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**SUBSTITUTE SENATE BILL 6561**

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**State of Washington**

**61st Legislature**

**2010 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Hargrove, McCaslin, Regala, and Stevens)

READ FIRST TIME 02/05/10.

1 AN ACT Relating to restricting access to juvenile offender records;  
2 and amending RCW 13.04.240, 13.50.050, 13.50.010, 13.04.011, and  
3 13.40.127.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 13.04.240 and 1961 c 302 s 16 are each amended to read  
6 as follows:

7 An order of court adjudging a child (~~delinquent~~) a juvenile  
8 offender or dependent under the provisions of this chapter shall in no  
9 case be deemed a conviction of crime.

10 **Sec. 2.** RCW 13.50.050 and 2008 c 221 s 1 are each amended to read  
11 as follows:

12 (1) This section governs records relating to the commission of  
13 juvenile offenses, including records relating to diversions.

14 (2) The official juvenile court file of any alleged or proven  
15 juvenile offender shall be open to public inspection, unless (~~sealed~~)  
16 restricted pursuant to subsection (12) of this section.

17 (3) All records other than the official juvenile court file are

1 confidential and may be released only as provided in this section, RCW  
2 13.50.010, 13.40.215, and 4.24.550.

3 (4) Except as otherwise provided in this section and RCW 13.50.010,  
4 records retained or produced by any juvenile justice or care agency may  
5 be released to other participants in the juvenile justice or care  
6 system only when an investigation or case involving the juvenile in  
7 question is being pursued by the other participant or when that other  
8 participant is assigned the responsibility for supervising the  
9 juvenile.

10 (5) Except as provided in RCW 4.24.550, information not in an  
11 official juvenile court file concerning a juvenile or a juvenile's  
12 family may be released to the public only when that information could  
13 not reasonably be expected to identify the juvenile or the juvenile's  
14 family.

15 (6) Notwithstanding any other provision of this chapter, the  
16 release, to the juvenile or his or her attorney, of law enforcement and  
17 prosecuting attorneys' records pertaining to investigation, diversion,  
18 and prosecution of juvenile offenses shall be governed by the rules of  
19 discovery and other rules of law applicable in adult criminal  
20 investigations and prosecutions.

21 (7) Upon the decision to arrest or the arrest, law enforcement and  
22 prosecuting attorneys may cooperate with schools in releasing  
23 information to a school pertaining to the investigation, diversion, and  
24 prosecution of a juvenile attending the school. Upon the decision to  
25 arrest or the arrest, incident reports may be released unless releasing  
26 the records would jeopardize the investigation or prosecution or  
27 endanger witnesses. If release of incident reports would jeopardize  
28 the investigation or prosecution or endanger witnesses, law enforcement  
29 and prosecuting attorneys may release information to the maximum extent  
30 possible to assist schools in protecting other students, staff, and  
31 school property.

32 (8) The juvenile court and the prosecutor may set up and maintain  
33 a central record-keeping system which may receive information on all  
34 alleged juvenile offenders against whom a complaint has been filed  
35 pursuant to RCW 13.40.070 whether or not their cases are currently  
36 pending before the court. The central record-keeping system may be  
37 computerized. If a complaint has been referred to a diversion unit,  
38 the diversion unit shall promptly report to the juvenile court or the

1 prosecuting attorney when the juvenile has agreed to diversion. An  
2 offense shall not be reported as criminal history in any central  
3 record-keeping system without notification by the diversion unit of the  
4 date on which the offender agreed to diversion.

5 (9) Upon request of the victim of a crime or the victim's immediate  
6 family, the identity of an alleged or proven juvenile offender alleged  
7 or found to have committed a crime against the victim and the identity  
8 of the alleged or proven juvenile offender's parent, guardian, or  
9 custodian and the circumstance of the alleged or proven crime shall be  
10 released to the victim of the crime or the victim's immediate family.

11 (10) Subject to the rules of discovery applicable in adult criminal  
12 prosecutions, the juvenile offense records of an adult criminal  
13 defendant or witness in an adult criminal proceeding shall be released  
14 upon request to prosecution and defense counsel after a charge has  
15 actually been filed. The juvenile offense records of any adult  
16 convicted of a crime and placed under the supervision of the adult  
17 corrections system shall be released upon request to the adult  
18 corrections system.

