

1 **Rule 56. Expungement.**

2 (a) Any ~~person~~ individual who has been adjudicated ~~in a minor's case~~ delinquent by a
3 juvenile court may petition the court for an order expunging and sealing the records
4 pursuant to Utah Code section ~~78A-6-1501~~ 80-6-1001, et. seq.

5 (b) **Adjudication expungement.**

6 ~~(b)~~(1) Upon filing the petition, the clerk shall calendar the matter for hearing and
7 give at least 30 ~~days notice~~ days' notice to the prosecuting attorney, the Juvenile
8 Probation Department, the agency with custody of the records, and any victim or
9 ~~victim's~~ victim's representative of record on each adjudication identified by
10 petitioner as being subject to expungement who have requested in writing notice
11 of further proceedings. The petitioner may be required to obtain and file
12 verifications from local law enforcement agencies in every community in which
13 the petitioner has resided stating whether petitioner has a criminal record.

14 ~~(b)~~(2) If the court finds, upon hearing, that the conditions for expungement under
15 Utah Code section ~~78A-6-1503~~ 80-6-1004 have been satisfied, the court shall order
16 the records of the case sealed as provided in Utah Code section ~~78A-6-1503~~ 80-6-
17 1004.

18 (c) **Nonjudicial expungement.** ~~(e)(1)~~ A person whose juvenile record consists solely
19 of nonjudicial adjustments, as provided for in Utah Code section ~~78A-6-602~~ 80-6-304, may
20 petition the court for expungement as provided for in Utah Code section ~~78A-6-1504~~ 80-
21 6-1005.

22 (d) The clerk shall provide certified copies of the executed order of expungement, at no
23 cost, to the petitioner and the petitioner shall deliver a copy of the order to each agency
24 in the State of Utah identified in the order.

25 *Effective September 1, 2021.*