

## 12.6 Expunction of Minors' Records of Admission and Commitment

Court records regarding an admission or commitment of a minor may be expunged after the minor has “both been released and reached adulthood.” G.S. 122C-54(e). The request may be made by the individual admitted or committed or by the individual’s legally responsible person. *Id.* The records of the admission and commitment of minors are confidential special proceedings records maintained by the clerk of court. Records may be maintained in separate counties if petitions were filed or treatment was received in more than one county.

The statute provides that the minor and the legally responsible person “shall be informed in writing by the court of the right provided by this subsection at the time that the application for admission is filed with the court.” *Id.* Because application for voluntary admission may be made at the facility or a petition for involuntary commitment may be filed by someone other than the legally responsible person without the minor being present, it is uncertain whether this notice is being accomplished. Counsel should advise minor clients of the right to have the court records expunged (erased), and to seek assistance of the clerk of court to do so after being released and reaching the age of eighteen.