19 (11) In any case in which an information has been filed pursuant to  
20 RCW 13.40.100 or a complaint has been filed with the prosecutor and  
21 referred for diversion pursuant to RCW 13.40.070, the person the  
22 subject of the information or complaint may file a motion with the  
23 court to have the court vacate its order and findings, if any, and,  
24 subject to subsection (23) of this section, order ~~((the sealing of))~~  
25 that access to the official juvenile court file, the social file, and  
26 records of the court and of any other agency in the case be restricted.

27 (12)(a) The court shall not grant any motion to ~~((seal))~~ restrict  
28 access to records for class A offenses made pursuant to subsection (11)  
29 of this section that is filed on or after July 1, 1997, unless ~~((it~~  
30 ~~finds that))~~:

31 ~~((a) For class B offenses other than sex offenses,))~~ (i) Since the  
32 last date of release from confinement, including full-time residential  
33 treatment, if any, or entry of disposition, the person has spent five  
34 consecutive years in the community without committing any offense or  
35 crime that subsequently results in an adjudication or conviction~~((~~  
36 ~~For class C offenses other than sex offenses, since the last date of~~  
37 ~~release from confinement, including full-time residential treatment, if~~  
38 ~~any, or entry of disposition, the person has spent two consecutive~~

1 years in the community without committing any offense or crime that  
2 subsequently results in conviction. For gross misdemeanors and  
3 misdemeanors, since the last date of release from confinement,  
4 including full time residential treatment, if any, or entry of  
5 disposition, the person has spent two consecutive years in the  
6 community without committing any offense or crime that subsequently  
7 results in conviction. For diversions, since completion of the  
8 diversion agreement, the person has spent two consecutive years in the  
9 community without committing any offense or crime that subsequently  
10 results in conviction or diversion));

11 ((+b)) (ii) No proceeding is pending against the moving party  
12 seeking the conviction of a juvenile offense or a criminal offense;

13 ((+e)) (iii) No proceeding is pending seeking the formation of a  
14 diversion agreement with that person;

15 ((+d)) (iv) The person has not been convicted of a ((class A or))  
16 sex offense; and

17 ((+e)) (v) Full restitution has been paid.

18 (b)(i) Access to records of class B, C, gross misdemeanor and  
19 misdemeanor offenses, and diversions, other than for sex offenses,  
20 shall be automatically restricted no later than thirty days after the  
21 juvenile's eighteenth birthday as long as the juvenile does not have  
22 charges pending at that time and has completed all requirements of his  
23 or her juvenile sentence, including restitution. The requirement to  
24 restrict access to records under this subsection is not dependent on a  
25 court hearing or the issuance of a court order to restrict access to  
26 records.

27 (ii) Access to records of class B, C, gross misdemeanor and  
28 misdemeanor offenses, and diversions, other than for sex offenses, on  
29 a juvenile who has already reached his or her eighteenth birthday  
30 before the effective date of this section shall be restricted as  
31 follows:

32 (A) The court shall not grant any motion to restrict access to  
33 records for class B, C, gross misdemeanor and misdemeanor offenses and  
34 diversions, other than sex offenses, made under subsection (11) of this  
35 section unless since the date of last release from confinement,  
36 including full-time residential treatment, if any, entry of  
37 disposition, or completion of the diversion agreement, the person has

1 spent two consecutive years in the community without being convicted of  
2 any offense or crime;

3 (B) No proceeding is pending against the moving party seeking the  
4 conviction of a juvenile offense or a criminal offense;

5 (C) No proceeding is pending seeking the formation of a diversion  
6 agreement with that person; and

7 (D) Full restitution has been paid.

8 (13) The person making a motion pursuant to subsection (11) of this  
9 section shall give reasonable notice of the motion to the prosecution  
10 and to any person or agency whose files are sought to be ~~((sealed))~~  
11 restricted.

12 (14) If the court grants the motion to ~~((seal))~~ restrict access to  
13 records made pursuant to subsection (11) of this section, it shall,  
14 subject to subsection (23) of this section, order ~~((sealed))~~ access be  
15 restricted to the official juvenile court file, the social file, and  
16 other records relating to the case as are named in the order.  
17 Thereafter, the proceedings in the case shall be treated as if they  
18 never occurred, and the subject of the records may reply accordingly to  
19 any inquiry about the events, records of which are ~~((sealed))~~  
20 restricted. Any agency shall reply to any inquiry concerning  
21 confidential or ~~((sealed))~~ restricted records that records are  
22 confidential, and no information can be given about the existence or  
23 nonexistence of records concerning an individual.

