

Page 1-Above line 1 In the catch title delete "of misdemeanors".

Page 1-line 1 Delete "criminal procedure" insert "expungement of records".

Page 1-line 3 After "specified;" insert "providing for expungement of juvenile records as specified; providing prosecutorial discretion to petition to postpone expungement; providing conforming amendments;".

Page 1-line 8 Delete "is" insert ", 14-6-241 and 14-6-503(d) are".

Page 2-After line 14: Insert:

"14-6-241. Expungement of records in juvenile and municipal courts.

(a) Except as provided herein, the juvenile court shall order the expungement of records of any person adjudicated delinquent as a result of having committed a delinquent act other than a violent felony as defined by W.S. 6-1-104(a)(xii), a violation of a state or municipal traffic law or ordinance or a violation of W.S. 23-3-102(d) or W.S. 23-3-107, under the provisions of this act ~~may petition the court for the expungement of his record in the juvenile court~~ upon the person reaching notifying the juvenile court and the district attorney that the person has reached the age of majority. If after investigation the court finds that the petitioner has not been convicted of a felony since adjudication, that no proceeding involving a felony is pending or being instituted against the petitioner and the rehabilitation of the petitioner has been attained to the satisfaction of the court or the prosecuting attorney, it shall order expunged all records in the custody of the court or any agency or official, pertaining to the petitioner's case. The prosecuting attorney may petition the court to postpone the expungement of juvenile court records under this section prior to the person reaching the age of majority. The person whose expungement of records is challenged shall be given notice and opportunity to contest the prosecuting attorney's petition. If the court determines that the person

1 has been convicted of a felony since adjudication, proceedings
2 involving a felony is pending or being instituted against the
3 person or that the rehabilitation of the person has not been
4 attained to the satisfaction of the court, the court shall deny
5 the expungement. No less than three (3) years from the issuance
6 of an order denying expungement, the person may petition the
7 court for expungement of juvenile court records under this
8 section. Copies of the order of expungement shall be sent to
9 each agency or official named in the order. Upon entry of an
10 order the proceedings in the petitioner's case are deemed never
11 to have occurred and the petitioner may reply accordingly upon
12 any inquiry in the matter.

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14 (b) The record of a violation of municipal ordinances may
15 shall be expunged in the same manner as provided in subsection
16 (a) of this section by petition to the municipal court and
17 expungement may be postponed in the same manner as provided in
18 subsection (a) of this section.

19
20 (c) The record of a minor convicted of a misdemeanor in
21 circuit court may shall be expunged in the same manner as
22 provided in subsection (a) of this section by petition to the
23 circuit court and expungement may be postponed in the same
24 manner as provided in subsection (a) of this section.

25
26 (d) Upon reaching the age of majority, a person may
27 petition the court having appropriate jurisdiction for
28 expungement of a conviction for a juvenile violation of a state
29 or municipal traffic law or ordinance or a violation of W.S. 23-
30 3-102(d) or W.S. 23-3-107. If after investigation the court
31 finds that the petitioner has served the full term and
32 conditions of the person's adjudication, that the person has not
33 been convicted of a felony since adjudication, that no
34 proceeding involving a felony is pending or being instituted
35 against the petitioner and the rehabilitation of the petitioner
36 has been attained to the satisfaction of the court, it shall
37 order expunged all records in the custody of the court or any
38 agency or official, pertaining to the petitioner's case.

39
40 (e) The court having appropriate jurisdiction shall notify
41 the person at the time of a decision or adjudication of the
42 person's case and shall inform the person:

43
44 (i) Whether the person may be entitled to expungement
45 under subsection (a), (b) or (c) of this section;
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1 (ii) Whether the person has the right to petition for
2 expungement under subsection (d) of this section;

3
4 (iii) That the prosecuting attorney may petition the
5 court to postpone expungement under this section and that the
6 person shall be provided notice and opportunity to contest the
7 prosecuting attorney's petition.

8
9 (f) As used in this section, "expungement" means the
10 proceedings in a person's case are deemed never to have occurred
11 and the person may reply accordingly upon any inquiry in the
12 matter.

13
14 **14-6-503. Rights of victims to be informed during the**
15 **delinquency proceeding.**

16
17 (d) At the time of a decision or adjudication, the
18 prosecuting attorney shall notify in writing, or in person,
19 victims who have participated in the delinquency proceedings of
20 ~~an application for the~~ expungement of the juvenile's records
21 under W.S. 14-6-241. The victim ~~shall be afforded the~~
22 ~~opportunity to make a statement at the hearing on the~~
23 ~~application~~ may request that the prosecuting attorney petition
24 the court to postpone the expungement pursuant to W.S.
25 14-6-241(a). The prosecuting attorney shall exercise discretion
26 when determining whether to petition for postponement of
27 expungement of records pursuant to a request of a victim under
28 this subsection.". THRONE