

**SUPERIOR COURT OF WASHINGTON**

华盛顿州

**COUNTY OF \_\_\_\_\_**

县高等法院

**JUVENILE COURT**

青少年庭

STATE OF WASHINGTON

华盛顿州

v.  
诉

Respondent.  
被申请人。

D.O.B.: \_\_\_\_\_  
出生日期:

No:  
编号:

**Order Re: Sealing Records of  
Juvenile Offender**

关于以下事宜的法令: 封存少年犯记录

☐ **Sealing Granted (ORSF)**  
加封获批准(ORSF)

☐ **Sealing Denied (ORSFD)**  
加封被拒绝(ORSFD)

Clerk's Action: Section III. Order  
书记员行动: 第III节命令

**I. Basis**  
依据

1.1 THIS MATTER came before the court on (choose one):

本案于以下日期提交法庭(选择一项):

☐ **Motion to seal records under RCW 13.50.260:** Respondent's motion to vacate and seal records of juvenile offender pursuant to RCW 13.50.260.

根据RCW 13.50.260加封记录请求: 被申请人根据RCW 13.50.260提出撤销并封存青少年犯罪记录的请求。

☐ **Administrative Sealing under RCW 13.50.260 or 13.40.127:** Administrative sealing of juvenile records pursuant to ☐ regular statutory administrative sealing of a qualified disposition order entered after June 11, 2014 (chapter 13.50 RCW), or ☐ vacated deferred disposition dismissed and vacated after June 6, 2012 (RCW 13.40.127).

**RCW 13.50.260或13.40.127下的行政封存：**根据以下规定对青少年记录进行行政封存： [-] 常规法定行政封存，适用于2014年6月11日之后作出的符合条件的处置令（RCW第13.50章），或

[-] 撤销的延期处置，适用于2012年6月6日之后被撤销并驳回的案件（RCW 13.40.127）。

- [ ] **Acquittal or Dismissal of Charges under RCW 13.50.260:** Sealing of juvenile records pursuant to [ ] acquittal of charges in the case, or [ ] dismissal of charges with prejudice, other than a dismissal of a deferred disposition under RCW 13.40.127, and subject to the state's right, if any, to appeal the dismissal. (RCW 13.50.260).

**根据RCW 13.50.260宣告无罪或撤销指控：**根据以下规定对青少年记录进行封存： [-] 案件中的指控被宣告无罪，或 [-] 指控被“有偏见地”驳回（即不可再诉），但不包括根据RCW 13.40.127撤销的延期处置，且该封存需遵守州政府（如有）对驳回决定提出上诉的权利。

(RCW 13.50.260)。

- [ ] **Re-Sealing Post Nullification under RCW 13.50.260:** Sealing of juvenile records previously nullified by subsequent adjudication and disposition in a different case number, but for which the Respondent requests resealing (RCW 13.50.260).

**根据RCW 13.50.260撤销封存后，重新封存：**对因后续裁决和处置（不同案件编号）而被撤销封存的青少年记录应被申请人请求重新封存(RCW 13.50.260)。

- [ ] **Motion to Seal Records under GR 15:** Respondent's motion to seal records of juvenile offender pursuant to GR 15.

**根据GR 15加封记录的请求：**被申请人根据GR 15提出封存少年犯记录请求。

- 1.2 The court heard the matter [ ] with [ ] without oral argument and considered [ ] the pleadings submitted on the matter [ ] and the relevant court records. 法院审理了该事项 [-] 通过 [-] 未通过口头辩论，并考虑了 [-] 提交的书面诉状 [-] 及相关法庭记录。

## II. Findings

### 调查结论

- 2.1 [ ] **Motion to seal records pursuant to RCW 13.50.260:**

**根据RCW 13.50.260加封记录请求：**

- [ ] **Notice of motion:** Adequate notice [ ] was [ ] was not given to the appropriate parties and agencies; and,

**请求通知：**适当的通知 [-] 已 [-] 未发送给相关各方和机构；以及

- [ ] **Satisfaction of motion requirements:** Respondent has

**满足请求要求：**被申请人

- [ ] satisfied the requirements of RCW 13.50.260 and is entitled to have sealed the official juvenile court record, the social file, and the records of the court and of any other agency in the case.