24 (15) Inspection of the files and records included in the order to  
25 ~~((seal))~~ restrict may thereafter be permitted only by order of the  
26 court upon motion made by the person who is the subject of the  
27 information or complaint, except as otherwise provided in RCW  
28 13.50.010(8) and subsection (23) of this section.

29 (16) Any adjudication of a juvenile offense or a crime subsequent  
30 to ~~((sealing))~~ restricting has the effect of nullifying the ~~((sealing))~~  
31 restricting order. Any charging of an adult felony subsequent to the  
32 ~~((sealing))~~ restricting has the effect of nullifying the ~~((sealing))~~  
33 restricting order for the purposes of chapter 9.94A RCW. The  
34 administrative office of the courts shall ensure that the superior  
35 court judicial information system provides prosecutors access to  
36 information on the existence of ~~((sealed))~~ restricted juvenile records.

37 (17)(a)(i) Subject to subsection (23) of this section, all records  
38 maintained by any court or law enforcement agency, including the

1 juvenile court, local law enforcement, the Washington state patrol, and  
2 the prosecutor's office, shall be automatically destroyed within ninety  
3 days of becoming eligible for destruction. Juvenile records are  
4 eligible for destruction when:

5 (A) The person who is the subject of the information or complaint  
6 is at least eighteen years of age;

7 (B) His or her criminal history consists entirely of one diversion  
8 agreement or counsel and release entered on or after June 12, 2008;

9 (C) Two years have elapsed since completion of the agreement or  
10 counsel and release;

11 (D) No proceeding is pending against the person seeking the  
12 conviction of a criminal offense; and

13 (E) There is no restitution owing in the case.

14 (ii) No less than quarterly, the administrative office of the  
15 courts shall provide a report to the juvenile courts of those  
16 individuals whose records may be eligible for destruction. The  
17 juvenile court shall verify eligibility and notify the Washington state  
18 patrol and the appropriate local law enforcement agency and  
19 prosecutor's office of the records to be destroyed. The requirement to  
20 destroy records under this subsection is not dependent on a court  
21 hearing or the issuance of a court order to destroy records.

22 (iii) The state and local governments and their officers and  
23 employees are not liable for civil damages for the failure to destroy  
24 records pursuant to this section.

25 (b) A person eighteen years of age or older whose criminal history  
26 consists entirely of one diversion agreement or counsel and release  
27 entered prior to June 12, 2008, may request that the court order the  
28 records in his or her case destroyed. The request shall be granted,  
29 subject to subsection (23) of this section, if the court finds that two  
30 years have elapsed since completion of the agreement or counsel and  
31 release.

32 (c) A person twenty-three years of age or older whose criminal  
33 history consists of only referrals for diversion may request that the  
34 court order the records in those cases destroyed. The request shall be  
35 granted, subject to subsection (23) of this section, if the court finds  
36 that all diversion agreements have been successfully completed and no  
37 proceeding is pending against the person seeking the conviction of a  
38 criminal offense.

1 (18) If the court grants the motion to destroy records made  
2 pursuant to subsection (17)(b) or (c) of this section, it shall,  
3 subject to subsection (23) of this section, order the official juvenile  
4 court file, the social file, and any other records named in the order  
5 to be destroyed.

6 (19) The person making the motion pursuant to subsection (17)(b) or  
7 (c) of this section shall give reasonable notice of the motion to the  
8 prosecuting attorney and to any agency whose records are sought to be  
9 destroyed.

10 (20) Any juvenile to whom the provisions of this section may apply  
11 shall be given written notice of his or her rights under this section  
12 at the time of his or her disposition hearing or during the diversion  
13 process.

14 (21) Nothing in this section may be construed to prevent a crime  
15 victim or a member of the victim's family from divulging the identity  
16 of the alleged or proven juvenile offender or his or her family when  
17 necessary in a civil proceeding.

18 (22) Any juvenile justice or care agency may, subject to the  
19 limitations in subsection (23) of this section and (a) and (b) of this  
20 subsection, develop procedures for the routine destruction of records  
21 relating to juvenile offenses and diversions.

