded SB 1038, which eliminates the 21-year age limit by which a ward or former ward must request dismissal of a petition against him or her.

SB 1038 requires automatic sealing of a juvenile court record if a minor satisfactorily completes a specified informal supervision program, or, for certain offenses, probation. The bill further limits the individuals and circumstances under which a sealed record can be viewed, limiting access to prosecuting attorneys and probation departments in order to determine the youth's eligibility for a future deferred entry of judgment, and that courts would have access to the files in order to verify a ward's previous status. The council supports these sealing provisions of the bill, provided that there is funding for the added workload on court clerks to automatically seal all eligible files.

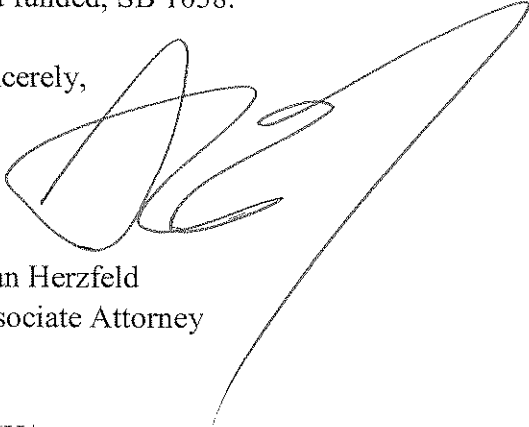
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provisions in the bill that would remove the 21-year age limit for requesting dismissal of a petition, provided the bill is amended to clarify that the juvenile court can dismiss petitions after the former ward turns 21, but that the court does not maintain jurisdiction over the ward until the petition is dismissed.

For these reasons, and with these minor amendments, the Judicial Council supports, if amended and funded, SB 1038.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Herzfeld', with a long, sweeping horizontal stroke extending to the right.

Alan Herzfeld
Associate Attorney

ANH/yc-s

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor