

# EXPUNGEMENT GUIDE



Pennsylvania  
Juvenile Court  
Judges' Commission

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# INTRODUCTION

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The *Expungement Guide*, developed and presented by the Juvenile Court Judges' Commission (JCJC), is an essential resource created to support juvenile justice practitioners in Pennsylvania. This guide offers a comprehensive overview of the statutes, rules, standards, policies, and resources relevant to the expungement of juvenile records across the Commonwealth.

There is a common misconception that juvenile court records remain confidential or are automatically destroyed once a juvenile reaches adulthood. In reality, these records can have significant consequences on an individual's future if not properly expunged.

This guide is designed to help juvenile justice system professionals within Pennsylvania understand the various types of records created through a juvenile's involvement with law enforcement and the courts. These records include law enforcement reports, fingerprints, juvenile probation files, court documents, and deoxyribonucleic acid (DNA) records. Such information is maintained by juvenile probation offices, law enforcement agencies, clerk of courts offices, and other related agencies.

The proper handling and sharing of juvenile court records is critically important. Juvenile court dispositions and related records may result in [collateral consequences](#) such as the loss of driving privileges, restrictions on certain careers including military service, challenges in gaining admission to post-secondary education institutions, prohibitions on purchasing or possessing firearms, and impacts on sentencing in future criminal cases through prior record scoring.

The [MacArthur Models for Change Initiative](#), [Pennsylvania Juvenile Justice System Enhancement Strategy \(JJSES\)](#), [Pennsylvania Juvenile Justice Task Force](#), and [Act 108 of 2024](#) contributed to the emergence of systemic changes and best practices for the expungement of juvenile court records.

Act 108 of 2024 significantly strengthened Pennsylvania's juvenile expungement framework by clarifying timelines, expanding procedural safeguards, and placing structured responsibilities on juvenile justice system agencies to ensure eligible youth receive the benefit of record relief.

The Act contributed to systemic change in several important ways:

- **Enhanced notification requirements:** the Act formalized obligations for juvenile probation offices, particularly chief juvenile probation officers, to review cases and initiate notification when youth become eligible for expungement.
- **Structured timelines:** the Act reinforced designated time-based eligibility standards, reducing ambiguity and promoting more consistent statewide application.
- **Administrative accountability:** the Act encouraged counties to adopt tracking mechanisms and

standardized processes rather than relying on informal or manual reviews by requiring documented review and action.

- Promotion of uniformed best practices: the Act prompted development of tools such as expungement dashboards and written county policies to ensure compliance, transparency, and equity across jurisdictions.

Overall, Act 108 of 2024 represents a shift from discretionary, case-by-case expungement practices toward a more proactive, system-driven model designed to improve fairness, reduce long-term collateral consequences for youth, and ensure consistent implementation across Pennsylvania counties.

This guide includes best practice recommendations for managing juvenile court records and provides information regarding the procedures for expungement as set forth by the Pennsylvania Supreme Court and the statutes that govern the expungement process.

# PURPOSE

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The primary purpose of this guide is to provide juvenile justice practitioners, court personnel, and justice system stakeholders with clear, accurate, and practical guidance on the identification, management, and expungement of juvenile records in Pennsylvania. This guide is intended to promote consistent statewide practices by explaining applicable statutes, Pennsylvania Rules of Juvenile Court Procedure (Pa.R.J.C.P.), and best-practice standards governing juvenile court records, law enforcement records, fingerprints, photographs, juvenile history record information, DNA records, and related collateral consequences.

In addition, this guide is designed to support timely and appropriate expungement decisions, reduce unnecessary long-term barriers for youth, and ensure that record retention and disclosure practices align with the rehabilitative purposes of the [Juvenile Act](#). The guide seeks to enhance compliance, protect confidentiality, promote public safety, and advance fair and developmentally appropriate outcomes for youth involved in Pennsylvania's juvenile justice system by clarifying legal requirements, procedural responsibilities, and system coordination expectations.

This guide reflects the JCJC's unwavering commitment to excellence in juvenile justice leadership, accountability, and youth development. It is updated regularly to ensure juvenile justice practitioners have access to the most relevant and effective practices available.

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# JUVENILE RECORDS AND FILES

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Access to court records regarding juveniles who have involvement in the juvenile justice system is governed by the Juvenile Act (42 Pa.C.S. Chapter 63) and the Pa.R.J.C.P. This section of the guide will define the different types of juvenile court records; explain who may inspect files, records, and reports; and describe the circumstances under which limited information may be provided to the public.

## Definitions

The terms “Official Court Record” and “Juvenile Probation Files” have been defined in the Pa.R.J.C.P., as follows:

*Official Court Record* (previously referred to as *Juvenile Court Files*) is the juvenile court file maintained by the clerk of courts which contains all court orders, court notices, docket entries, filed documents, evidence admitted into the record, and other court designated documents in each juvenile case.<sup>1</sup>

*Juvenile Probation Files* (previously referred to as *Juvenile Probation Records and Reports*) are those records formally maintained by the juvenile probation office and its officers, including, but not limited to, copies of information contained in the official juvenile court record; social studies; school records and reports; health evaluations, screenings, assessments, records, and reports, including psychological and psychiatric evaluations and reports, drug and alcohol testing, evaluations, and reports; placement reports and documents; employment records; and probation reports.<sup>2</sup>

## Inspection of Official Court Records

The Pa.R.J.C.P. and the Juvenile Act set forth who may inspect official court records.<sup>3</sup> Official court records are open to inspection only by:

- the judges, juvenile court hearing officers, juvenile probation officers, and staff of the court;
- the attorney for the Commonwealth, the juvenile’s attorney, and the juvenile, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information, except at the discretion of the court;
- a public or private agency or institution providing supervision or having custody of the juvenile under order of the court;<sup>4</sup>
- a court, its probation officers, other officials or professional staff, and the attorney for the

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<sup>1</sup> See [Pa.R.J.C.P. 120](#) and [Pa.R.J.C.P. 166](#).

<sup>2</sup> See [Pa.R.J.C.P. 120](#).

<sup>3</sup> See [Pa.R.J.C.P. 160](#) and [42 Pa.C.S. § 6307\(a\)](#).

<sup>4</sup> The term “supervision” in this context should be interpreted broadly to include responsibility, oversight, or other authority over a juvenile, granted pursuant to an order of court.

defendant for use in preparing a pre-sentence report in a criminal case in which the defendant is convicted and the defendant previously was adjudicated delinquent;

- a judge or issuing authority for use in determining bail, provided that such inspection is limited to orders of delinquency adjudications and dispositions, orders resulting from dispositional review hearings, and histories of bench warrants and escapes;
- the Administrative Office of Pennsylvania Courts (AOPC);
- the judges, juvenile probation officers, and staff of courts of other jurisdictions when necessary for the discharge of their official duties;
- officials of the Department of Corrections, a state correctional institution or other penal institution to which an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act has been committed, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court;
- a parole board, court, or county probation official in considering an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court;
- the State Sexual Offenders Assessment Board for use in completing assessments; and
- with leave of court, any other person, agency, or institution having a legitimate interest in the proceedings or in the work of the unified judicial system.

It is critical that courts establish written policies and procedures governing the inspection of official court records, especially with regard to records that are open to inspection only with leave of court (formal permission from a judge).

## **Inspection of Juvenile Probation Files**

The Pa.R.J.C.P. and the Juvenile Act set forth who may inspect juvenile probation files. Juvenile probation files are open to inspection only by:

- the juvenile or the juvenile's attorney of record in the instant proceeding;
- the attorney for the Commonwealth;
- the State Sexual Offenders Assessment Board;
- the JCJC; or

- any other person, agency, or department by order of court.<sup>5</sup>

It is critical that courts establish written policies and procedures governing the inspection of juvenile probation files.

## **Authorizing the Inspection of Official Court Records and Juvenile Probation Files**

How a court determines whether to grant an individual or agency the opportunity to inspect official court records and juvenile probation files, if the individual or agency is not statutorily entitled to do so, is important. It is imperative, therefore, for courts to have objective criteria and consistent policies governing the inspection of official court records and juvenile probation files. Recommendations in this regard are set forth in the JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records or Reports.<sup>6</sup>

According to the JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports, requests for access to, or copies of, official court records or juvenile probation files should be in the form of a motion to the court that specifies the information being sought and the purpose for which the information will be used. In determining whether to grant the motion, the court should consider:

- the purpose for which the information will be used;
- the nature of the information requested;
- administrative or legislative authority governing the release of the information;
- the nature of the offense; and
- the impact that the release of the information would have on the juvenile and the community.<sup>7</sup>

## **Dissemination of Official Court Records and Juvenile Probation Files**

The JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports recommend that courts adopt written policies and procedures governing the dissemination of official court records and juvenile probation files. It is recommended that policies include a requirement that a representative from the juvenile probation office must be present throughout the inspection of juvenile probation files, and that the representative be responsible for the duplication of juvenile probation files. Juvenile probation offices should maintain a case-specific written record listing the names and addresses of individuals to whom copies are provided. A statement prohibiting the secondary dissemination of information should accompany juvenile probation files

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<sup>5</sup> See [Pa.R.J.C.P. 161](#) and [42 Pa.C.S. § 6307\(a\)](#).

<sup>6</sup> Juvenile Court Files are now referred to as Official Court Records and Juvenile Probation Records and Reports are now referred to as Juvenile Probation Files.

<sup>7</sup> See [37 Pa. Code § 200.802\(b\)\(2\)](#).

provided to individuals.<sup>8</sup> It should be noted that drug and alcohol treatment information should not be disseminated without the written consent of the juvenile. Absent a written consent, drug and alcohol treatment may only be disseminated with a court order issued upon a showing of good cause.<sup>9</sup>

## Release of Information to Schools

The Juvenile Act, the Pa.R.J.C.P., and the JCJC Standards set forth provisions relating to the release of information to schools.<sup>10</sup> When a juvenile is adjudicated delinquent, the court shall, through the juvenile probation office, provide the following information to the building principal, or a designee, of any public, private, or parochial school in which the child is enrolled:

- name and address of the child;
- the delinquent acts that the child was found to have committed;
- a brief description of the act; and
- the disposition of the case.

In addition to the information listed above, the juvenile probation office shall provide notice of the following:

- a statement informing the building principal or designee that information received:
  - o shall be maintained separately from the juvenile's official school record;
  - o is for the limited purposes of:
    - protecting school personnel and students; and
    - arranging for appropriate counseling and education for the juvenile;
  - o may not be used for school disciplinary decisions concerning the juvenile unless:
    - the juvenile was under the supervision of the board of directors at the time of the incident;
    - the act or acts that were substantiated by the court took place on or within 1,500 feet of the school property; and
    - the school has complied with all other statutory regulatory, and constitutional provisions relative to the imposition of school discipline; and
  - o shall be shared with the juvenile's teachers.

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<sup>8</sup> See [37 Pa. Code § 200.802\(c\)](#).

<sup>9</sup> See [42 CFR Part 2 § 2.14\(b\)](#), [71 P.S. § 1690.108](#), and [4 Pa. Code § 255.5](#).

<sup>10</sup> See [42 Pa.C.S. § 6341\(b.1\)](#), [Pa.R.J.C.P. 163](#), and [37 Pa. Code § 200.803](#).

- a statement informing the building principal or designee of the requirement to:
  - o maintain a log of all school district employees, or building principals or their designees from other school districts, to whom this information was subsequently provided when a juvenile was transferred to another school; and
  - o provide the new school with a copy of the notice previously provided to the old school.<sup>11</sup>

When a juvenile is adjudicated delinquent for a felony, the juvenile probation office must also provide relevant information in the juvenile probation or treatment reports pertaining to the adjudication, prior delinquent history, and the supervision plan of the juvenile. Additional information may likewise be provided to the principal or designee by the juvenile probation office as deemed necessary to protect public safety or to enable appropriate treatment, supervision, or rehabilitation of the juvenile.<sup>12</sup>

## Public Availability

Under certain circumstances, the public is entitled to receive limited information regarding juvenile court proceedings. The Juvenile Act and the Pa.R.J.C.P. set forth criteria under which information may be released to the public, the specific information that may be released, and procedures regarding the release of such information.<sup>13</sup>

## Public Disclosure of Information Based Upon an Adjudication of Delinquency

The Juvenile Act and the JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports provides that the public is entitled to receive certain information when a child has been adjudicated delinquent for act(s) committed when the child was 14 years of age or older. The same applies when a child has been adjudicated delinquent for act(s) committed when the child was 12 or 13 years of age and the conduct would have constituted one or more of the following offenses if committed by an adult:

- Murder.
- Voluntary manslaughter.
- Aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to aggravated assault).
- Sexual Assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).
- Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).
- Arson as defined in 18 Pa.C.S. § 3301(a)(1) (relating to arson and related offenses).

