



# Judicial Council of California

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## INVITATION TO COMMENT

### SPR25-19

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**Title**

Juvenile Law: Sex Offender Registration

**Action Requested**

Review and submit comments by May 23, 2025

**Proposed Rules, Forms, Standards, or Statutes**

Revise form JV-915-INFO

**Proposed Effective Date**

January 1, 2026

**Proposed by**

Family and Juvenile Law Advisory  
Committee  
Hon. Tari L. Cody, Cochair  
Hon. Stephanie E. Hulse, Cochair

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### Executive Summary and Origin

The Family and Juvenile Law Advisory Committee proposes revising *Information on Filing a Petition to Terminate Juvenile Sex Offender Registration* (form JV-915-INFO) to correct legally inaccurate statements in the form. The form currently states that the Department of Justice determines the registration tier for individuals required to register due to a juvenile adjudication and that a subsequent violent felony conviction or a conviction for an offense requiring sex offender registration disqualifies an applicant from requesting termination of juvenile sex offender registration. Because neither of those statements reflect the controlling statutory provisions, the committee accordingly proposes their removal from the form.

### Background

In California, individuals convicted of certain enumerated criminal offenses must register as sex offenders. (Pen. Code, § 290.)<sup>1</sup> Historically, the sex offender registration requirement was a lifetime obligation for all registrants. In 2017, California adopted a tiered registration scheme, which became effective on January 1, 2021. (Sen. Bill 384 (Wiener) Stats. 2017, ch. 541.) Under the tiered registration system, individuals convicted<sup>2</sup> of certain enumerated criminal offenses

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<sup>1</sup> Unless otherwise specified, all further statutory references are to the Penal Code.

<sup>2</sup> Individuals who were committed to the California Youth Authority after being adjudicated as wards of the juvenile court for an offense enumerated in section 290.008(c) and subsequently discharged on or after January 1, 1986, are

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

who meet certain other stated qualifications may request to terminate their registration requirement after successfully completing a set period of registration. (See § 290 et seq.)

### **Adults**

Under the tiered registration scheme, individuals with a qualifying criminal conviction (as opposed to a qualifying juvenile adjudication) are classified as either a tier one, tier two, or tier three offender. Tier one offenders are eligible to petition the court for termination of their registration requirement after registering for a minimum period of at least 10 years,<sup>3</sup> while most tier two offenders are generally eligible to do so after registering for a minimum period of at least 20 years.<sup>4</sup> Most tier three offenders remain subject to the lifetime registration requirement and are not eligible to petition the court for termination of their registration requirement.<sup>5</sup>

Certain individuals classified as tier two offenders may seek to petition the court for termination of their registration requirement after a minimum period of at least 10 years<sup>6</sup> (as opposed to the otherwise applicable 20 years). Among other criteria, these applicants must not have been convicted of a new offense requiring sex offender registration *or* for a new offense described in section 667.5(c)<sup>7</sup> since their release from custody following their conviction for the offense originally giving rise to the duty to register.<sup>8</sup>

### **Juvenile**

In contrast, individuals with a qualifying juvenile adjudication are classified as either a tier one juvenile offender<sup>9</sup> or a tier two juvenile offender<sup>10</sup> based solely on their registrable offense. A tier one juvenile offender is an individual whose registrable offense is *not* considered a serious or violent felony under either section 667(c) or 1192.7(c), while a tier two juvenile offender is an individual whose registrable offense *is* considered a serious or violent felony under either section 667(c) or 1192.7(c). Individuals classified as a tier one juvenile offender must register for a

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also required to register as sex offenders. These individuals are expressly included in California's tiered registration scheme as well. The California Youth Authority was subsequently designated the Division of Juvenile Justice in 2005. Under realignment, all such facilities closed on June 30, 2023.

<sup>3</sup> § 290(d)(1)(A).

<sup>4</sup> § 290(d)(2)(A). A tier two offender may file for termination from the registry after registering for only 10 years "if all of the following apply: (A) the registerable offense involved no more than one victim 14 to 17 years of age, inclusive; (B) the offender was under 21 years of age at the time of the offense; (C) the registerable offense is not specified in subdivision (c) of Section 667.5, except subdivision (a) of Section 288; and (D) the registerable offense is not specified in Section 236.1." (§ 290.5(b)(1).)

<sup>5</sup> § 290(d)(3). An individual required to register as a tier three offender based solely on their risk level under section 290(d)(3)(D), however, may also petition the court for termination of their registration requirement after registering for a minimum period of at least 20 years and meeting several other requirements. (§ 290.5(b)(3).)

<sup>6</sup> § 290.5(b)(2).

<sup>7</sup> Offenses described in section 667.5(c) are also known as "violent felonies."

<sup>8</sup> § 290.008(b)(2).

<sup>9</sup> § 290.008(d)(1).

<sup>10</sup> § 290.008(d)(2).

minimum period of at least 5 years<sup>11</sup> (instead of 10 years for a qualifying criminal conviction) before becoming eligible to petition the court for termination of their registration requirement. Individuals classified as a tier two juvenile offender must register for a minimum period of at least 10 years<sup>12</sup> (instead of 20 years for a qualifying criminal conviction) before becoming eligible to petition for termination of their registration requirement.

Form JV-915-INFO inaccurately states that a juvenile offender's tier level is determined by the Department of Justice. That statement is incorrect. A juvenile offender's tier level is determined solely by whether or not their registrable offense is serious or violent felony. Form JV-915-INFO also inaccurately states that any juvenile offender (whether tier one or tier two) must not have been convicted of a new offense requiring sex offender registration *or* for a new offense described in section 667.5(c) since their release from custody following their conviction for the offense originally giving rise to the duty to register. That statement is also incorrect, as that prohibition does not apply to juvenile registrants.

The prohibition is contained in section 290.5(b)(2), which expressly only applies to tier two "offenders" under section 290(d)(2), and not to tier two "juvenile offenders," which are described in section 290.008(d)(2). Moreover, section 290(d)(2)(A) defines eligible tier two offenders as individuals who were "convicted" of certain offenses. Juvenile adjudications are not to be deemed "a conviction of a crime for any purpose."<sup>13</sup> As a result, individuals who are required to register because of a juvenile adjudication are not subject to the prohibition.

## **The Proposal**

The Family and Juvenile Law Advisory Committee proposes two substantive revisions and several minor technical changes to *Information on Filing a Petition to Terminate Juvenile Sex Offender Registration* (form JV-915-INFO).

Item 3 on the form is titled "Which tier am I? How is my tier determined?" The answer lists four bullet points. The first bullet point states, in pertinent part, that "The Department of Justice will determine tier placement for all current registrants and will notify the law enforcement agency where you register." The committee proposes replacing this sentence with "If your registrable offense is considered either a serious or violent felony under either Penal Code section 667.5(c) or 1192.7(c), you are in Tier 2; if not, you are in Tier 1." This language is consistent with the language of sections 290.008(d)(1) and (2).

Additionally, item 4 on the form is titled "Are there any other requirements besides registering for my tier's minimum time period?" The answer lists five bulleted requirements following the heading "If you are assessed as Tier 1 or Tier 2, you are eligible to petition for relief only upon reaching the end of the minimum registration period and only if *all* of the following are true."

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<sup>11</sup> § 290.008(d)(1).

<sup>12</sup> § 290.008(d)(2).

<sup>13</sup> § 203.

The committee proposes removing the following bullet points in item 4, which, as described above, do not apply to juvenile offenders:

- You have not been convicted of a new offense requiring sex offender registration since your release from custody following your adjudication for the offense originally giving rise to your duty to register; and
- You have not been convicted of a new offense described in Penal Code section 667.5(c) since your release from custody upon adjudication for the offense originally giving rise to your duty to register.

The remaining listed requirements track the language of section 290.5(a)(2), and thus the committee does not propose substantive revision to them.

### **Alternatives Considered**

The committee considered taking no action but rejected this option because without the proposed revisions the form would contain inaccurate statements of law.

