

Superior Court of the State of California
County of Orange



*Chambers of
Douglas J. Hatchimonji
Presiding Judge of Juvenile Court*

Juvenile Court
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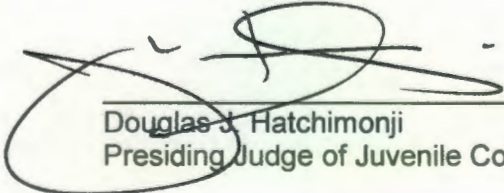
**Juvenile Court Administrative Order 11/004
Administrative Order re: Petitions and Motions for Sealing Records
(Welfare and Institutions Code §781)**

1. This administrative order shall apply to all petitions, motions, applications or requests for the sealing of records made pursuant to Welfare and Institutions Code, section 781.
2. All petitions for sealing of records shall comply with the provisions of Welfare and Institutions Code, section 781, and California Rules of Court, rule 5.830.
3. Pursuant to Rule 5.830, all petitions, motions, applications or requests for the sealing of records made pursuant to Welfare and Institutions Code, section 781, shall first be submitted to the Probation Department, before filing with the Court. Accordingly:
 - a. Upon receipt of a petitions, motions, applications or requests for the sealing of records, the Probation Department shall prepare a petition, conduct an investigation and prepare a report, pursuant to Rule 5.830(a)(2).
 - b. Within the times described by Rule 5.830(a)(2)(D), the Probation Department shall file the petition, set the matter for a hearing and give notice to the prosecuting attorney of the hearing along with its report and recommendations. In the event that the petition, motion, application or request for the sealing of records is submitted by counsel on behalf of the person seeking the sealing of records, the Probation Department shall give notice of the hearing to the attorney along with its report and recommendations.
 - c. The person submitting the petition, motion, application or request for the sealing of records shall pay to Probation a reasonable fee for the conducting of an investigation and preparation of the report. In the event that the person is indigent and unable to pay the fee, the Probation Department may waive the fee or the person may apply to the Presiding Judge of the Juvenile Court for an order waiving the fee.
4. Pursuant to Rule 5.830, Juvenile Court clerks shall reject for filing any petitions, motions, applications or requests for the sealing of records that has not first been submitted to the Probation Department; and shall direct the person to the Probation Department.

5. Upon the filing of a petition for sealing of records by Probation, Court clerical staff will set the matter for hearing. The hearing shall be set in the courtroom where the petitioner's cases were last assigned before the termination of jurisdiction. In the event that the request for sealing pertains cases where no petition was filed to adjudge the petitioner seeking sealing a ward of the court, the hearing shall be set before the Presiding Judge of the Juvenile Court.
 - a. In the event that the petition, motion, application or request for the sealing of records is submitted by counsel on behalf of the person seeking the sealing of records, the request shall be set for hearing in open court.
 - b. Pursuant to Rule 5.830(a)(2)(D)(ii), in the event that the petition, motion, application or request for the sealing of records is submitted by the Probation Department for an person not represented by counsel, the petition shall be submitted to the Court as nonappearance chambers work. The Court in its discretion may order the petition set for a hearing in open court, or may grant or deny the petition without prejudice to the party against whom the order was made to request a hearing in open court; in such event, the court shall reconsider the petition de novo.

This Juvenile Court Administrative Order is to remain in effect until otherwise ordered by the Presiding Judge of Juvenile Court.

Dated this 18th day of October, 2011



Douglas J. Hatchimonji
Presiding Judge of Juvenile Court