<sup>11</sup> See [Pa.R.J.C.P. 163](#).

<sup>12</sup> See [Pa.R.J.C.P. 163\(C\)](#).

<sup>13</sup> See [42 Pa.C.S. § 6307\(b\)](#) and [Pa.R.J.C.P. 160\(B\)](#).

- Burglary as a felony in the first degree as defined in 18 Pa.C.S. § 3502(c)(1) (relating to burglary).
- Involuntary deviate sexual intercourse (IDSI).
- Kidnapping.
- Rape.
- Robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i), (ii), or (iii) (relating to robbery).
- Robbery of motor vehicle.
- Violation of 18 Pa.C.S. Chapter 61 (relating to firearms and other dangerous articles).
- Attempt or conspiracy to commit any of the offenses above.<sup>14</sup>

When the aforementioned criteria are met, the Pa.R.J.C.P. require the court to include a designation on the dispositional order as to whether the case is eligible for limited public information.<sup>15</sup> The Pa.R.J.C.P. also provide that, upon request, the clerk of courts is to create a public document if the case is deemed eligible for public inspection, which includes the following information:

- the juvenile’s name;
- the juvenile’s age;
- the juvenile’s address;
- the offenses alleged in the petition;
- the adjudication on each allegation; and
- the disposition of the case.<sup>16</sup>

Release of information to the public is based, in large part, upon the offense. Therefore, it is critical that courts make determinations regarding all offenses alleged in the petition. Courts are required to specify the particular offenses which the juvenile has been found to have committed, including the grading and counts thereof, on the record.<sup>17</sup>

### **Public Disclosure of Information Based Upon a Petition Alleging Delinquency**

Public disclosure of certain information contained in court files may also occur when a petition alleging delinquency has been filed in certain cases. This applies to juveniles who are 14 years of age or older at the time of the currently alleged offense, and the offense would be a felony if committed by an adult, and if the juvenile has a previous adjudication of delinquency for a felony offense committed when the juvenile

<sup>14</sup> See [42 Pa.C.S. § 6307\(b\)\(1.1\)\(i\)](#) and [37 Pa. Code § 200.804](#).

<sup>15</sup> See [Pa.R.J.C.P. 515\(A\)\(2\)](#).

<sup>16</sup> See [42 Pa.C.S. § 6307\(b\)\(1.1\)\(i\)](#) and [Pa.R.J.C.P. 160\(D\)](#).

<sup>17</sup> See [42 Pa.C.S. § 6341\(b\)](#) and [Pa. R.J.C.P. 408](#).

was 14 years of age or older, or if the juvenile was adjudicated delinquent when the child was 12 or 13 years of age for one of the following offenses; or when a petition alleging delinquency has been filed and the juvenile was 12 or 13 years of age at the time of the offense, the alleged conduct constitutes one or more of the following offenses, and the juvenile was previously adjudicated delinquent for any one of these offenses committed when the juvenile was age 12 or 13:

- Murder.
- Voluntary manslaughter.
- Aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2).
- Sexual assault as defined in 18 Pa.C.S. § 3124.1.
- Aggravated indecent assault as defined in 18 Pa.C.S. § 3125.
- Arson as defined in 18 Pa.C.S. § 3301(a)(1).
- Burglary as a felony in the first degree as defined in 18 Pa.C.S. § 3502(c)(1).
- IDSI.
- Kidnapping.
- Rape.
- Robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i), (ii), or (iii).
- Robbery of motor vehicle.
- Violation of 18 Pa.C.S. Chapter 61.
- Attempt or conspiracy to commit any of the offenses in this subparagraph.<sup>18</sup>

When the aforementioned criteria are met, the Pa.R.J.C.P. require that the petition contain an averment as to whether the case is eligible for limited public information pursuant to 42 Pa.C.S. § 6307 (b)(1.1)(ii).<sup>19</sup> The Pa.R.J.C.P. also provide that, upon request, the clerk of courts is to create a public document if the case is deemed eligible for public inspection. The public document is to contain only the following information:

- the juvenile's name;
- the juvenile's age;

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<sup>18</sup> See [42 Pa.C.S. § 6307 \(B\)\(1.1\)\(ii\)](#) and [37 Pa. Code § 200.804\(c\)](#).

<sup>19</sup> See [Pa.R.J.C.P. 330\(C\)\(14\)](#).

- the juvenile’s address; and
- the offenses alleged in the juvenile’s petition.<sup>20</sup>

## **Employment and Military Service**

Prospective employers, military recruiters, and others conducting background checks frequently make requests for juvenile court information. However, unless public availability criteria are met, the JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports require a court order be obtained to authorize the release of such information.<sup>21</sup> A court order authorizing the release of information should be required, even in cases where the recruiter has a signed release from the juvenile.

All branches of the military have regulations governing the eligibility of persons who have had involvement in the juvenile justice system. Juveniles who have had involvement in the juvenile justice system should review the eligibility requirements for the branch in which they intend to enlist.

## **Collateral Consequences**

The Juvenile Act provides that an order of disposition, or other adjudication, in a proceeding under the Juvenile Act is not a conviction of a crime and does not impose any civil disability ordinarily resulting from a conviction or operate to disqualify the child in any civil service application or appointment.<sup>22</sup> However, juvenile court dispositions may affect a person in a variety of ways.

## **Subsequent Judicial Matters**

The Juvenile Act indicates that juvenile court dispositions may be considered in subsequent judicial matters under the following circumstances:

- in disposition proceedings after conviction for the purposes of a presentence investigation and report if the child was adjudicated delinquent;
- in a subsequent juvenile hearing, whether before or after reaching majority;
- if relevant, where the juvenile has put their reputation or character in issue in a civil matter; or
- in a criminal proceeding, if the juvenile was adjudicated delinquent for an offense, the evidence of which would be admissible if committed by an adult.<sup>23</sup>

## **Post-Secondary Education**

Admission to post-secondary institutions including colleges, universities, and vocational or trade

<sup>20</sup> See [42 Pa.C.S. § 6307\(b\)\(1.1\)\(ii\)](#) and [Pa.R.J.C.P. 160\(D\)](#).

<sup>21</sup> See [37 Pa. Code § 200.802](#).

<sup>22</sup> See [42 Pa.C.S. § 6354\(a\)](#).

<sup>23</sup> See [42 Pa.C.S. § 6354\(b\)](#).

schools may be impacted by involvement with the juvenile justice system. Although an adjudication of delinquency does not prevent access to post-secondary education, if the institution's application requests the individual's arrest history, juvenile arrests must be included.

Colleges and universities are increasingly using a standard application, known as the "Common Application."<sup>24</sup> On August 1, 2019, the collection of criminal history information was removed from the Common Application. However, the Common Application's member institutions continue to be able to collect criminal history information on their individual member screens if they choose. The student disciplinary history question remains on the common portion of the application. However, if asked about juvenile court dispositions or criminal history, a juvenile may answer "no" when asked whether they have been convicted of a crime. The Juvenile Act makes clear that an order of disposition or adjudication in a juvenile proceeding is not considered a conviction and does not impose the civil disabilities that ordinarily result from a criminal conviction.<sup>25</sup>

### **Suspension of Motor Vehicle Operating Privileges**

This section includes information on circumstances where motor vehicle operating privileges may be suspended. Juveniles not having a license at the time of suspension are ineligible to apply for a driver's license for the time period specified by the license suspension. If a juvenile is under the age of 16 when a license suspension is ordered, the suspension will commence automatically upon the individual's 16<sup>th</sup> birthday for the specified period of time if an acknowledgement is received any time prior to the individual's 16<sup>th</sup> birthday.<sup>26</sup>

#### *Felony Adjudications (Vehicle Involved)*

A one-year suspension of operating privileges is required when a juvenile has been adjudicated delinquent for a felony offense and the court determines that a vehicle was essentially involved.<sup>27</sup>

#### *Vehicle Code Violations (non-Driving Under the Influence (DUI))*

In Pennsylvania, a juvenile's driving privilege may be suspended not only for DUI-related conduct, but also for a defined set of non-DUI motor vehicle offenses that carry mandatory license suspensions under the Vehicle Code. These suspensions are imposed either by statute upon conviction/adjudication or administratively by the Pennsylvania Department of Transportation (PennDOT), regardless of whether the driver is a minor or adult.

For youth under the age of 18, the impact of these offenses can be especially significant. In addition to mandatory suspensions tied to specific offenses, minors are subject to lower thresholds under the point

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<sup>24</sup> The Common Application can be viewed at <https://www.commonapp.org/>.

<sup>25</sup> See [42 Pa.C.S. § 6354\(a\)](#).

<sup>26</sup> See [75 Pa.C.S. § 1541\(a\)](#).

<sup>27</sup> See [75 Pa.C.S. § 1532\(a\)\(1\)](#).

system, meaning that certain traffic violations can result in loss of licensure earlier than for adult drivers.<sup>28</sup>

The chart below identifies non-DUI offenses that require a suspension of operating privileges, including the statutory citation, offense grading, mandatory suspension length, as well as applicable fines and penalties. This list is limited to offenses where suspension is required by law (not discretionary) and excludes DUI and underage DUI provisions.

Offense	Statute	Grade	Mandatory Suspension	Fine/Penalty	Notes
Homicide by Vehicle	75 Pa.C.S. § 3732, § 1532(a.1)(1)	F3	3 years	Discretion of the court	42 Pa.C.S. § 2154 includes sentencing enhancements for violations in an active work zone or convictions under sections 1501, 1543, 3316, 3316.1, 3325, or 3327.
Accidents Involving Death or Personal Injury	75 Pa.C.S. § 3742, § 1532(a)(3)	M1, F3, or F2	1 year	\$1,000 and minimum imprisonment not less than 90 days, or \$2,500 and minimum imprisonment not less than 3 years	
Accidents Involving Death or Personal Injury While Not Properly Licensed	75 Pa.C.S. § 3742.1, § 1532(a)(3)	M2, F3, or M3	1 year	Discretion of the court	
Dealing in Titles and Plates for Stolen Vehicles	75 Pa.C.S. § 7111, § 1532(a)(3)	M1	1 year	Discretion of the court	
False Application for Certificate of Title or Registration	75 Pa.C.S. § 7121, § 1532(a)(3)	M1	1 year	Discretion of the court	
Altered, Forged, or Counterfeit Documents and Plates	75 Pa.C.S. § 7122, § 1532(a)(3)	M1	1 year	Discretion of the court	

<sup>28</sup> See [75 Pa.C.S. § 1535\(e\)](#).

Offense	Statute	Grade	Mandatory Suspension	Fine/Penalty	Notes
Fleeing or Attempting to Elude Police Officer	75 Pa.C.S. § 3733, § 1532(b)(3)	M2 or F3	12 months if adjudicated, 6 months for Consent Decree	\$500 minimum	
Drivers Required to be Licensed	75 Pa.C.S. § 1501(a), § 1532(a)(2)	Summary	N/A for first offense, 6 months for subsequent violations	\$200	
Racing on Highways and Trafficways	75 Pa.C.S. § 3367, § 1532(a)(1)	Summary	6 months	\$500 for first offense, \$2,000 for second offense or imprisonment for no more than 6 months, or both	
Careless Driving	75 Pa.C.S. § 3714, § 1532(b)(1)	Summary	6 months	\$500 if causes death, \$250 if causes serious bodily injury	75 Pa.C.S. § 3714(b) and (c) include sentencing enhancements for unintentional serious bodily injury or death.
Driving without Lights to Avoid Identification or Arrest	75 Pa.C.S. § 3734, § 1532(b)(1)	Summary	6 months	\$200	Intent-based offense.
Reckless Driving	75 Pa.C.S. § 3736, § 1532(b)(1)	Summary	6 months	\$200	Mandatory upon PennDOT certification.
Accidents Involving Damage to Attended Vehicle or Property	75 Pa.C.S. § 3743, § 1532(b)(1)	M3	6 months	\$2,500, or imprisonment not more than 1 year, or both	
Terroristic Threats (committed on or against any school property)	18 Pa.C.S. § 2706, § 1532(c)	M1 or F3	6 months for first offense, 1 year for second offense, or 2 years for subsequent violations	Discretion of the court	Includes public-school grounds, school-sponsored activity, or transportation to school entity or school-sponsored activity.