已满足RCW 13.50.260的要求，并有权封存官方少年法庭记录、社会档案以及法院和案件中任何其他机构的记录。

- [ ] not satisfied the requirements of RCW 13.50.260 and is not entitled to have sealed the official juvenile court record, the social file, and the records of the court and of any other agency in the case.

不满足RCW 13.50.260的要求，无权封存官方少年法庭记录、社会档案以及法院和本案任何其他机构的记录。

2.2 [ ] **Administrative sealing under RCW 13.50.260 or 13.40.127:**  
**RCW 13.50.260或13.40.127下的行政封存:**

[ ] **Deferred disposition vacated after June 6, 2012:** The deferred disposition was dismissed and vacated after June 6, 2012. The Respondent is entitled to have the files and records in this case sealed under RCW 13.40.127.

**2012年6月6日后撤销的延期处置:** 延期处置于2012年6月6日后被驳回并撤销。被申请人有权根据RCW 13.40.127加封本案的文件和记录。

[ ] **Regular statutory administrative sealing:** A disposition in this case was entered after June 11, 2014, and at the time of disposition, an administrative sealing hearing was set for today. The court has reviewed and taken judicial notice of the files and records as well as any sworn testimony by a juvenile department representative and finds as follows:

**定期法定行政封存:** 此案的处置是在2014年6月11日之后进行的，在处置时，已安排在今天举行行政封存听证会。法院对文件和记录以及青少年庭代表的任何宣誓证词进行了审查和司法审查，并得出以下结论：

[ ] **Entitled to administratively seal:** All three of the following are established.

**有权通过行政程序封存:** 以下三项均已被确认。

(1) The disposition in this case did not involve a most serious offense as defined in RCW 9.94A.030, a sex offense under chapter 9A.44 RCW, or a felony drug offense as defined in RCW 9.94A.030 (other than possession under RCW 69.50.3013 and forged prescription under RCW 69.50.4013);

本案的处置不涉及RCW 9.94A.030中定义的最严重犯罪、RCW第9A.44章中定义的性犯罪或RCW 9.94A.030中定义的重罪毒品犯罪（RCW 69.50.3013中规定的持有和RCW 69.50.4013中伪造处方除外）；

(2) Respondent is at least 18 years of age at this time and is no longer subject to community supervision, or is at the end of commitment and parole, if commitment to a juvenile rehabilitation facility was imposed in this case; and,

被告目前已年满18岁，并且不再受到社区羁押，或者如果在本案中被送往青少年康复机构，则被告已处于监禁和假释期满；并且，

(3) Respondent has paid in full the amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any public or private entity providing insurance coverage or health care coverage.

被申请人已向赔偿金令中指定的个人受害者全额支付赔偿金金额，不包括欠付任何提供保险或医疗保险的公共或私人实体的赔偿金金额。

The case qualifies for administrative sealing at this time and shall be sealed.

该案件目前符合行政封存条件，应予以封存。

[ ] **Not entitled to administratively seal as supervision has not ended (RESET):**

**由于监管尚未结束，无权进行行政封存(RESET):**

The Respondent is not entitled to have the files and records in this case administratively sealed pursuant to RCW 13.50.260 because the Respondent remains on supervision/parole in this case. The matter shall be continued to a date within 30 days following the anticipated end date of Respondent's supervision/parole. At that time, the case will be eligible for reconsideration of eligibility for administrative sealing unless Respondent remains on supervision/parole, in which case the matter shall be continued again in anticipation of the end of supervision/parole. The matter shall be reset for another administrative sealing hearing to determine eligibility.

被申请人无权根据RCW 13.50.260对本案中的文件和记录进行行政封存，因为本案中被申请人仍处于监管/假释状态。该事项应延期至被申请人监管/假释预期结束日期后的30天内。届时，该案件将有资格重新考虑是否符合行政封存的条件；除非被申请人仍在监管/假释期，若如此，则该事项将再次延期，直至监管/假释期结束。应重新安排就该事项再举行一次行政加封听证会以确定资格。

**[ ] Not entitled to administratively seal due to a failure to pay restitution to an individual:**

**因未向个人支付赔偿金而无权行政封存:**

The Respondent is no longer on supervision in this case, however, the Respondent is not entitled to administrative sealing of the files and records in this case because Respondent failed to pay in full the amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any public or private entity providing insurance coverage or health care coverage. The administrative sealing shall be denied at this time.