22 (a) Records may be routinely destroyed only when the person the  
23 subject of the information or complaint has attained twenty-three years  
24 of age or older or pursuant to subsection (17)(a) of this section.

25 (b) The court may not routinely destroy the official juvenile court  
26 file or recordings or transcripts of any proceedings.

27 (23) No identifying information held by the Washington state patrol  
28 in accordance with chapter 43.43 RCW is subject to destruction or  
29 (~~sealing~~) restriction under this section. For the purposes of this  
30 subsection, identifying information includes photographs, fingerprints,  
31 palmprints, soleprints, toeprints and any other data that identifies a  
32 person by physical characteristics, name, birthdate or address, but  
33 does not include information regarding criminal activity, arrest,  
34 charging, diversion, conviction or other information about a person's  
35 treatment by the criminal justice system or about the person's  
36 behavior.

37 (24) Information identifying child victims under age eighteen who  
38 are victims of sexual assaults by juvenile offenders is confidential

1 and not subject to release to the press or public without the  
2 permission of the child victim or the child's legal guardian.  
3 Identifying information includes the child victim's name, addresses,  
4 location, photographs, and in cases in which the child victim is a  
5 relative of the alleged perpetrator, identification of the relationship  
6 between the child and the alleged perpetrator. Information identifying  
7 a child victim of sexual assault may be released to law enforcement,  
8 prosecutors, judges, defense attorneys, or private or governmental  
9 agencies that provide services to the child victim of sexual assault.

10 (25) No juvenile offense records maintained by any court, law  
11 enforcement agency or state agency, including the juvenile court, local  
12 law enforcement, the Washington state patrol, and the prosecutor's  
13 office may be sold or distributed to any private data base company.

14 **Sec. 3.** RCW 13.50.010 and 2009 c 440 s 1 are each amended to read  
15 as follows:

16 (1) For purposes of this chapter:

17 (a) "Juvenile justice or care agency" means any of the following:  
18 Police, diversion units, court, prosecuting attorney, defense attorney,  
19 detention center, attorney general, the legislative children's  
20 oversight committee, the office of the family and children's ombudsman,  
21 the department of social and health services and its contracting  
22 agencies, schools; persons or public or private agencies having  
23 children committed to their custody; and any placement oversight  
24 committee created under RCW 72.05.415;

25 (b) "Official juvenile court file" means the legal file of the  
26 juvenile court containing the petition or information, motions,  
27 memorandums, briefs, findings of the court, and court orders;

28 (c) "Records" means the official juvenile court file, the social  
29 file, and records of any other juvenile justice or care agency in the  
30 case;

31 (d) "Restricted," "restricting," or "access restricting" means  
32 that, except as otherwise provided in this chapter, no person or entity  
33 may obtain the records of a juvenile offender;

34 (e) "Social file" means the juvenile court file containing the  
35 records and reports of the probation counselor.

36 (2) Each petition or information filed with the court may include



1 only one juvenile and each petition or information shall be filed under  
2 a separate docket number. The social file shall be filed separately  
3 from the official juvenile court file.

4 (3) It is the duty of any juvenile justice or care agency to  
5 maintain accurate records. To this end:

6 (a) The agency may never knowingly record inaccurate information.  
7 Any information in records maintained by the department of social and  
8 health services relating to a petition filed pursuant to chapter 13.34  
9 RCW that is found by the court to be false or inaccurate shall be  
10 corrected or expunged from such records by the agency;

11 (b) An agency shall take reasonable steps to assure the security of  
12 its records and prevent tampering with them; and

13 (c) An agency shall make reasonable efforts to insure the  
14 completeness of its records, including action taken by other agencies  
15 with respect to matters in its files.

16 (4) Each juvenile justice or care agency shall implement procedures  
17 consistent with the provisions of this chapter to facilitate inquiries  
18 concerning records.

19 (5) Any person who has reasonable cause to believe information  
20 concerning that person is included in the records of a juvenile justice  
21 or care agency and who has been denied access to those records by the  
22 agency may make a motion to the court for an order authorizing that  
23 person to inspect the juvenile justice or care agency record concerning  
24 that person. The court shall grant the motion to examine records  
25 unless it finds that in the interests of justice or in the best  
26 interests of the juvenile the records or parts of them should remain  
27 confidential.