Offense	Statute	Grade	Mandatory Suspension	Fine/Penalty	Notes
Operation Following Suspension of Registration	75 Pa.C.S. § 1371, § 1532(b)(4)	Summary	3 months	Not less than \$100, no more than \$500	
Driving While Operating Privilege is Suspended or Revoked	75 Pa.C.S. § 1543(a)	Summary or M3	Additional 30 days, 1 year, or 2 years for subsequent violations	\$200 minimum, \$500 and 60 days imprisonment, \$1,000 and 90 days imprisonment, or \$2,500 and 6 months imprisonment	75 Pa.C.S. § 1543(b) includes sentencing enhancements for certain offenses.

### *DUI-Related and Drug-Related Offenses*

Pennsylvania enforces strict DUI laws for individuals under age 21. The Commonwealth’s [Zero Tolerance Law](#) prohibits minors from consuming alcohol. Any measurable amount of alcohol while operating a motor vehicle can result in legal and administrative consequences.

Under Pennsylvania’s Zero Tolerance Law, an individual under age 21 commits a DUI offense if they drive a motor vehicle with a blood alcohol concentration (BAC) of 0.02% or higher within two hours after they have driven, operated, or been in actual physical control of the movement of the vehicle. This threshold is significantly lower than the adult DUI standard and reflects Pennsylvania’s emphasis on preventing underage drinking and impaired driving.

Depending on BAC level and circumstances, a minor may be charged under the following DUI tiers established in Pennsylvania law:

- Zero Tolerance DUI (Under 21 years of age): BAC 0.02% or higher
- General Impairment DUI (Over 21 years of age): BAC 0.08%-0.099%
- High Rate DUI (Over 21 years of age): BAC 0.10%-0.159%
- Highest Rate DUI (Over 21 years of age): BAC 0.16% or higher

Aggravating factors, such as involvement in a crash, injury, prior DUI history, or refusal of chemical testing, may result in enhanced penalties.<sup>29</sup> Enhanced penalties for juvenile drivers with a BAC of 0.02% or higher may apply even with a BAC that does not meet the general impairment, high, or highest rate DUI tier for individuals over 21 years of age.<sup>30</sup>

<sup>29</sup> See [75 Pa.C.S. § 3802\(e\)](#).

<sup>30</sup> See [75 Pa.C.S. § 3804](#).

Juveniles who are adjudicated delinquent for driving under the influence of alcohol or controlled substances are subject to suspension of motor vehicle operating privileges pursuant to 75 Pa.C.S. § 3804, 75 Pa.C.S. § 1532, and [Act 24 of 2003](#) as follows:

**PENALTIES FOR GENERAL IMPAIRMENT BLOOD ALCOHOL CONCENTRATION**

(Note: This table only applies to drivers involved in an accident that causes bodily injury, serious bodily injury, death, or property damage.)

	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Penalty</b>	6 months probation	No less than 5 days imprisonment	No less than 10 days imprisonment
<b>Fine</b>	\$300	\$300-\$2,500	\$500-\$5,000
<b>License Suspension</b>	12 months suspension and 1 year ignition interlock requirement	12 months suspension and 1 year ignition interlock requirement	12 months suspension and 1 year ignition interlock requirement
<b>Enhanced Penalties</b>	Attend alcohol highway safety school and comply with drug and alcohol treatment	Attend alcohol highway safety school and comply with drug and alcohol treatment	Comply with drug and alcohol treatment

**PENALTIES FOR HIGH RATE BLOOD ALCOHOL CONCENTRATION**

(Note: This table only applies to drivers involved in an accident that causes bodily injury, serious bodily injury, death, or property damage.)

	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Penalty</b>	No less than 48 hours imprisonment	No less than 30 days imprisonment	No less than 90 days imprisonment
<b>Fine</b>	\$500-\$5,000	\$750-\$5,000	\$1,500-\$10,000
<b>License Suspension</b>	12 months suspension and 1 year ignition interlock requirement	12 months suspension and 1 year ignition interlock requirement	18 months suspension and 1 year ignition interlock requirement
<b>Enhanced Penalties</b>	Attend alcohol highway safety school and comply with drug and alcohol treatment	Attend alcohol highway safety school and comply with drug and alcohol treatment	Comply with drug and alcohol treatment

**PENALTIES FOR HIGHEST RATE BLOOD ALCOHOL CONCENTRATION**

(Note: This table only applies to drivers who refuse chemical testing at Highest Rate BAC level and drivers convicted of driving under the influence of Schedule I, II, or III substances that are not medically prescribed, a combination of another drug and alcohol, or substances such as inhalants.)

	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
<b>Penalty</b>	No less than 72 hours imprisonment	No less than 90 days imprisonment	No less than 1 year imprisonment
<b>Fine</b>	\$1,000 - \$5,000	\$1,500 minimum	\$2,500 minimum
<b>License Suspension</b>	12 months suspension and 1 year ignition interlock requirement	18 months suspension and 1 year ignition interlock requirement	18 months suspension and 1 year ignition interlock requirement
<b>Enhanced Penalties</b>	Attend alcohol highway safety school and comply with drug and alcohol treatment	Attend alcohol highway safety school and comply with drug and alcohol treatment	Comply with drug and alcohol treatment

### *School-related Offenses*

A suspension of operating privileges is required for adjudications of delinquency relating to terroristic threats committed on school property, including any public school grounds, during any school-sponsored activity, or on any conveyance providing transportation to a school entity or school-sponsored activity. A suspension for six months is required for a first offense, one year for a second offense, and two years for third and subsequent offenses.<sup>31</sup>

### *Truancy-related Dispositions*

A suspension of operating privileges is required for juveniles who are convicted of violating the compulsory attendance requirements of the Public School Code (24 P.S. § 13-1333). A suspension for 90 days is required for the first conviction and 6 months for a second conviction.<sup>32</sup>

### *Suspension of Operating Privileges at the Court's Discretion*

The court may order the PennDOT to suspend the operating privileges of a juvenile for any offense at the court's discretion.

### **Possession or Purchase of a Firearm**

18 Pa.C.S. § 6105 prohibits juveniles from possessing, using, manufacturing, controlling, selling, or transferring firearms following an adjudication of delinquency for the following offenses:

- Section 908 (relating to prohibited offensive weapons).
- Section 911 (relating to corrupt organizations).
- Section 912 (relating to possession of weapon on school property).

<sup>31</sup> See [75 Pa.C.S. § 1532\(c\)\(1\)](#).

<sup>32</sup> See [24 P.S. § 13-1333.3](#).

- Section 2502 (relating to murder).
- Section 2503 (relating to voluntary manslaughter).
- Section 2504 (relating to involuntary manslaughter) if the offense is based on the reckless use of a firearm.
- Section 2702 (relating to aggravated assault).
- Section 2703 (relating to assault by prisoner).
- Section 2704 (relating to assault by life prisoner).
- Section 2709.1 (relating to stalking).
- Section 2716 (relating to weapons of mass destruction).
- Section 2901 (relating to kidnapping).
- Section 2902 (relating to unlawful restraint).
- Section 2910 (relating to luring a child into a motor vehicle or structure).
- Section 3121 (relating to rape).
- Section 3123 (relating to IDSI).
- Section 3125 (relating to aggravated indecent assault).
- Section 3301 (relating to arson and related offenses).
- Section 3302 (relating to causing or risking catastrophe).
- Section 3502 (relating to burglary).
- Section 3503 (relating to criminal trespass) if the offense is graded a felony of the second degree or higher.
- Section 3701 (relating to robbery).
- Section 3702 (relating to robbery of motor vehicle).
- Section 3921 (relating to theft by unlawful taking or disposition) upon conviction of the second felony offense.
- Section 3923 (relating to theft by extortion) when the offense is accompanied by threats of violence.
- Section 3925 (relating to receiving stolen property) upon conviction of the second felony offense.

- Section 4906 (relating to false reports to law enforcement authorities) if the fictitious report involved the theft of a firearm as provided in section 4906(c)(2).
- Section 4912 (relating to impersonating a public servant) if the person is impersonating a law enforcement officer.
- Section 4952 (relating to intimidation of witnesses or victims).
- Section 4953 (relating to retaliation against witness, victim or party).
- Section 5121 (relating to escape).
- Section 5122 (relating to weapons or implements for escape).
- Section 5501(3) (relating to riot).
- Section 5515 (relating to prohibiting of paramilitary training).
- Section 5516 (relating to facsimile weapons of mass destruction).
- Section 6110.1 (relating to possession of firearm by minor).
- Section 6301 (relating to corruption of minors).
- Section 6302 (relating to sale or lease of weapons and explosives).
- Any offense equivalent to any of the above-enumerated offenses under the prior laws of this Commonwealth or any offense equivalent to any of the above-enumerated offenses under the statutes of any other state or of the United States.<sup>33</sup>

It should be noted that this prohibition also applies to persons who have been involuntarily committed for mental health treatment under sections 302, 303, or 304 of the [Mental Health Procedures Act](#), and to persons who are the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108, when the order provided for the relinquishment of firearms.<sup>34</sup>

The Pennsylvania State Police (PSP) maintains a registry of juveniles who have been adjudicated delinquent for the offenses enumerated in 18 Pa.C.S. § 6105. However, the contents of the law enforcement records concerning juveniles are not to be disclosed in conjunction with a firearms purchase background check, unless the juvenile was 14 years of age or older at the time of the alleged offense and the juvenile:

- has been adjudicated delinquent on the basis of an offense enumerated in 18 Pa.C.S. § 6105; or
- a petition alleging delinquency has been filed alleging that the juvenile has committed any offense

<sup>33</sup> See [18 Pa.C.S. § 6105](#).

<sup>34</sup> See [18 Pa.C.S. § 6105\(c\)\(4\)](#), and [18 Pa.C.S. § 6105\(a\)\(2\)\(iv\)](#).

enumerated in 18 Pa.C.S. § 6105, and the juvenile had been previously adjudicated delinquent by a court as a result of an act or acts which included the elements of any one of these crimes.<sup>35</sup>

It should be noted that it has been the PSP policy to classify an adjudication of delinquency related to a drug-related offense within the past year as a conviction under federal interpretation of an “unlawful user of or addicted to any controlled substance.” Accordingly, a person may be an “unlawful user of or addicted to any controlled substance” based on evidence of a recent use or possession of a controlled substance, or a pattern of use or possession that reasonably covers the present time (e.g., a person who is convicted for use or possession of a controlled substance within the past year; multiple arrests for such offenses within the past five years if the most recent arrest occurred within the past year).<sup>36</sup>

The prohibition related to the possession, use, manufacture, control, sale, or transfer of firearms terminates 15 years after the date of the last applicable adjudication of delinquency, or at age 30, whichever comes first, depending on the offense for which the juvenile was adjudicated delinquent.<sup>37</sup>

### **Use of Delinquency Adjudications for Criminal Sentencing Purposes**

While adjudications of delinquency can be included in presentence investigations and considered by the court in framing a sentence following a criminal conviction, only certain adjudications of delinquency are counted when calculating the prior record score, pursuant to the Sentencing Guidelines developed by the Pennsylvania Commission on Sentencing.<sup>38</sup> Adjudications of delinquency are counted in the prior record score if the offense occurred on or after the juvenile’s 14<sup>th</sup> birthday, and if there was an express finding by the court that the adjudication related to a felony or one of the Misdemeanor 1 offenses enumerated in 204 Pa. Code § 303.7(a)(4).

