

1 **Rule 56. Expungement.**

2 (a) Any individual who has been adjudicated delinquent by a juvenile court may petition
3 the court for an order expunging and sealing the records pursuant to Utah Code sections
4 80-6-1001 ~~- 1007, et. seq.~~

5 (b) **Adjudication expungement.** A person whose juvenile record includes an
6 adjudication, as provided for in Utah Code section 80-6-701, may petition the court for
7 expungement as provided for in Utah Code section 80-6-1004.1.

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

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

19 (c) **Nonjudicial expungement.** A person whose juvenile record consists solely
20 of nonjudicial adjustments, as provided for in Utah Code section 80-6-304, may petition
21 the court for expungement as provided for in Utah Code section 80-6-1004.25.

22 ~~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.~~ **Delinquency-records expungement.** A person
25 whose juvenile record consists solely of records of arrest, investigation, detention, or
26 petitions that did not result in adjudication may petition the court for expungement as
27 provided for in Utah Code section 80-6-1004.3.

28 (e) **Petition-not-found-to-be-true expungement.** A person whose record contains
29 allegations found not to be true by the juvenile court may petition the court for an
30 expungement as provided for in Utah Code section 80-6-1004.4.

31 (f) **Automatic expungement.** A person whose record consists solely of successfully
32 completed nonjudicial adjustments is eligible for an automatic expungement as provided
33 for in Utah Code section 80-6-1004.5.

34 *Effective May 1, 2024*