

**Using This Form**

1. Copies
  - a. Original – to court.
  - b. First copy – to appropriate office of the Commonwealth’s Attorney.
2. Prepared primarily by petitioner. Notice and order prepared by clerk and judge respectively.
3. Preparation details

This form is designed to assist those who wish to expunge juvenile court records. Notice of the filing of the motion should be given to the Commonwealth’s Attorney.

MOTION AND ORDER FOR EXPUNGEMENT AND DESTRUCTION OF JUVENILE RECORDS

Case No. 1

Commonwealth of Virginia VA. CODE § 16.1-306

2 Juvenile and Domestic Relations District Court

3 STREET ADDRESS OF COURT

In re: 4

As the person who was the subject of a delinquency or traffic proceeding in the above-entitled matter, with disposition of the charge on 5, and: DATE OF FINAL DISPOSITION OF CHARGE

- 6 [ ] having been found innocent thereof OR [ ] the proceedings having been otherwise dismissed

I move the court to expunge this matter and destroy all records pertaining to this charge. I further request the Court provide notice of this motion to the attorney of the Commonwealth.

I further state that:

My date of birth is 7

My Social Security Number is 8

Specific charge(s) to be expunged: 9

Table with 3 columns: Charge(s), Code Section(s), Court Case Number(s)

10 DATE

11 SIGNATURE OF PETITIONER

12 ATTORNEY OF PETITIONER

13 PRINT NAME OF PETITIONER

14 ADDRESS/TELEPHONE NUMBER OF [ ] PETITIONER [ ] ATTORNEY FOR PETITIONER

NOTICE TO RESPONDENT COMMONWEALTH:

This motion was made pursuant to Va. Code § 16.1-306. If you wish to contest this Motion, written notice must be filed in the clerk's office by:

15 FILING DEADLINE for a hearing on 16 HEARING DATE

17 DATE

18 [ ] CLERK [ ] DEPUTY CLERK

ORDER

[ ] This Court, having not been shown good cause why such records should not be destroyed, ORDERS that the motion requesting the destruction of all records pertaining to this charge is hereby granted. The clerk shall send a copy of this ORDER to all officers or agencies that are repositories of said records, and all such officers and agencies shall comply with the ORDER in accordance with § 16.1-306.

[ ] After conduction a hearing on the petition, the Court ORDERS that the petition be denied.

20 DATE

19

21 JUDGE

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**Data Elements**

1. Court case number.
2. Court name. Check appropriate box to indicate level of court.
3. Street address of court.
4. Case name (name of child).
5. Insert date of final disposition of the charge in the case identified immediately above.
6. Check applicable box to indicate basis of the motion.
7. Insert date of birth of petitioner.
8. Insert social security number of petitioner.
9. Insert the specific charge(s) to be expunged, related statutory references and court case numbers in the columns provided. Any related detail(s) may be provided in the space allotted.
10. Date signed by the person filing the motion.
11. Signature of person filing the motion.
12. Name of the attorney representing the person filing the motion, if any.
13. Printed name of the person filing the motion.
14. Insert address and telephone number of person filing the motion or the attorney representing such person. Check appropriate box immediately below.
15. Insert Commonwealth's deadline for filing written notice of desire to contest the expungement motion.
16. Insert hearing date.
17. Date of issuance of notice.
18. Signature of clerk or deputy clerk issuing notice.
19. Check appropriate box.
20. Date of entry of order.
21. Signature of judge.