The following is an excerpt from 204 Pa. Code § 303.7 (relating to prior record score-guideline points scoring):

- a. § 303.7(a)(1) – Four points are added for each prior adjudication of delinquency for the following offenses:
  - Murder, and attempt, solicitation, or conspiracy to commit Murder.
  - All other completed crimes of violence, as defined in 42 Pa.C.S. § 9714(g), excluding inchoates.
  - Murder of Unborn Child, and attempt, solicitation, or conspiracy to commit Murder of Unborn Child.
  - Offenses with an Offense Gravity Score (OGS) of 11 or greater, excluding inchoates and

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<sup>35</sup> See [18 Pa.C.S. § 6111.1\(h\)](#).

<sup>36</sup> See [27 CFR § 478.11](#).

<sup>37</sup> See [18 Pa.C.S. § 6105\(c\)\(8\)](#).

<sup>38</sup> See [204 Pa. Code § 303.6](#).

violations of the Controlled Substance Act.

- Ethnic Intimidation to any Felony 1 offense.
- b. § 303.7(a)(2) – Three points are added for each prior adjudication of delinquency for Felony 1 offenses not listed in § 303.7(a)(1), inchoates to offenses listed in § 303.7(a)(1), sexual assault, aggravated indecent assault, and violations of 35 P.S. § 780-113 (relating to prohibited acts; penalties).
- c. § 303.7(a)(3) – Two points are added for each adjudication of delinquency for Felony 2 offenses not listed in § 303.7(a)(1) or § 303.7(a)(2), and all felony drug offenses not listed in § 303.7(a)(2) including inchoates.
- d. § 303.7 a)(4) – One point is added for each adjudication of delinquency for felonies not listed in § 303.7(a)(1), (a)(2), or (a)(3), and for Misdemeanor 1 offenses that involve weapons or involve death or danger to children, and for driving under the influence of alcohol or controlled substance when the grade is a misdemeanor.
- e. § 303.7(a)(5) – All other misdemeanor offenses designated by an “m” in the offense listing at § 303.15. Points added depend on the number of previous convictions.

### *Lapsing of Juvenile Adjudications*

Prior juvenile adjudications for four point offenses listed in § 303.7(a)(1) are always included in the prior record score. All other adjudications lapse and are not counted in the prior record score if the offender was 28 years of age or older at the time of the commission of the offense for which the offender is being sentenced and the offender remained crime-free during the ten-year period immediately preceding the offender’s 28<sup>th</sup> birthday. Included in the definition of “crime-free” is any summary offense and/or one misdemeanor offense with a statutory maximum term of imprisonment of one year or less.<sup>39</sup>

### **Record Retention**

The Pennsylvania Supreme Court’s [Record Retention and Disposition Schedule with Guidelines](#) includes a schedule for juvenile delinquency and dependency records. The guidelines provide that, unless expunged, the docket and original court orders are considered “permanent” records and may not be destroyed unless replicated pursuant to the guidelines. All other records, including petitions, evaluations, case supervision records, etc., are considered “non-permanent” records and, unless expunged, may not be destroyed until the child reaches 25 years of age or ten years after the date of the last action, whichever is later.<sup>40</sup>

The Pa.R.J.C.P. indicate the juvenile court file is the official court record and shall contain all court

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<sup>39</sup> See [204 Pa. Code § 303.6\(c\)](#).

<sup>40</sup> See [204 Pa. Code § 213.51](#).

orders, court notices, docket entries, filed documents, evidence admitted into the record, and other court designated documents in each juvenile case. These records shall be maintained by the clerk of courts and shall not be taken from the custody of the clerk of courts without order of the court.<sup>41</sup>



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<sup>41</sup> See [Pa.R.J.C.P. 166](#).  
February 2026

# LAW ENFORCEMENT RECORDS

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The Juvenile Act sets forth provisions regarding the inspection and dissemination of law enforcement records. Law enforcement files and records of juveniles must be kept separate from the files and records of adults, and inspection of the files and records is permitted by only the following:

- the court having the child before it in any proceeding;
- counsel for a party to the proceeding;
- the officers of institutions or agencies to whom the child is committed;
- law enforcement officers of other jurisdictions when necessary for the discharge of their official duties; and
- a court in which the juvenile is convicted of a criminal offense for the purpose of a presentence report or other dispositional proceeding, or by officials of penal institutions and other penal facilities to which a juvenile is committed, or by a parole board in considering parole or discharge, or in exercising supervision over the child.
- the Pennsylvania Department of Public Welfare (*now referred to as Department of Human Services or DHS*) for the use in determining whether an individual named as the perpetrator of an indicated report of child abuse should be expunged from the statewide database.<sup>42</sup>

## Definitions

The terms “Central Repository”, “Criminal History Record Information”, and “Juvenile History Record Information” as follows:

Central Repository is the central location for the collection, compilation, maintenance and dissemination of criminal history record information by the PSP.<sup>43</sup>

Criminal History Record Information refers to information collected by criminal justice agencies concerning individuals, and arising from the initiation of a criminal proceeding, consisting of identifiable descriptions, dates and notations of arrests, indictments, information or other formal criminal charges and any dispositions arising therefrom. The term does not include intelligence information, investigative information or treatment information, including medical and psychological information, or information and records specified in 18 Pa.C.S. § 9104 (relating to scope).<sup>44</sup>

- In addition to the definition in 18 Pa.C.S. § 9102 (relating to definitions), the term includes the

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<sup>42</sup> See [42 Pa.C.S. § 6308](#).

<sup>43</sup> See [18 Pa.C.S. § 9102](#)

<sup>44</sup> See [18 Pa.C.S. § 9102](#).

definition of “Juvenile History Record Information” as defined in 42 Pa.C.S. § 6309(e) and included below.

*Juvenile History Record Information* refers to information collected pursuant to this section concerning alleged delinquents and adjudicated delinquents whose fingerprints and photographs are taken pursuant to section 6308(c) and arising from an allegation of delinquency, consisting of identifiable descriptions, dates and notations of arrests or other delinquency charges and any adjudication of delinquency or pre-adjudication disposition other than dismissal arising therefrom. This information shall also include the last known location and the juvenile court jurisdiction status of each adjudicated delinquent. Juvenile history record information shall not include intelligence information, investigative information, treatment information, including medical and psychiatric information, caution indicator information, modus operandi information, wanted persons information, stolen property information, missing persons information, employment history information, personal history information or presentence investigation information.<sup>45</sup>

## **Public Availability**

The contents of law enforcement records and files concerning a juvenile shall not be disclosed to the public unless applicable under 42 Pa.C.S. § 6308. If the juvenile’s conduct meets the public availability criteria, the law enforcement agency shall disclose the juvenile’s name, age, address, the offenses charged, and the disposition of the case.<sup>46</sup>

## **Fingerprints and Photographs**

The Juvenile Act sets forth provisions regarding the taking and dissemination of fingerprints and photographs. Law enforcement officers are allowed to take fingerprints and/or photographs of a juvenile who is alleged to have committed a misdemeanor or felony offense under state, federal, or another state’s laws. If the juvenile is adjudicated delinquent or the case is transferred for criminal prosecution, the responsible law enforcement agency must ensure the juvenile’s fingerprints and photographs are taken and submitted to the PSP Central Repository. If a juvenile was alleged to be delinquent by an entity other than a law enforcement agency, the court must direct the juvenile probation office to ensure that the fingerprints and photographs are taken by a law enforcement agency.<sup>47</sup> In situations where fingerprints and photographs have been taken, and it is subsequently determined that the juvenile did not commit the alleged offenses, the court must direct that the records be destroyed immediately.<sup>48</sup>

All fingerprints and photographs of juveniles must be kept separate from adult fingerprints and photographs.<sup>49</sup> Fingerprint and photograph records may be disseminated to law enforcement officers of

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<sup>45</sup> See [42 Pa.C.S. § 6309\(e\)](#).

<sup>46</sup> See [42 Pa.C.S. § 6308\(b\)\(2\)](#).

<sup>47</sup> See [42 Pa.C.S. § 6308\(c\)\(1\)](#).

<sup>48</sup> See [42 Pa.C.S. § 6308\(c\)\(3\)](#) and [42 Pa.C.S. § 6341\(a\)](#).

<sup>49</sup> See [42 Pa.C.S. § 6308\(c\)\(3\)](#).

other jurisdictions, the PSP, and the Federal Bureau of Investigation (FBI), and may be used for investigative purposes.<sup>50</sup>

## Juvenile History Record Information

Juvenile history record information in Pennsylvania is governed largely by the [Criminal History Record Information Act \(CHRIA\)](#).<sup>51</sup> The Juvenile Act sets forth the provisions of juvenile history record information regarding alleged and adjudicated delinquent youth and requires the PSP to maintain a central repository of juvenile fingerprints, photographs, and case dispositions, and mandates the timely submission of fingerprints and court outcomes by arresting authorities and juvenile courts. The Juvenile Act also restricts public access through separate confidentiality provisions and defines juvenile history record information narrowly, limiting it to identifying information and case disposition data, while expressly excluding investigative materials, intelligence information, treatment records, and other sensitive personal data.<sup>52</sup>

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<sup>50</sup> See [42 Pa.C.S. § 6308\(c\)\(2\)](#).

<sup>51</sup> See [42 Pa.C.S. § 6309](#) and [18 Pa.C.S. § 9101](#).

<sup>52</sup> See [42 Pa.C.S. § 6309](#).

# DNA SAMPLES

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44 Pa.C.S. § 2300 serves to establish, maintain, and regulate DNA collection in Pennsylvania, and authorizes the PSP to use DNA analysis for investigative purposes in certain cases. Under Pennsylvania law certain offenses require the collection of DNA samples.

## Definitions

44 Pa.C.S. § 2303 defines the terms “CODIS”, “DNA Record”, “DNA Sample”, “Felony Sex Offense”, “Forensic DNA Laboratory”, “Forensic DNA Profile”, “Forensic DNA Testing”, and “Other Specified Offense” as follows:

CODIS is the Combined DNA Index System established and maintained by the FBI.

DNA Record refers to a forensic DNA profile and identification information stored in the State DNA Database or CODIS for the purpose of identification or supporting statistical interpretation of DNA test results.

DNA Sample refers to a sample of biological material suitable for forensic DNA testing.

Felony Sex Offense is a felony offense or an attempt, conspiracy or solicitation to commit a felony offense, under any of the following:

- 18 Pa.C.S. Chapter 31 (relating to sexual offenses).
- 18 Pa.C.S. § 4302 (relating to incest).
- 18 Pa.C.S. § 5902(c)(1)(iii) and (iv) (relating to prostitution and related offenses).
- 18 Pa.C.S. § 5903(a) (relating to obscene and other sexual materials and performances) where the offense constitutes a felony.
- Any offense graded as a felony requiring registration under 42 Pa.C.S. Chapter 97 Subchapter H (relating to registration of sexual offenders).

Forensic DNA Laboratory is a laboratory that performs forensic DNA testing for the purposes of identification.

Forensic DNA Profile refers to the data set derived from forensic DNA testing.

Forensic DNA Testing refers to a test that applies techniques from molecular biology to analyze DNA to identify data which meets the requirements for inclusion in CODIS and the National DNA Identification Index System (NDIS) administered by the FBI.