### **Fiscal and Operational Impacts**

Fiscal and operational impacts are likely to be minor as the proposal is limited to two substantive changes on an information sheet. Expected costs include training, case management system updates, and the production of new forms.

### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Are there any other legally inaccurate statements in the form?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

## Attachments and Links

1. Form JV-915-INFO, at pages 6–8
2. Link A: Pen. Code, § 290,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=290.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=290.&lawCode=PEN)
3. Link B: Pen. Code, § 290.008,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=290.008.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=290.008.&lawCode=PEN)
4. Link C: Pen. Code, § 290.5,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=290.5.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=290.5.&lawCode=PEN)

**1 General Information**

- You must continue to register as a sex offender until a court grants your request to terminate the registration requirement.
- You may be required to register as a sex offender in another jurisdiction even if your requirement to register in California is terminated.
- Do not file evidence that shows proof of rehabilitation unless requested by the court after the petition is filed.
- **Form JV-915** and proof of current registration may only be filed following the expiration of your mandated minimum registration period.
- This information sheet is for terminating registration based on adjudications in juvenile court. It does not address registration based on criminal convictions.
- Proof of current registration is available at the registering law enforcement agency.
- It is very important that you provide a **dependable** mailing address on **form JV-915** so that the district attorney and **the** court can reach you. Contact the court immediately if your mailing address changes.

- Upon being adjudicated for a registrable offense, your minimum required registration period begins on the date you were released from the Division of Juvenile Justice.
- Any misdemeanor conviction for failure to register extends the minimum time period by one year, without regard to the actual time served in custody for the conviction. Any felony conviction for failure to register extends the minimum time period by three years, without regard to the actual time served in custody for the conviction.
- If the minimum registration period has not been tolled or extended, you are eligible for relief after you have registered for the following time periods:

If you are...	You must have registered for at least...
Tier 1 (Juvenile)	5 years
Tier 2 (Juvenile)	10 years

**2 Am I eligible for relief under Penal Code section 290.5?**

You *may be* eligible to petition for relief under Penal Code section 290.5 if:

- You are required to register as a sex offender under Penal Code section 290; *and*
- You have registered for the minimum time period for your assigned tier.

**4 Are there any other requirements besides registering for my tier's minimum time period?**

If you are assessed as Tier 1 or Tier 2, you are eligible to petition for relief only upon reaching the end of the minimum registration period, and only if *all of the following are true*:

- You are not the subject of pending criminal charges that could extend the time to complete the registration requirements of the tier or change the tier status;
- You are not in custody; **and**
- You are not on parole, probation, postconviction supervised release, or any other form of supervised release.

**3 Which tier am I? How is my tier determined?**

Your tier is based on the offense for which you were adjudicated and committed to the Division of Juvenile Justice. If your registrable offense is considered either a serious or violent felony under either Penal Code section 667.5(c) or 1192.7, you are in Tier 2; if not, you are in Tier 1. Registrants may request a tier notification letter from the registering law enforcement agency.

**5 At the end of my minimum period of registration, where and how do I file my petition and proof of current registration with the court?**

You may file **form JV-915** and proof of current registration as a sex offender, which you can get from the registering law enforcement agency, in the juvenile court in the county where you register. If you register with more than one law enforcement agency (for example, if you are also required to register at a school campus or at an additional residence



address), you must file the petition and proof of current registration in the county of your primary residence.

- Make a copy of the completed [form JV-915](#) and proof of current registration for each law enforcement agency and district attorney’s office you (or someone on your behalf) must serve.
- Contact the court clerk or check the court’s website to see if any local rules exist regarding filing or [serving the](#) petition and proof of current registration and ask how you can receive proof of filing.
- File [form JV-915](#) and proof of current registration by:
  - Taking them to the court clerk in person;
  - Mailing them to the court; or
  - Depending on the court’s local rules and practices, filing them electronically.