28 (6) A juvenile, or his or her parents, or any person who has  
29 reasonable cause to believe information concerning that person is  
30 included in the records of a juvenile justice or care agency may make  
31 a motion to the court challenging the accuracy of any information  
32 concerning the moving party in the record or challenging the continued  
33 possession of the record by the agency. If the court grants the  
34 motion, it shall order the record or information to be corrected or  
35 destroyed.

36 (7) The person making a motion under subsection (5) or (6) of this  
37 section shall give reasonable notice of the motion to all parties to

1 the original action and to any agency whose records will be affected by  
2 the motion.

3 (8) The court may permit inspection of records by, or release of  
4 information to, any clinic, hospital, or agency which has the subject  
5 person under care or treatment. The court may also permit inspection  
6 by or release to individuals or agencies, including juvenile justice  
7 advisory committees of county law and justice councils, engaged in  
8 legitimate research for educational, scientific, or public purposes.  
9 ~~((The court may also permit inspection of, or release of information  
10 from, records which have been sealed pursuant to RCW 13.50.050(12).))~~  
11 The court shall release to the sentencing guidelines commission records  
12 needed for its research and data-gathering functions under RCW  
13 9.94A.850 and other statutes. Access to records or information for  
14 research purposes shall be permitted only if the anonymity of all  
15 persons mentioned in the records or information will be preserved.  
16 Each person granted permission to inspect juvenile justice or care  
17 agency records for research purposes shall present a notarized  
18 statement to the court stating that the names of juveniles and parents  
19 will remain confidential.

20 (9) Juvenile detention facilities shall release records to the  
21 sentencing guidelines commission under RCW 9.94A.850 upon request. The  
22 commission shall not disclose the names of any juveniles or parents  
23 mentioned in the records without the named individual's written  
24 permission.

25 (10) Requirements in this chapter relating to the court's authority  
26 to compel disclosure shall not apply to the legislative children's  
27 oversight committee or the office of the family and children's  
28 ombudsman.

29 (11) For the purpose of research only, the administrative office of  
30 the courts shall maintain an electronic research copy of all records in  
31 the judicial information system related to juveniles. Access to the  
32 research copy is restricted to the Washington state center for court  
33 research. The Washington state center for court research shall  
34 maintain the confidentiality of all confidential records and shall  
35 preserve the anonymity of all persons identified in the research copy.  
36 The research copy may not be subject to any records retention schedule  
37 and must include records destroyed or removed from the judicial

1 information system pursuant to RCW 13.50.050 (17) and (18) and  
2 13.50.100(3).

3 (12) The court shall release to the Washington state office of  
4 public defense records needed to implement the agency's oversight,  
5 technical assistance, and other functions as required by RCW 2.70.020.  
6 Access to the records used as a basis for oversight, technical  
7 assistance, or other agency functions is restricted to the Washington  
8 state office of public defense. The Washington state office of public  
9 defense shall maintain the confidentiality of all confidential  
10 information included in the records.

11 **Sec. 4.** RCW 13.04.011 and 1997 c 338 s 6 are each amended to read  
12 as follows:

13 For purposes of this title:

14 (1) "Adjudication" has the same meaning as "conviction" in RCW  
15 9.94A.030, (~~and the terms must be construed identically and used~~  
16 ~~interchangeably~~) but only for the purposes of sentencing under chapter  
17 9.94A RCW;

18 (2) Except as specifically provided in RCW 13.40.020 and chapter  
19 13.24 RCW, "juvenile," "youth," and "child" mean any individual who is  
20 under the chronological age of eighteen years;

21 (3) "Juvenile offender" and "juvenile offense" have the meaning  
22 ascribed in RCW 13.40.020;

23 (4) "Court" when used without further qualification means the  
24 juvenile court judge(s) or commissioner(s);

25 (5) "Parent" or "parents," except as used in chapter 13.34 RCW,  
26 means that parent or parents who have the right of legal custody of the  
27 child. "Parent" or "parents" as used in chapter 13.34 RCW, means the  
28 biological or adoptive parents of a child unless the legal rights of  
29 that person have been terminated by judicial proceedings;

30 (6) "Custodian" means that person who has the legal right to  
31 custody of the child.