*Other Specified Offense* includes a felony that is not a felony sex offense, an offense the Pennsylvania Crimes Code (18 Pa.C.S.) or Vehicle Code (75 Pa.C.S.) that is graded as a misdemeanor of the first degree, a misdemeanor offense that requires registration under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), or an offense graded as a misdemeanor of the second degree under any of the following:

- 18 Pa.C.S. § 2701 (relating to simple assault).
- 18 Pa.C.S. § 2903 (relating to false imprisonment).
- 18 Pa.C.S. § 3127 (relating to indecent exposure).
- 18 Pa.C.S. Ch. 39 (relating to theft and related offenses).
- 18 Pa.C.S. § 4105 (relating to bad checks).
- 18 Pa.C.S. § 4106 (relating to access device fraud).
- 18 Pa.C.S. § 4952 (relating to intimidation of witnesses or victims).
- 18 Pa.C.S. § 4953 (relating to retaliation against witness, victim or party).
- 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases).
- 18 Pa.C.S. § 5121 (relating to escape).
- 18 Pa.C.S. § 5126 (relating to flight to avoid apprehension, trial or punishment).
- 18 Pa.C.S. § 5131 (relating to recruiting criminal gang members).
- 18 Pa.C.S. § 5510 (relating to abuse of corpse).
- 18 Pa.C.S. Ch. 55 Subch. B (relating to cruelty to animals).
- 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

## **DNA Collection**

The PSP are responsible for the policy management and administration of the Pennsylvania State DNA Identification Record System (SDIS), as well as storing and maintaining forensic DNA profiles and records in the State DNA Database and DNA samples in the State DNA Databank.<sup>53</sup>

Juveniles adjudicated delinquent for a felony sex offense or other specified offense as defined in 44 Pa.C.S. § 2303 must submit a DNA sample to the PSP for inclusion in the State DNA Database and State

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<sup>53</sup> See [44 Pa.C.S. §§ 2311\(1\)-2313](#).

DNA Databank.<sup>54</sup> DNA samples must be submitted to the PSP within 48 hours of collection.<sup>55</sup> It is recommended that, in intercounty transfer cases, the court which adjudicates a juvenile delinquent should ensure that the DNA sample is drawn.

Unless the court finds that undue hardship would result, a mandatory \$250 cost assessment is automatically imposed on any person convicted, adjudicated delinquent, or granted Accelerated Rehabilitative Disposition (ARD) for a felony sex offense or other specified offense.<sup>56</sup>

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<sup>54</sup> See [44 Pa.C.S. § 2316](#).

<sup>55</sup> See [37 Pa. Code § 58.21\(h\)](#).

<sup>56</sup> See [44 Pa.C.S. § 2322](#).

# EXPUNGEMENT OF JUVENILE RECORDS

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## Definitions

The terms “Destroy” and “Expunge” have been defined in the Pa.R.J.C.P. as follows:

*Destroy or Destruction* is to erase permanently or the process of permanent erasure of an item leaving no trace or indication that it ever existed.

*Expunge or Expungement* is to erase legally or the process of legal erasure of the juvenile record or the sealing of the record making it permanently unavailable to the public but where some information may be retained only by a juvenile justice agency for limited purposes as provided in Pa.R.J.C.P. 173.<sup>57</sup>

Although they are often used interchangeably, the terms “Destroy” and “Expunge” do not have the same meaning. “Destroy” is to erase permanently, whereas “Expunge” is to erase legally or seal the record. Unless authorized by rule or otherwise provided by law, no person is to have access to expunged items. Only in extraordinary circumstances would a record be opened by a court order, such as to retrieve specific information not clarified or documented correctly. However, specific information from juvenile records could be retained for limited purposes.<sup>58</sup>

The CHRIA, which applies to alleged and adjudicated delinquents whose fingerprints and photographs are taken, and to any juvenile justice agency which collects, maintains, disseminates or receives juvenile history record information, defines the term “Expunge” as follows:

- to remove information so there is no trace or indication that such information existed;
- to eliminate all identifiers which may be used to trace the identity of an individual, allowing remaining data to be used for statistical purposes; or
- maintenance of certain information required or authorized under the provisions of 18 Pa.C.S. § 9122(c) (relating to expungement), when an individual has successfully completed the conditions of any pretrial or post-trial diversion or probation program.<sup>59</sup>

## Requirements for the Expungement of Juvenile Records

18 Pa.C.S. § 9123 sets forth requirements for the expungement of juvenile records. Except upon cause shown, expungement of records of juvenile cases, wherever kept or retained, shall occur after 30 days’ notice to the District Attorney (DA), whenever the court upon its motion or upon the motion of a child or

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<sup>57</sup> See [Pa.R.J.C.P. 120](#).

<sup>58</sup> See [Comment to Pa.R.J.C.P. 173](#).

<sup>59</sup> See [42 Pa.C.S. § 6309](#) and [18 Pa.C.S. § 9102](#).

the parents or guardian finds:

1. a complaint is filed which is not substantiated or the petition which is filed as a result of a complaint is dismissed by the court;
  - (1.1) a written allegation is filed which was not approved for prosecution;
  - (1.2) six months have elapsed since the individual successfully completed an informal adjustment and no proceeding seeking adjudication or conviction is pending;
2. six months have elapsed since the final discharge of the person from supervision under a consent decree or diversion program, including a program under 42 Pa.C.S. § 1520 (relating to adjudication alternative program) and no proceeding seeking adjudication or conviction is pending;
  - (2.1) the individual is 18 years of age or older and six months have elapsed since the individual has satisfied all terms and conditions of the sentence imposed following a conviction for a summary offense, with the exception of a violation of section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages), committed while the individual was under 18 years of age and, since satisfying all terms and conditions of the sentence, the individual has not been convicted of a felony, misdemeanor or adjudicated delinquent and no proceeding is pending to seek such conviction and adjudication;
  - (2.2) the individual is 18 years of age or older and has been convicted of a violation of section 6308 which occurred while the individual was under 18 years of age and six months have elapsed since the individual has satisfied all terms and conditions of the sentence imposed for the violation, including any suspension of operating privileges imposed under section 6310.4 (relating to restriction of operating privileges). Expungement shall include all criminal history record information and all administrative records of the Department of Transportation relating to the conviction;
3. two years have elapsed since the final discharge of the person from commitment, placement, probation or any other disposition and referral, pursuant to an adjudication of delinquency following a determination by the court that the person committed an offense classified as a misdemeanor, other than a misdemeanor under Chapter 61 (relating to firearms and other dangerous articles) or a misdemeanor under section 3126(a)(2) or (3) (relating to indecent assault), and since such final discharge, the person has not been convicted of a felony, misdemeanor or adjudicated delinquent and no proceeding is pending seeking such conviction or adjudication;
  - (3.1) five years have elapsed since the final discharge of the person from commitment, placement, probation or any other disposition and referral, pursuant to an adjudication of delinquency following a determination by the court that the person committed an offense classified as a

felony, an offense classified as a misdemeanor under section 3126(a)(2) or (3), and since the final discharge, the person has not been convicted of a felony, misdemeanor or adjudicated delinquent and no proceeding is pending seeking the conviction or adjudication; or

4. the attorney for the Commonwealth consents to the expungement and a court orders the expungement after giving consideration to the following factors:
  - i. the type of offense;
  - ii. the individual's age, history of employment, criminal activity and drug or alcohol problems;
  - iii. adverse consequences that the individual may suffer if the records are not expunged; and
  - iv. whether retention of the record is required for purposes of protection of the public safety.

Prior to filing a motion to expunge a record, a request should be made to the PSP for the information contained in the PSP Central Repository, commonly known as the rap sheet. This information can then be compared with the information contained in the juvenile court file to ensure that the information in the PSP Central Repository is consistent with the information to be included in the motion for expungement.

In counties where the juvenile probation office initiates the expungement process, a copy of the juvenile's criminal history record contained in the PSP Central Repository can be obtained by using the application Pennsylvania Justice Network (JNET) Commonwealth Law Enforcement Assistance Network (CLEAN) through the county's JNET connection.

## **Expungement Process**

Pa.R.J.C.P. 170(B) provides that juvenile records may be expunged upon motion, which shall include a proposed court order, and contain the following information:

1. the name of the juvenile;
2. the date of birth (DOB) of the juvenile, if known;
3. the juvenile's case docket number, if any;
4. the allegations or offenses to which the order pertains;
5. the law enforcement agency that initiated the allegations;
6. the reference number of the police report or written allegation to be expunged or destroyed, including the juvenile offense tracking number (JOTN), if available;
7. the date of arrest;
8. the disposition of the written allegation or petition;

9. the reasons and statutory authority for expunging or destroying the document, fingerprints, or photographs; and
10. the agencies upon which certified copies of the court order shall be served.

The motion is to be filed pursuant to Pa.R.J.C.P. 345 and must also be served upon the chief juvenile probation officer. The attorney for the Commonwealth, and any other person upon whom the motion was served, may file an answer to the motion. Unless the attorney for the Commonwealth consents to expunging the record, the court must schedule and conduct a hearing and thereafter grant or deny the motion.

Under 18 Pa.C.S. § 9123 a motion for expungement may be filed by the court, the juvenile, or the juvenile’s parent/guardian. In cases where an expungement could be granted if a juvenile were to request it, it is recommended that courts set in place procedures under which the juvenile probation office initiates the expungement process automatically after the appropriate length of time has elapsed.<sup>60</sup> This would alleviate the need for the person who is the subject of records to be expunged to retain legal counsel to initiate the process.

The chart below identifies the eligibility timeframes for expungement processing based on Act 108 of 2024, including the case outcome, triggering event, expungement timeline, required conditions, initiating/notifying party, and statutory authority.

<b>Case Outcome</b>	<b>Triggering Event</b>	<b>Expungement Timeline</b>	<b>Required Conditions</b>	<b>Initiating/ Notifying Party</b>	<b>Statutory Authority</b>
Allegation Not Approved	Allegation not approved for prosecution	Immediate	No pending adjudication or conviction	Chief JPO or designee notifies court	42 Pa.C.S. § 6304(a.2)(1)(i); 18 Pa.C.S. § 9123
Finding: Allegations Not Proven	Court finds acts not committed by child	Immediate	N/A	Court orders destruction and expungement	42 Pa.C.S. § 6341(a); 18 Pa.C.S. § 9123
Finding: Not in Need of Treatment, Supervision, or Rehabilitation	Court dismisses after adjudicatory finding	Immediate	N/A	Court commences expungement	42 Pa.C.S. § 6341(b); 18 Pa.C.S. § 9123

<sup>60</sup> See [Pennsylvania Juvenile Delinquency Benchbook, 4-4](#).  
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<b>Case Outcome</b>	<b>Triggering Event</b>	<b>Expungement Timeline</b>	<b>Required Conditions</b>	<b>Initiating/ Notifying Party</b>	<b>Statutory Authority</b>
Petition Dismissed/ Withdrawn	Court dismisses/ withdraws petition	Immediate	No pending adjudication or conviction	Chief JPO or designee notifies court	42 Pa.C.S. § 6304(a.2)(1)(ii); 18 Pa.C.S. § 9123
Petition Dismissed/ Withdrawn	Court dismisses/ withdraws petition	Immediate	No pending adjudication or conviction	Chief JPO or designee notifies court	42 Pa.C.S. § 6304(a.2)(1)(ii); 18 Pa.C.S. § 9123
Informal Adjustment	Successful completion of Informal Adjustment supervision	6 months after discharge	No proceeding seeking adjudication or conviction pending	Chief JPO or designee notifies court; court may act sua sponte	42 Pa.C.S. § 6304(a.2)(1)(iii), § 6323(g); 18 Pa.C.S. § 9123
Consent Decree	Successful discharge from Consent Decree supervision	6 months after discharge	No proceeding seeking adjudication or conviction pending	Chief JPO or designee notifies court; court may act sua sponte	42 Pa.C.S. § 6304(a.2)(1)(iv), § 6340(f); 18 Pa.C.S. § 9123
Adjudication – Misdemeanor (Non-Firearms/Non-Sexual)	Final discharge from probation, placement, or other disposition	2 years after final discharge	No new felony, misdemeanor, or delinquency adjudication; no pending proceeding	Chief JPO or designee notifies court	18 Pa.C.S. § 9123(a)(3); 42 Pa.C.S. § 6304(a.2)(1)(v), § 6352(d)(1)

Case Outcome	Triggering Event	Expungement Timeline	Required Conditions	Initiating/ Notifying Party	Statutory Authority
Adjudication – Felony, Firearms Misdemeanor (Ch. 61), or Indecent Assault (18 § 3126(a)(2)/(3))	Final discharge from disposition	5 years after final discharge	No new felony, misdemeanor, or delinquency adjudication; no pending proceeding; offense not precluded under 18 Pa.C.S. § 9123(a.1)	Chief JPO or designee notifies court	18 Pa.C.S. § 9123(a)(3.1); 42 Pa.C.S. § 6304(a.2)(1)(vi), § 6352(d)(2)

