NEVADA
JUVENILE JUSTICE
INSTITUTE 2020

# JUDICIAL ETHICS NOTETAKING GUIDE

## JUVENILE RECORD RETENTION AND EXPUNGMENT:

- •Youths' law enforcement and court records should not widely available and never available online.
- Sealed records should be completely closed to the general public.
- Expungement means that records should be electronically deleted and physically destroyed, however a record stripped of all personal information should be retained for research purposes.
- Records of any offense may be eligible for expungement.
- Youth should be eligible for expungement at the time their cases are closed.
- There should be no costs or fees associated with the expungement process.
- The sealing and expunging of records should be automatic.
- Sanctions should be imposed on individuals and agencies that unlawfully share confidential or expunged juvenile record information or fail to comply with expungement orders.

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## WAIVERS TO ADULT COURT

- The determination as to whether a juvenile charged with a serious crime should be handled in juvenile justice court or transferred to criminal court is best made by a juvenile justice court judge in a judicial hearing with the youth represented by qualified counsel.
- Prosecutorial selection of adult jurisdiction, mandatory transfers, and automatic exclusions are not recommended. Such practices can place juvenile justice court judges in positions where they are statutorily required to take actions that they do not believe will be most effective in changing the youth's behavior or in the best interest of the community.