

17.1 Expunction

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Expunction is a statutory process that allows a former juvenile respondent to file a petition to have the court records of the juvenile proceeding, as well as any law enforcement records and records maintained by the Division of Adult Correction and Juvenile Justice, destroyed. After expunction of juvenile records, the former juvenile respondent may generally proceed as if the juvenile proceeding never occurred. This will protect the former juvenile respondent from certain collateral consequences, as well as prevent an adjudication from being used in certain criminal proceedings. *See infra* § 17.5, Effect of Expunction.

Statutory criteria must be met; not all adjudications or records can be expunged. This chapter discusses the requirements and procedures for expunction of juvenile court records relating to a dismissed petition alleging delinquency or to an adjudication of delinquency. Procedures for expunction of records relating to cases involving undisciplined juveniles are not included in this discussion.

The former respondent in a juvenile delinquency proceeding will ordinarily become eligible for expunction of records after the involvement of appointed counsel has ended. Counsel should provide information to a juvenile client who may be eligible to have records expunged so that the client can pursue expunction independently or through hired counsel at the appropriate time. For a “reminder card” that you can provide your juvenile client and other information on expunctions of juvenile court records, see the [Expunction Toolkit](#), a collection of materials on juvenile court expunctions prepared by the Office of the Juvenile Defender. *See also* [Expunction of Delinquency Matters](#) in John Rubin, Relief from a Criminal Conviction: A Digital Guide to Expunctions, Certificates of Relief, and Other Procedures in North Carolina (UNC School of Government 2016).