## Expungement Orders

Pa.R.J.C.P. 172 requires that any order to expunge or destroy the juvenile court file, docket entries, law enforcement records, or fingerprints and photographs is required to include the following information:

- all items contained in Pa.R.J.C.P 170(B);
- a directive specifically identifying which items shall be expunged or destroyed, including all law enforcement records, juvenile probation files, official court records, other juvenile records, fingerprints, photographs, and any other information pertaining to the arrest;
  - o the court is to list specifically which items are to be expunged and which items are to be destroyed. Specific information retained pursuant to Pa.R.J.C.P. 173 should be expunged but not destroyed. In most instances, the court should order that the fingerprints and photographs be destroyed and that the remaining records and documents be expunged.<sup>61</sup>
- a directive that the keeper of the juvenile records shall expunge or destroy such items;
- a directive that each agency, department, or office, upon request, shall notify the court or its designee, in writing, of the action taken in response to the order to expunge or destroy;
  - o an agency, department, or office may be requested to produce evidence of compliance with the

<sup>61</sup> See [Comment to Pa.R.J.C.P. 172\(A\)\(2\)](#).  
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court order to expunge. Non-compliance may result in a finding of contempt of court.<sup>62</sup>

- a directive to a school building principal or his or her designee to destroy information received from the court pursuant to Pa. R.J.C.P 163;
  - o the school is to destroy all information received from the court. Because the school is required to store this information separately under Pa.R.J.C.P. 163(F), destruction should not be difficult.<sup>63</sup> The court may also require the school to provide written notice of the action taken.<sup>64</sup>
- the printed name and signature of the judge issuing the order; and
- the date of the court order.

## **Distribution of Expungement Orders**

In addition to service required by Pa.R.J.C.P. 167, the clerk of courts, court administrator, or other court designee shall serve certified copies of the order on the chief juvenile probation officer, the PSP, the JCJC, and any other person or agency as directed by the court.

As previously mentioned, the JCJC Standards Governing the Release of Information Contained in Juvenile Court Files and Juvenile Probation Records and Reports recommend that a case-specific written record be maintained by the juvenile probation office listing the names and addresses of individuals to whom copies of records were provided. Copies of the expungement order must be directed to any individual or agency having possession of juvenile court records.<sup>65</sup>

## **Expungements of Intercounty Transfer of Delinquency Cases**

- A motion to expunge or destroy records shall be filed in the county in which the adjudication of delinquency was entered.
- A motion regarding the records of a juvenile whose disposition did not involve an adjudication of delinquency should be filed in the county in which the disposition occurred.
- The court entering an order to expunge or destroy records should direct the order to any other court possessing records pertaining to the case.
  - o It is suggested that the attorney for the Commonwealth of the county in which the motion was filed in an intercounty transfer case should provide notice to, and communicate with, the attorney for the Commonwealth and the juvenile probation office in the county to which, or from

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<sup>62</sup> See [Comment to Pa.R.J.C.P. 172\(A\)\(4\)](#).

<sup>63</sup> See [Pa.R.J.C.P. 163 and Comment](#)

<sup>64</sup> See [Comment to Pa.R.J.C.P. 172\(A\)\(5\)](#).

<sup>65</sup> See [37 Pa. Code § 200.802\(c\)\(2\)](#).

which, the case was transferred.<sup>66</sup>

## **Expungement of DNA Records**

DNA samples may be expunged on the grounds that the adjudication of delinquency was reversed and the case dismissed and no appeal is pending, or that the DNA sample was included in the database by mistake. Expungement orders must include all essential case-specific information required by the PSP to accurately identify the records to be expunged. Court orders directing the expungement of DNA records should also specifically instruct the PSP to notify the court, the juvenile, and the juvenile's attorney of record of the action taken in response to the order within 60 days.<sup>67</sup>

## **Expungement of Pennsylvania Department of Transportation (PennDOT) Records**

It has generally been the policy of PennDOT that expungement orders entered by courts do not apply to driver history records maintained by PennDOT, unless there is a specific statutory provision which allows a court to direct PennDOT to expunge a driver history record. For example, 18 Pa.C.S. § 9122(a)(3) (relating to expungement), requires the court to order the expungement of all criminal history record information and all administrative records of PennDOT pertaining to a conviction or adjudication of delinquency of 18 Pa.C.S. § 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages), provided the person is at least 21 years of age and has satisfied all terms and conditions of the sentence imposed for the violation, including any suspension of operating privileges. However, PennDOT does not regard other provisions of the CHRIA, including the provisions of 18 Pa.C.S. § 9123 (relating to juvenile records), as empowering courts to order the expungement of driver history information in conjunction with an order directing the expungement of juvenile court records or law enforcement records.

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<sup>66</sup> See [Pa.R.J.C.P. 170\(F\)](#).

<sup>67</sup> See [44 Pa.C.S. § 2321](#).

# PENNSYLVANIA JUVENILE CASE MANAGEMENT SYSTEM (PaJCMS)

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## PaJCMS Expungement Eligibility Dashboard

The PaJCMS Expungement Eligibility Dashboard was developed in response to statutory changes enacted through Act 108 of 2024, which amended Pennsylvania law to strengthen and clarify expungement procedures for juvenile records. Act 108 established enhanced notification and review requirements, placing greater responsibility on juvenile probation offices and CJPOs to identify eligible cases and initiate the expungement process within prescribed timeframes.

Historically, expungement review in many counties relied on manual case tracking and individual staff knowledge. This approach created variability across counties and increased the risk that expungement-eligible youth might not receive timely notification or review. As expungement provisions expanded and timelines became more structured under Act 108, the need for a consistent, data-driven mechanism became clear.

The PaJCMS Expungement Eligibility Dashboard was created as a statewide management tool to assist juvenile probation offices and designated staff in systematically identifying records that may qualify for expungement, tracking notification requirements, and documenting review status. While the dashboard does not replace judicial authority or the formal expungement process, it serves as an administrative support system designed to promote compliance, transparency, and uniform implementation of statutory requirements across counties.

The PaJCMS Expungement Eligibility Dashboard allows users to search for expungement-eligible cases by date. Users are also able to toggle the search criteria between cases that are eligible and those that were reviewed and became ineligible. Although this dashboard pulls cases that it deems as potentially eligible for expungement based on built-in eligibility calculations and rules, all cases should be researched and reviewed for eligibility before being expunged.

The dashboard identifies juveniles who may be eligible for expungement; however, the expungement process itself is not completed through the dashboard. The dashboard serves as a working tool to assist in identifying records that may qualify for expungement but is not required to process an expungement. If a record has already been approved for expungement, the case may be processed without updating dashboard status fields. Regardless, a thorough review is required to confirm that no legal or procedural reasons exist for the record to remain.

*Disclaimer:* The PaJCMS Expungement Eligibility Dashboard is to be used as a tool and guide for expunging juvenile records but does not preclude the juvenile probation office from needing to research more information before making the decision to expunge. The dashboard identifies expungement eligibility based solely on records within the county using the system. If a juvenile has involvement in another

Pennsylvania county at the juvenile or adult level, the “Related Records” function within the dashboard may identify those cases. Any related records must be independently reviewed and researched before a final expungement eligibility determination is made.

## **PaJCMS Reports**

- *Allegations Expunged During a Time Period*
  - o This report summarizes the number of allegations/cases that have been expunged in the selected date range by year and month.
- *Cases Eligible for Expungement by Eligibility Date and Type*
  - o This report identifies all cases that became eligible for expungement consideration in the selected date range. For the purposes of this report, the case is identified as “eligible for expungement” because it has met the criteria as pursuant to the Pa.R.J.C.P. Before expunging this record, the end user is encouraged to review CPCMS for any subsequent criminal convictions or pending criminal proceedings in this same time period, as such would exclude this case as eligible for expungement, pursuant to Pa.R.J.C.P. 170.<sup>68</sup>

## **Expungement Data in PaJCMS**

When a juvenile record is expunged, the information is suppressed from view but not permanently deleted from the system. Expunged records continue to be included in aggregate data, such as annual reports and statistical analyses. While the individual’s record is cleared, system data reflecting county activity such as allegations, hearings, decisions, and placements, remains counted for reporting purposes.

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<sup>68</sup> See PaJCMS Expungement Report section on page 44 for screenshots of report.  
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# PaJCMS EXPUNGEMENT ELIGIBILITY DASHBOARD USER GUIDE

The PaJCMS Expungement Eligibility Dashboard is a tool designed to help identify juvenile records that may qualify for expungement. It allows users to search for eligible cases by date and to filter cases based on eligibility status. The dashboard does not replace the responsibility of the juvenile probation office to conduct a thorough review of all cases to ensure statutory expungement criteria are satisfied before any record is expunged.

The steps below outline how to access and use the dashboard in PaJCMS:

## 1. Accessing the dashboard

From the main navigation bar at the top of the PaJCMS screen, click the Admin Tools tab, then select “Expungement Eligibility” from the drop-down menu.

The screenshot shows the PaJCMS 6.5.1 Database 6.5.0 interface. The top navigation bar includes 'Home', 'Juvenile', 'Actions', 'Victim', 'Users', 'Management Tools', and 'Admin Tools'. The 'Admin Tools' dropdown menu is open, listing various options: Global PO Change, LTM, Security - User, Security - Group, Security - Reports, WatchList Mgmt, YLS Approval, PaDRAI Override Approval, Session Info, Dashboard Assignment, Expungement Eligibility, and Expungement Eligibility. A purple arrow points to the 'Expungement Eligibility' option at the bottom of the menu. Below the navigation bar, there is a search bar and a 'Juvenile Explorer' section with input fields for Juvenile Last Name, Juvenile First Name, County JID, SSN, PO Unit, and Assigned PO.

## 2. Searching by date

Use the date search fields to display cases that became eligible for expungement within the selected timeframe. Eligible cases will appear in the “Eligible Expungements List” above the search dates.

Home • Juvenile • Actions • Victims • Users • Management Tools • Admin Tools

Eligible Expungement List:

Actions	Juvenile	Case Number	Docket Number	Eligibility Date	Type	Status	Qualifying Disposition	Close Date
<a href="#">View</a>				01/02/2024	Adjudication	Pending		01/12/2017
<a href="#">View</a>				01/02/2024	Adjudication	Pending		01/13/2018
<a href="#">View</a>				11/05/2023	Adjudication	Pending		01/03/2019
<a href="#">View</a>				11/05/2013	Adjudication	Pending		01/04/2018
<a href="#">View</a>				01/02/2023	Adjudication	Confirmed Eligible		01/07/2013
<a href="#">View</a>				01/06/2023	Adjudication	Submitted / under review		01/05/2018
<a href="#">View</a>				01/06/2013	Adjudication	awaiting		01/04/2014
<a href="#">View</a>				01/16/2023	Adjudication	Pending		09/10/2018

02/28/2024 Search From Date      02/29/2024 To Date      Eligibility Status  Review Eligible  Post-Review: Ineligible  Post-Review Revert:  [Search](#)

**Update Eligibility**

Please check CPCMS records for diversion or adjudication cases for pending criminal charges / convictions

Juvenile: [Closed 1/10/2019] Case: [REDACTED] Docket: [REDACTED] Eligible: 01/16/2024 Qualifying Disposition: Not Approved

Review Status  Pending  Confirmed Eligible  Submitted / Under Review       Eligibility Reevaluation Dates

Comments

[Update](#) [Cancel](#)

### 3. Filtering by Eligibility Status

Search results may be filtered by eligibility status. The default status setting is “Review Eligible.”