32 **Sec. 5.** RCW 13.40.127 and 2009 c 236 s 1 are each amended to read  
33 as follows:

34 (1) A juvenile is eligible for deferred disposition unless he or  
35 she:

36 (a) Is charged with a sex or violent offense;

1 (b) Has a criminal history which includes any felony;

2 (c) Has a prior deferred disposition or deferred adjudication; or

3 (d) Has two or more adjudications.

4 (2) The juvenile court may, upon motion at least fourteen days  
5 before commencement of trial and, after consulting the juvenile's  
6 custodial parent or parents or guardian and with the consent of the  
7 juvenile, continue the case for disposition for a period not to exceed  
8 one year from the date the juvenile is found guilty. The court shall  
9 consider whether the offender and the community will benefit from a  
10 deferred disposition before deferring the disposition.

11 (3) Any juvenile who agrees to a deferral of disposition shall:

12 (a) Stipulate to the admissibility of the facts contained in the  
13 written police report;

14 (b) Acknowledge that the report will be entered and used to support  
15 a finding of guilt and to impose a disposition if the juvenile fails to  
16 comply with terms of supervision; and

17 (c) Waive the following rights to: (i) A speedy disposition; and  
18 (ii) call and confront witnesses.

19 The adjudicatory hearing shall be limited to a reading of the  
20 court's record.

21 (4) Following the stipulation, acknowledgment, waiver, and entry of  
22 a finding or plea of guilt, the court shall defer entry of an order of  
23 disposition of the juvenile.

24 (5) Any juvenile granted a deferral of disposition under this  
25 section shall be placed under community supervision. The court may  
26 impose any conditions of supervision that it deems appropriate  
27 including posting a probation bond. Payment of restitution under RCW  
28 13.40.190 shall be a condition of community supervision under this  
29 section.

30 The court may require a juvenile offender convicted of animal  
31 cruelty in the first degree to submit to a mental health evaluation to  
32 determine if the offender would benefit from treatment and such  
33 intervention would promote the safety of the community. After  
34 consideration of the results of the evaluation, as a condition of  
35 community supervision, the court may order the offender to attend  
36 treatment to address issues pertinent to the offense.

37 (6) A parent who signed for a probation bond has the right to  
38 notify the counselor if the juvenile fails to comply with the bond or

1 conditions of supervision. The counselor shall notify the court and  
2 surety of any failure to comply. A surety shall notify the court of  
3 the juvenile's failure to comply with the probation bond. The state  
4 shall bear the burden to prove, by a preponderance of the evidence,  
5 that the juvenile has failed to comply with the terms of community  
6 supervision.

7 (7) A juvenile's lack of compliance shall be determined by the  
8 judge upon written motion by the prosecutor or the juvenile's juvenile  
9 court community supervision counselor. If a juvenile fails to comply  
10 with terms of supervision, the court shall enter an order of  
11 disposition.

12 (8) At any time following deferral of disposition the court may,  
13 following a hearing, continue the case for an additional one-year  
14 period for good cause.

15 (9) At the conclusion of the period set forth in the order of  
16 deferral and upon a finding by the court of full compliance with  
17 conditions of supervision and payment of full restitution, the  
18 respondent's conviction shall be vacated and the court shall dismiss  
19 the case with prejudice, except that a conviction under RCW 16.52.205  
20 shall not be vacated.

21 (10)(a) The access to records of deferred disposition cases vacated  
22 under subsection (9) of this section shall be (~~sealed~~) restricted no  
23 later than thirty days after the juvenile's eighteenth birthday  
24 provided that the juvenile does not have any charges pending at that  
25 time. If a juvenile has already reached his or her eighteenth birthday  
26 before July 26, 2009, and does not have any charges pending, he or she  
27 may request that the court issue an order (~~sealing~~) restricting  
28 access to the records of his or her deferred disposition cases vacated  
29 under subsection (9) of this section, and this request shall be  
30 granted. Nothing in this subsection shall preclude a juvenile from  
31 petitioning the court to have the records of his or her deferred  
32 dispositions (~~sealed~~) restricted under RCW 13.50.050 (11) and (12).

33 (b) Records (~~sealed~~) restricted under this (~~provision shall~~)  
34 subsection have the same legal status as records (~~sealed~~) restricted  
35 under RCW 13.50.050.

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