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| **Statutory Provision** | **LB 354 Revision** |
| § 43-260.04- *Juvenile pretrial diversion program; requirements* | Sec. 1-   * Provides that diversion offices can respond to any public inquiry of an individual’s record as if there were no information or records. * Criminal justice agencies or the individual who is the subject of the record can receive information on their participation in diversion. |
| § 43-2,108.01- *Sealing of records; juveniles eligible* | Sec. 3-   * Amends slightly cases eligible for sealing by clarifying the waiveable offenses exception and including cases, which began in adult court, but were later transferred to juvenile court. * Provides that the amendments are retroactive so youth can request for their record to be sealed. |
| § 43-2,108.02- *Sealing of records; notice to juveniles; contents* | Sec. 4-   * Directs the Supreme Court to promulgate the developmentally appropriate written notice rather than local county attorneys. * Provides that notice of sealing eligibility be provided to youth by attaching the same to juvenile petitions or eligible criminal complaints. |
| § 43-2,108.03- *Sealing of records; county attorney or city attorney; duties; motion to seal record authorized* | Sec. 5-   * Provides that notice of sealing eligibility be given to youth at the time they receive a citation and again if they are offered diversion. Also provides notice to the youth upon sealing. * If a case is filed, but later dismissed, directs the court to automatically seal the record. * If a youth satisfactorily completes probation the court shall automatically seal the record, and not wait until the youth turns 17. * Even in cases of unsatisfactory discharge from probation, upon turning 19 years of age or after 6 months, a youth may motion the court to seal their record upon a demonstration of satisfactory rehabilitation. |
| § 43-2,108.04- *Sealing of records; notification of proceedings; order of court; hearing; notice; findings; considerations* | Sec. 6-   * Sets forth the process for a youth to motion the court to seal their record. * Provides that if a county attorney objects to the sealing, they must set forth the basis of their objection. * Modifies the factors for the court to consider, and sets forth the preponderance of the evidence standard. |
| § 43-2,108.05- *Sealing of record; court; duties; effect; inspection of records; prohibited acts; violation; contempt of court* | Sec. 7-   * Harmonizes language * Removes notice of sealing to be sent to the Crime Commission * Amends notice provisions the court shall provide to the youth upon sealing of his or her record. * Clarifies that a youth may view his or her sealed record upon request with appropriate identification. * Allows the State Court Administrator to allow for viewing of sealed records for bona fide research. * Changes the penalty for noncompliance from contempt of court to a Class V misdemeanor. |