If a case has been reviewed and determined to be ineligible, either through system rule calculations or as a result of user review, it will appear under one of the following status categories:

- Post-Review: Ineligible
- Post-Review: Revoked

■ Home ▾ Juvenile ▾ Actions ▾ Victim ▾ Users ▾ Management Tools

— Eligible Expungements List —

Actions	Juvenile ▾	Case Number ▾	Docket Number ▾	Type ▾	Status ▾	Qualifying Disposition ▾
<a href="#">View</a>				Adjudication	Pending	
<a href="#">View</a>				Adjudication	Pending	
<a href="#">View</a>				Adjudication	Pending	
<a href="#">View</a>				Adjudication	Pending	
<a href="#">View</a>				Adjudication	Confirmed Eligible	
<a href="#">View</a>				Adjudication	Submitted / under review	
<a href="#">View</a>				Adjudication	Pending	
<a href="#">View</a>				Adjudication	Pending	
<a href="#">View</a>				01/10/2018	Pending	

02/02/2024 Search From Date      02/29/2024 To Date      Eligibility Status:  Review Eligible    Post-Review: Ineligible    Post-Review: Revoked   [Search](#)

**Update Eligibility**

Please check CPCMS records for diversion or adjudication cases for pending criminal charges / convictions

Juvenile (Closed 1/10/2019)   Case: [REDACTED]   Docket: [REDACTED]   **Eligible: 01/16/2024**

Review Status:  Pending    Confirmed Eligible    Submitted / Under Review  

Comments:

[Update](#)   [Cancel](#)

#### 4. Review Eligible

The “Review Eligible” status category displays cases that became eligible within the selected date range and are awaiting review.

Home · Juvenile · Actions · Victims · Users · Management Tools · Admin Tools

Eligible Expungement List:

Actions	Juvenile	Case Number	Docket Number	Eligibility Date	Type	Qualifying Disposition	Close Date
<a href="#">View</a>				01/02/2024	Adjudication		01/12/2017
<a href="#">View</a>				01/02/2024	Adjudication		01/13/2018
<a href="#">View</a>				11/03/2023	Adjudication		01/03/2019
<a href="#">View</a>				11/05/2013	Adjudication		01/04/2018
<a href="#">View</a>				01/02/2023	Confirmed Eligible		01/07/2013
<a href="#">View</a>				01/06/2023	Submitted / under review		01/05/2018
<a href="#">View</a>				01/06/2013	awaiting		01/04/2014
<a href="#">View</a>				01/16/2023	Pending		09/10/2018

02/28/2024 Search From Date      02/29/2024 To Date      Eligibility Status  Review Eligible  Post-Review: Ineligible  Post-Review Rever: [Search](#)

**Update Eligibility**

Please check CPCMS records for diversion or adjudication cases for pending criminal charges / convictions

Juvenile: [Closed 1/10/2019] Case: [REDACTED] Docket: [REDACTED] Eligible: 01/16/2024 Qualifying Disposition: Not Applicable

Review Status  Pending  Confirmed Eligible  Submitted / Under Review      Eligibility Reevaluation Dates

Comments

[Update](#) [Cancel](#)

## 5. Post-Review: Ineligible

The “Post-Review: Ineligible” status category displays cases that became eligible within the selected date range but were reviewed and marked “Not Approved” by the user.

■ Home ▾ Juvenile ▾ Actions ▾ Victim ▾ Users ▾ Management Tools ▾ Admin Tools

Eligible Expungements List

Actions	Juvenile ▾	Case Number ▾	Docket Number ▾	Type ▾	Status ▾	Qualifying Disposition ▾
<a href="#">View &gt;</a>				Adjudication	Not Approved	
<a href="#">View &gt;</a>				Adjudication	Not Approved	
<a href="#">View &gt;</a>				Adjudication	Not Approved	
<a href="#">View &gt;</a>				09/17/2017	Not Approved	

02/02/2024 Search From Date      02/29/2024 To Date      Eligibility Status:  Review Eligible  Post-Review: Ineligible  Post-Review: Revoked

**Update Eligibility**

Please check CPCMS records for diversion or adjudication cases for pending criminal charges / convictions

Juvenile (Closed 3/6/2018)    Case: [REDACTED]    Docket: [REDACTED]    Eligible: 03/06/2023

Review Status:  Pending  Confirmed Eligible  Submitted / Under Review

Eligibility Revocation Dates

Comments:

## 6. Post-Review: Revoked

The “Post-Review: Revoked” status category displays cases where the review status, notes, or review date were updated by the user, and the case is no longer eligible under the system’s eligibility rule calculation.

■ Home ▾ Juvenile ▾ Actions ▾ Victim ▾ Users ▾ Management Tools ▾ Admin Tools

— Eligible Expungements List —

Actions	Juvenile ▾	Case Number ▾	Docket Number ▾	Type ▾	Status ▾	Qualifying Disposition ▾
<a href="#">View &gt;</a>				Adjudication	Confirmed Eligible	06/11/2018 ▲
<a href="#">View &gt;</a>				Adjudication	Not Approved	12/04/2017
<a href="#">View &gt;</a>				Adjudication	Not Approved	10/11/2017
<a href="#">View &gt;</a>				Adjudication	Submitted / Eligible	10/11/2017
<a href="#">View &gt;</a>				Adjudication	Submitted / Under Review	09/01/2017
<a href="#">View &gt;</a>				Adjudication	Pending	10/11/2017
<a href="#">View &gt;</a>				01/31/2018	Not Approved	09/07/2017
<a href="#">View &gt;</a>				04/04/2019	Not Approved	10/11/2017
<a href="#">View &gt;</a>				04/04/2019	Post-Review: Revoked	06/12/2018 ▼

02/01/2024 Search From Date      02/29/2024 To Date      Eligibility Status:  Review Eligible  Post-Review: Revoked     

**Update Eligibility**

Please check CPCMS records for diversion or adjudication cases for pending criminal charges / convictions

Juvenile: (Closed 5/31/2018)    Case: XXXXXXXXXX    Docket: XXXXXXXXXX      Eligible: 05/31/2023

Review Status:  Pending  Confirmed Eligible  Submitted / Under Review

Eligibility Revocation Dates

Comments:

02/02/2024 Search From Date      02/29/2024 To Date

## 7. Related Records

The “Related Records” function indicates possible involvement with other juvenile probation offices in Pennsylvania counties, as well as adult docket information retrieved from AOPC through JNET services.

Home ▾ Juvenile ▾ Actions ▾ Victims ▾ Users ▾ Management Tools ▾ Admin Tools

Eligible Expungements List

Action	Juvenile ▾ ▾	DOB ▾ ▾	Case Number ▾ ▾	Eligibility Date ▾ ▾	Status ▾ ▾	Qualifying Disposition ▾ ▾	
<a href="#">View</a>	[REDACTED]	05/21/2007	[REDACTED]	Diversion	Pending	Informal Adjustment - 07/23/2024	09/24/2025
<a href="#">View</a>	[REDACTED]	11/12/2008	[REDACTED]	Diversion	Pending	Informal Adjustment - 12/30/2024	07/31/2025
<a href="#">View</a>	[REDACTED]	07/11/2008	[REDACTED]	Diversion	Pending	Informal Adjustment - 09/11/2024	02/24/2025
<a href="#">View</a>	[REDACTED]	02/11/2005	[REDACTED]	Diversion	Pending		01/16/2024
<a href="#">View</a>	[REDACTED]	02/15/2005	[REDACTED]	Adjudication	Pending		01/16/2024
<a href="#">View</a>	[REDACTED]	11/15/2005	[REDACTED]	Adjudication	Pending		01/15/2024

01/27/2025  01/27/2026 Eligibility Status:  Review Eligible  Post-Review: Ineligible  Post-Review: Revoked [Search](#)

Search From Date To Date

Update Eligibility

[Related records ▾](#)

Please check CPCMS records for diversion or adjudication cases for pending criminal charges / convictions Eligible: 01/24/2026 Qualifying Disposition - 07/23/2024

Juvenile: [REDACTED] Case: [REDACTED] Docket: [REDACTED]

## 8. Reviewing Related Records

Click “Related Records” to review potential cross-county involvement and/or adult docket information.

### Related Justice Records For [REDACTED]

#### Cross County Search

The selected Juvenile may exist in Berks county and should be contacted for confirmation.

#### Adult Case List

Adult docket information is retrieved from AOPC via JNET services. The system searches by State Identification Number (SID) first, if no search is performed using Social Security Number (SSN). Only the lead charge listed on the adult docket is displayed.

Filing Date	Case Status	Lead Charge	Docket Number	Lead Charge Description
2023-11-20	Inactive	18 3304 A5	[REDACTED]	Criminal Mischief - Damage Property
2023-05-16	Inactive	18 5505	[REDACTED]	Public Drunkenness And Similar Misconduct
2023-02-27	Closed	18 3929 A1	[REDACTED]	Retail Theft-Take Mdse
2022-07-06	Closed	18 2701 A1	[REDACTED]	Simple Assault
2022-05-14	Closed	18 3502 A1	[REDACTED]	Burglary - Overnight Accommodations; Person Present, Bodily Injury Crime
2020-01-08	Closed	18 3925 A	[REDACTED]	Receiving Stolen Property
2019-12-27	Closed	18 3925 A	[REDACTED]	Firearms Not To Be Carried WO License
2020-01-08	Closed	18 3925 A1	[REDACTED]	Receiving Stolen Property
2019-12-27	Closed	18 6106 A1	[REDACTED]	Firearms Not To Be Carried W/O License

Close

# PaJCMS CASES ELIGIBLE FOR EXPUNGEMENT BY ELIGIBILITY DATE AND TYPE REPORT

The PaJCMS *Cases Eligible for Expungement by Eligibility Date and Type* report categorizes eligible cases as either currently eligible or upcoming eligible within the specified date range. Cases are further organized by eligibility type. For adjudication eligibility, cases are grouped into two-year misdemeanor and five-year felony categories. A summary at the end of each section of the report provides the total number of cases for the adjudication eligibility type. For diversion and dismissed/withdrawn eligibility, the summary breaks down cases by disposition type.

## Upcoming Cases Eligible for Expungement with and Eligibility Date between 3/1/2025 and 4/10/2025

Start Date:  End Date:  Eligibility Type:

### Adjudication- 2 year misdemeanor

<u>Eligibility Date</u>	<u>Eligibility Status</u>	<u>Review Date</u>	<u>CPCMS Docket # / Case Number</u>	<u>Referral Date</u>	<u>Juvenile Closed</u>
3/23/2025			2021-000139	8/2/2021	3/23/2023
3/23/2025			2022-000072	3/8/2022	3/23/2023

Adjudication Cases Eligible	Diversion Cases Eligible		Dismissed/Withdrawn Cases Eligible	
9	DISPOSITION	Total	DISPOSITION	Total
	Consent Decree	15	Allegation withdrawn	1
	Fined and Costs / Non-Court Ordered	3	Petition withdrawn	3
	Informal Adjustment Consent	3	<b>Total</b>	<b>4</b>
	<b>Total</b>	<b>21</b>		

Start Date: 4/11/2025

End Date: 5/31/2025

Eligibility Type: Adjudication, Dismissed

### Upcoming Cases Eligible for Expungement with an Eligibility Date between 4/11/2025 and 5/31//2025

#### Diversion

[Redacted]

JID# [Redacted]

DOB: [Redacted]

Juv PO: [Redacted]

<u>Eligibility Date</u>	<u>Eligibility Status</u>	<u>CPCMS Docket # / Case Number</u>	<u>Referral Date</u>	<u>Juvenile Closed Date</u>	<u>Qualifying</u>
10/19/2024		2023-000426	10/2/2023	4/19/2024	Consent Decree

Alleged Charges -18550111F3; 182701A1A3; 185503A1S

#### Diversion Cases Eligible

DISPOSITION	Total
Consent Decree	3
<b>Total</b>	<b>3</b>

# EXPUNGEMENT POLICY TEMPLATE

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[COUNTY NAME] JUVENILE PROBATION OFFICE

## POLICY AND PROCEDURE

**SUBJECT: Expungement and Retention of Juvenile Records**

**EFFECTIVE DATE: [Insert Date]**

**REVISED DATE(S): [Insert Date(s)]**

**APPROVED BY: [Chief Juvenile Probation Officer/President Judge]**

### I. PURPOSE

The purpose of this policy is to establish standardized procedures for the expungement, destruction, and limited retention of juvenile records in accordance with Pennsylvania law. This policy is intended to:

1. Promote uniform, lawful, and timely expungement of eligible juvenile records.
2. Support youth rehabilitation by minimizing unnecessary collateral consequences.
3. Ensure compliance with statutory requirements and Pa.R.J.C.P.
4. Preserve limited information where authorized by law for court-related purposes.