**6 Who else gets a copy of the petition and proof of current registration, and how?**

After [form JV-915](#) and proof of current registration are filed with the court, you or someone on your behalf must deliver a copy of the petition and the proof of current registration to:

- The law enforcement agency with which you currently register; and
- The district attorney in the county in which you currently register.

If you were adjudicated [for](#) a registrable offense in a county other than where you currently reside or register, the petition and proof of current registration must also be delivered to the law enforcement agency and the district attorney of the county of [adjudication](#) of the registrable offense.

- *Example:* If you were adjudicated for a registrable offense in Los Angeles County but register in Orange County, you or someone on your behalf must serve the law enforcement agency and the district attorney’s office in both counties.
- Contact every agency that must be served to check if there is a specific person or mailing address that should receive the petition and proof of current registration. If the agencies do not get a copy, they will not be able to provide the information the court needs to consider your request, and the court may deny the request or delay its decision until it receives this information.

There are three main ways to serve the petition and proof of current registration (use *Proof of Service—Juvenile Sex Offender Registration Termination* ([form JV-916](#)) [as a guide for the information](#) you need to report back to the court about how and when the petition was served):

- **Personal service:** You may serve the petition and proof of current registration or ask someone else to do it. Go in person to hand-deliver the petition and proof of current registration to a representative of the law enforcement agency and district attorney’s office during business hours. This is the most reliable form of service.
- **Service by mail:** Place copies of the petition and proof of current registration in a stamped, sealed envelope addressed to the law enforcement agency and district attorney’s office. Put first-class postage on the envelope and mail it by depositing the envelope with the U.S. Postal Service or at an office or business mail drop where the mail is picked up every day and deposited with the U.S. Postal Service.

Alternatively, you may mail the documents by certified mail with a return receipt requested.

- **Electronic service:** Contact the law enforcement agency and district attorney’s office to check if they accept electronic service and, if so, how to confirm receipt of service. The court may require proof of consent and proof of electronic service. You can use *Consent to Electronic Service and Notice of Electronic Service Address* ([form EFS-005-CV](#)) and *Proof of Electronic Service* ([form EFS-050](#)), available at [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms).

**Your petition may be denied if all law enforcement agencies and district attorney offices required to be served are not served.** When service is complete, you or the person who served the documents on your behalf must fill out *Proof of Service—Juvenile Sex Offender Registration Termination* ([form JV-916](#)) and file it with the court.

**7 Time frame for court's decision**

The court will not make a decision until it hears from the law enforcement agency and the district attorney. This may take four months or longer.



- The law enforcement agency has 60 days from receipt of the petition to report on your eligibility to the court and district attorney. The law enforcement agency may request more time if it discovers a conviction not previously considered by the Department of Justice.
- The district attorney may request a hearing within 60 days after receiving the eligibility report from law enforcement.
- Once you file your petition and proof of current registration and the court gives you a case number, you can see whether the court has received and filed any responses from the law enforcement agency and the district attorney's office by going in person to the juvenile court to request access to your paper file. The district attorney will also serve a copy of its response on you or your attorney.
- The court may grant your request, deny your request, or set the request for a hearing if one is requested by the district attorney. The court will notify you or your attorney if a hearing is set.

## **8** Hearing

The district attorney in the county where the petition is filed may request a hearing if the district attorney does not believe you have registered for the minimum time period required or if they believe that you should continue registering for **the safety of the community**. If the court must decide at the hearing whether you should continue to register for **the safety of the community**, the court will make its decision by **considering the facts of your case, your conduct before and after the adjudication**, and your current risk of sexual or violent re-offense, among other factors.

If the district attorney does not request a hearing, the court must grant the petition for termination if (1) you provided proof of current registration, (2) the registering law enforcement agency reported that you met the requirements for termination, (3) there are no pending charges against you that could extend the **minimum time you are required to register**, and (4) you are not in custody or on parole, probation, or supervised release.

## **9** Subsequent petition

If the court denies your request, it will let you know how much time must pass before you can make the request again. That period must be at least one year from date of denial, but may not exceed five years, based on facts presented at the hearing.