

WRITTEN NOTICE REGARDING OBJECTIONS, MOTIONS AND APPEALS

Motion to Set Aside a Magistrate's Order: A party may file a written Motion requesting that the Judge set aside a Magistrate's Order within ten (10) days of the Order being entered. The Motion must state the specific reasons for the request. See Juv. R. 40 (D) (2) (b) and Civ. R. 53 (D) (2) (b).

Objection to a Magistrate's Decision: A party may file written objections to a Magistrate's Decision within fourteen (14) days of the decision being entered. The objection must state the specific reason(s) for the objection. If the objection is to a factual finding, a party must provide a transcript of the proceedings, if available, within thirty (30) days of the filing of the objection. See Juv. R. 40 (D) (3) (b) and Civ. R. 53 (D) (3) (b).

A party shall not assign as error on appeal the Court's adoption of any factual finding or legal conclusion whether or not specifically designated as a finding of fact or conclusion of law under Juv. R. 40 (D) (3) (a) (ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Juv. R. 40 (D) (3) (b). See Juv. R. 40 (D) (3) (b) (iv) and Civ. R. 53 (D) (3) (b) (iv).

Appeal of a Judge's Final Order or Judgment: A party may appeal to the Ninth District Court of Appeals by filing a Notice of Appeal in the Juvenile Court Clerk's Office within thirty (30) days of the order or judgment.

William P. Kannel Juvenile Court Center
650 Dan Street
Akron OH 44310
Phone: 330-643-2900
Fax: 330-643-2894
www.co.summit.oh.us/JuvenileCourt/index



What You Should Know About:

***Sealings
Expungements
Objections
Motions
Appeals***

**WRITTEN NOTICE REGARDING SEALING AND
EXPUNGEMENT OF RECORDS**
**See the Ohio Revised Code §2151.356 (D) (2)
and Juvenile Rule 34 (J)**

Because you were charged with an offense as a juvenile, Ohio law allows you to have your juvenile record sealed or expunged. The following is an explanation of the process that you must follow to seal or expunge your record:

1. You may apply to this Juvenile Court for an Order to seal your record two (2) years after any Order made by the Court has ended. If you have been placed in a juvenile institution or other facility, you may not apply until two (2) years after you have received an unconditional discharge from such institution or facility.
2. "Seal a record" means to remove a record from the main file or similar records and to secure it in a separate file that contains only sealed records accessible only to the Juvenile Court.
3. Applying to seal your record does not automatically mean that it will be sealed. The Juvenile Court must find that you have been rehabilitated to a satisfactory degree. If your offense was aggravated murder, murder, rape, sexual battery or gross sexual imposition, your record cannot be sealed.
4. If your record is sealed by the Juvenile Court and someone asks you if you have a record, you may properly reply that no record exists. If asked, the Court will also reply that no record exists.

5. After your record has been sealed, your record will automatically be expunged after a period of five (5) years or when you reach age twenty-three (23), whichever occurs sooner. You may apply to the Juvenile Court to have your sealed record expunged sooner.

6. How is "expunging" a record different from "sealing" a record? "Expunge a record" means to destroy, delete and erase a record, as appropriate for the record's physical or electronic form or characteristic. This means that the record is permanently irretrievable.

7. You may obtain an application to either seal or expunge your record from the Juvenile Court Clerk's Office at 650 Dan Street, Akron, Ohio 44310. That is also the location to file the application after you have completed filling it out.

8. You may wish to read portions of the Ohio Revised Code §§2151.355; 2151.356; 2151.357 and 2151.358 for further details, available at most libraries and on the internet.

9. Some juveniles are entitled to have juvenile court records sealed automatically. Generally, these are juveniles who have formally come to the attention of the Juvenile Court, but who have not been found to be delinquent, unruly or a juvenile traffic offender. This includes juveniles who have been arrested by law enforcement officials but not charged in Juvenile Court, juveniles charged with underage possession or consumption of alcohol who have been permitted by the Court to complete a diversion program, juveniles whose charges have been dismissed and certain juveniles charged only with unruliness. The sealing/expungement law discussed above applies to these juveniles, with the exception that sealing will occur automatically. Juveniles whose records are sealed automatically are entitled to expungement as explained in Paragraphs 5 and 6 above.