### II. LEGAL AUTHORITY

This policy is governed by, including but not limited to:

- 18 Pa.C.S. § 9123 (Expungement of Juvenile Records)
- 42 Pa.C.S. § 6301 et seq. (Juvenile Act)
- Pa.R.J.C.P. 170–173
- Act 108 of 2024
- Applicable case law and administrative directives

### II. POLICY STATEMENT

It is the policy of the [County Name] Juvenile Probation Office to identify, initiate, and process expungement of juvenile records promptly and automatically when eligibility criteria are satisfied, unless expungement is expressly prohibited by law.

The juvenile probation office shall ensure:

- Consistent notification to the court when expungement eligibility is reached
- Compliance with all statutory timelines
- Protection against unauthorized access to expunged information
- Retention only of limited information as permitted by law

### **III. RESPONSIBILITY**

#### **A. Chief Juvenile Probation Officer**

The chief juvenile probation officer, or designee, is responsible for:

- Ensuring compliance with expungement statutes
- Notifying the court when expungement eligibility is met
- Designating staff to track and process expungements

#### **B. Designated Expungement Staff**

Designated staff shall:

- Track expungement eligibility dates
- Conduct criminal history checks
- Prepare motions, proposed orders, and distribution lists
- Ensure destruction of records upon court order

### **IV. IMMEDIATE AND AUTOMATIC EXPUNGEMENTS**

The juvenile probation office shall initiate expungement immediately in the following circumstances:

- Written allegation not approved for prosecution
- Petition dismissed or withdrawn
- Court finds the juvenile did not commit the alleged acts
- Court finds the juvenile not in need of treatment, supervision, or rehabilitation

In these cases, expungement may proceed sua sponte, without a waiting period.

### **V. EXPUNGEMENT ELIGIBILITY BY CASE TYPE**

#### **A. Informal Adjustment/Diversion**

- Eligibility: Six months after successful discharge
- Conditions:
  - o No pending adjudication or conviction

B. Consent Decree

- Eligibility: Six months after successful discharge
- Conditions:
  - o No pending adjudication or conviction

C. Adjudicated Delinquency – Misdemeanor (excluding firearms (18 Pa.C.S. Chapter 61) and specified sexual offenses (18 Pa.C.S. § 3126(a)(2) or (3))

- Eligibility: Two years after final discharge
- Conditions:
  - o No subsequent felony, misdemeanor, or delinquency adjudication
  - o No pending proceeding

D. Adjudicated Delinquency – Felony, Firearms, or Specified Sexual Offenses

- Eligibility: Five years after final discharge
- Conditions:
  - o No subsequent felony, misdemeanor, or delinquency adjudication
  - o No pending proceeding
  - o Offense not precluded by 18 Pa.C.S. § 9123(a.1)

E. DA Consent

- Expungement may occur at any time with the consent of the attorney for the Commonwealth, unless prohibited by law.

**VI. OFFENSES NOT ELIGIBLE FOR EXPUNGEMENT**

Records shall not be expunged when:

- The juvenile was 14 years or older at the time of the offense, and
- The offense would constitute the following if committed by an adult:

- o Rape (18 Pa.C.S. § 3121)
- o IDSI (18 Pa.C.S. § 3123)
- o Aggravated Indecent Assault (18 Pa.C.S. § 3125)
- o Attempt, solicitation, or conspiracy of the above.<sup>69</sup>

## VII. EXPUNGEMENT PROCESS

### Step 1: Eligibility Review

- Review case disposition and eligibility date
- Conduct a full criminal history check

### Step 2: Motion Preparation

- Prepare Motion for Expungement (or sua sponte motion)
  - o Each motion shall include:
    - Juvenile's full name
    - DOB
    - Docket number(s)
    - Allegations and disposition
    - Law enforcement agency involved
    - Arrest date and report number (if applicable)
    - Statutory basis for expungement
    - Complete distribution list

### Step 3: DA Review

- File motion with Clerk of Courts
- Provide time-stamped copy to DA
- DA has 30 days to object

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<sup>69</sup> See [18 Pa.C.S. § 9123\(a.1\)](#).

#### Step 4: Court Action

- If no objection, submit to court for signature
- If objection, schedule hearing

#### Step 5: Record Destruction

Upon receipt of a signed order, the juvenile probation office shall:

- Expunge all juvenile probation office records, including electronic records (e.g., PaJCMS)
- Retain a copy of the court order in a secure, limited-information file
- Distribute certified orders to all listed agencies

### **VIII. DISTRIBUTION OF EXPUNGEMENT ORDERS**

Orders shall be distributed to all relevant agencies, including but not limited to:

- PSP
- FBI
- Law enforcement agencies
- DA
- Clerk of Courts
- Juvenile's counsel
- School district (with destruction request)

### **IX. RETENTION OF LIMITED INFORMATION**

Pursuant to Pa.R.J.C.P. 173, the juvenile probation office may retain limited identifying information in a restricted location for lawful purposes only, including:

- Juvenile name and DOB
- Docket number
- Alleged and adjudicated offenses
- Case disposition

This information shall not be disclosed, referenced in reports, or used in risk assessments. No additional records shall be retained unless authorized by law.

## **X. INTERCOUNTY CASES**

- Expungement motions shall be filed in the county of adjudication
- Courts shall direct expungement orders to all counties holding records

## **XI. FINANCIAL OBLIGATIONS**

Expungement shall generally not be processed where:

- Restitution or court-ordered financial obligations remain outstanding
- Judgments are unsatisfied

Upon full satisfaction of financial obligations, expungement may be reconsidered if other criteria are met.

## **XII. COMPLIANCE AND CONFIDENTIALITY**

Unauthorized disclosure of expunged information may result in:

- Corrective action
- Formal discipline through Court Administration

## **XIII. EFFECTIVE DATE AND REVIEW**

This policy shall take effect upon adoption and shall be reviewed periodically to ensure compliance with statutory changes and statewide guidance.

## FREQUENTLY ASKED QUESTIONS (FAQ)

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1. **Q: Do you have to wait five years after an adjudication of delinquency to expunge a misdemeanor or summary offense?**

A: No, a misdemeanor or summary offense may be expunged when the attorney for the Commonwealth consents to the expungement.<sup>70</sup>

2. **Q: Can a case that is withdrawn in court be expunged immediately?**

A: Yes, cases withdrawn in court should be expunged immediately.

3. **Q: For juveniles who have one case withdrawn, but other cases open, should the withdrawn case be expunged immediately, or do all cases need to be closed before the expungement is processed?**

A: The withdrawn case may be expunged immediately.

4. **Q: Should a case be expunged immediately for a juvenile who goes to court on a delinquency matter but is found guilty only of a summary offense, receives no supervision, and is closed immediately as there are no costs or fines ordered?**

A: Yes, the case should be expunged immediately. Counties should use the “Termination of Court Supervision/Case Closed, Summary Charge” disposition in PaJCMS, and that disposition is programmed to fit the dismissed/withdrawn, expungement criteria. Since all delinquent charges were dismissed/withdrawn, the overall case now needs to be treated as a dismissed/withdrawn scenario and thus eligible for immediate expungement.

5. **Q: Can summary Magisterial District Judge (MDJ) cases be expunged by the juvenile probation office?**

A: Yes, MDJ cases can be expunged by the juvenile probation office for persons under 18 years of age as long as the requirements are met. Two expungement petitions would need to be filed. One would be filed pursuant to Pa.R.J.C.P. 170 to expunge the record of the juvenile proceeding, and the second would be filed pursuant to Pa.R.Crim.P. 490 to expunge the underlying summary conviction.

6. **Q: How do I proceed with the expungement of a case decertified from adult court?**

A: File a motion where the adjudication took place (juvenile court) and include the criminal division

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<sup>70</sup> See [Pa.R.J.C.P. 170](#).

docket number on the order along with the juvenile court docket number.

**7. Q: Are juvenile probation offices responsible for processing expungements per Act 108 of 2024 that took effect April 16, 2025, or are the requirements of the Act from the effective date moving forward?**

A: The Act does not require offices to process expungements retroactively. However, cases that met the eligibility requirements prior to the effective date of the Act should already have been expunged.

**8. Q: What information from an expunged record can a juvenile probation office retain?**

A: For statistical and research purposes, the juvenile probation office, the JCJC, and the AOPC may maintain the following information in a separate document, file, or database for statistical and research purposes:

- a list of juvenile names;
- identifying information, such as DOB;
- demographic information;
- a list of the delinquent acts alleged or petitioned;
- a list of the delinquent acts found, if applicable;
- the disposition of the case; and
- any recidivism information.<sup>71</sup>

**9. Q: Do counties need to retain expungement orders?**

A: Yes, according to Pa.R.J.C.P. 173, a copy of the order must be retained in a separate document, file, or database for the purpose of determining compliance with an expungement order. Expungement orders are considered “permanent” records and may not be destroyed unless replicated pursuant to the Pennsylvania Supreme Court’s Record Retention and Disposition Schedule with Guidelines.<sup>72</sup>

**10. Q: What is the difference between JNET and CLEAN certifications?**

A: JNET is the Commonwealth’s justice data network that connects systems and users, while CLEAN is a law enforcement database containing criminal justice information that requires separate, stricter certification. A CLEAN certification provides JNET users access to the FBI

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<sup>71</sup> See [Pa.R.J.C.P. 173](#).

<sup>72</sup> See [204 Pa. Code § 213.51](#).

National Crime Information Center (NCIC) and the International Justice and Public Safety Information Sharing Network (Nlets).

**11. Q: Do staff responsible for processing expungements need to be CLEAN-certified?**

A: No, staff responsible for processing expungements do not need to be CLEAN-certified unless their job duties include direct access to the CLEAN system. Act 108 of 2024 imposes procedural duties but does not create any certification or credentialing requirement for expungement processing staff.

**12. Q: Do you need to be CLEAN-certified to run a rap sheet?**

A: You only need to be CLEAN-certified to run a CLEAN background check. Otherwise, it would not be required.

**13. Q: Do staff responsible for processing expungements need to be JNET-certified?**

A: No, staff responsible for processing expungements do not need to be JNET-certified unless their job duties include direct access to the JNET system. Act 108 of 2024 imposes procedural duties but does not create any certification or credentialing requirements for expungement processing staff.

**14. Q: Does reviewing the related offense tab alleviate the need to run a rap sheet?**

A: The related offense tab does look at other counties for correlating the state identification number (SID), social security number (SSN), first and last name, and DOB records. If it is in your normal practice to run a rap sheet, you will continue to follow that process because if the other county has an error in any of those fields, it will not pull the correlating information.

**15. Q: Do juvenile probation offices need to remove the eligibility reevaluation date in the PaJCMS Expungement Eligibility Dashboard after eligibility has been confirmed?**

A: Once eligibility is confirmed, navigate to the expungement module in PaJCMS to expunge that record and the eligible date or review status will no longer appear.

**16. Q: When a juvenile record search produces adult charges and shows the record is not eligible for expungement at that time, what is the next timeframe to reevaluate expungement eligibility?**

A: Act 108 of 2024 only speaks to originating offense rules and does not address reevaluation timeframes. However, the court can be notified and specify an expungement reevaluation date at its discretion. It is not required to use a reevaluation date in the PaJCMS Expungement Eligibility Dashboard.

**17. Q: If a case has been restored from the archive to PaJCMS, and then the case gets expunged in PaJCMS, does it get expunged in the archive as well?**

A: Yes, the expunged juvenile record will also be expunged in the archive.

**18. Q: *Where does the data for the Allegations Expunged During a Time Period report come from?***

A: The report pulls data from actual expungement actions, not the PaJCMS Expungement Eligibility Dashboard. It counts only records that were fully expunged during the selected time period, based on when a user clicks to expunge a case. It does not include cases that are only marked as eligible or confirmed for expungement, only those that have been fully expunged.