被申请人在本案中不再受到监管，但是，被申请人无权对本案的文件和记录进行行政封存，因为被申请人未向赔偿金令中指定的个人受害者全额支付赔偿金额，不包括欠付任何提供保险或医疗保险的公共或私人实体的赔偿金额。目前行政封存未获批准。

Within five (5) days of entry of this order denying the administrative sealing, the juvenile court department staff shall notify the Respondent of the denial by providing a copy in person or in writing, mailed to Respondent's last known address in the Department of Licensing database or the Respondent's address as provided to the court, whichever is more recent. 在发出拒绝行政封存命令后五(5)天内，青少年庭工作人员应亲自或以提供一份书面副本的形式通知被申请人拒绝行政封存的决定，并邮寄至被申请人在证照局数据库中的最后已知地址或被申请人向法院提供的地址（以较新者为准）。

**THE FOLLOWING NOTICE AND DIRECTIVE IS PROVIDED TO THE RESPONDENT:**

**向被申请人提供以下通知和指示:**

- (A) At this time, the remaining amount of restitution to the individual victim(s) in this case, not including amounts due to public or private entities providing insurance coverage or health care coverage, is:

目前，本案中个人受害者的剩余赔偿金额（不包括应付给提供保险或医疗保险的公共或私人实体的金额）为：

\$ \_\_\_\_\_.

- (B) Anytime following entry of this order, the Respondent may contact the juvenile court department, provide proof of payment of the remaining unpaid restitution amount specified in (A) above, and request an administrative sealing of the case. Upon verification of the payment and satisfaction of the amount due, the juvenile court department shall prepare, circulate for signatures, and enter an order with the court clerk sealing the records in this case. The Respondent may request a hearing in the event an order sealing the case is not entered as specified after proof of payment. In addition, nothing shall prevent Respondent from pursuing sealing of this or any other matter by motion under the terms of RCW 13.40.260 or GR 15.

在本命令生效后，被申请人可以随时联系青少年庭，提供上述(A)中指定的剩余未付赔偿金额的付款证明，并请求对案件进行行政封存。在核实支付并清偿应付金额后，青少年庭应准备、送签，并由法庭书记员加封本案记录。如果在支付证明提交后，未按照规定下达封存案件的命令，被告（或被申请人）可以请求举行听证会。此外，任何事情都不得阻止被申请人根据RCW 13.40.260或GR 15的条款请求加封本案或任何其他事项。

**[ ] Not entitled to administratively seal due to offenses entered at disposition:**

**由于在案件裁决时记录的犯罪行为，无权进行行政封存：**

One or more of the offenses entered at disposition in this case involved:

(i) a most serious offense as defined in RCW 9.94A.030; (ii) a sex offense under chapter 9A.44 RCW; or (iii) a felony drug offense as defined in RCW 9.94A.030 (other than possession under RCW 69.50.3013 and forged prescription under RCW 69.50.4013). Pursuant to RCW 13.50.260(1)(c), no administrative sealing shall occur, and the sealing shall be denied at this time. Nothing shall prevent Respondent from pursuing sealing of this or any other matter by motion under the terms of RCW 13.50.260 or GR 15.

本案中处理的一项或多项犯罪涉及：

(i)RCW 9.94A.030中定义的最严重犯罪；(ii)RCW第9A.44章中定义的性犯罪或(iii) RCW 9.94A.030中定义的重罪毒品犯罪（RCW 69.50.3013中规定的持有和RCW 69.50.4013中伪造处方除外）。根据RCW 13.50.260(1)(c)，不得进行行政封存，目前拒绝封存。任何事情都不得阻止被申请人根据RCW 13.50.260或GR 15的条款请求加封本案或任何其他事项。

**2.3 [ ] Acquittal or dismissal of charges under RCW 13.50.260:**  
**根据RCW 13.50.260宣告无罪或撤销指控：**

The Respondent is entitled to sealing of juvenile records based on [ ] acquittal of charges in the case or [ ] dismissal of charges, other than a dismissal of a deferred disposition under RCW 13.40.127, and subject to the state's right, if any, to appeal the dismissal.

被申请人有权根据以下规定对青少年记录进行封存： [-] 案件中的指控被宣告无罪，或 [-] 指控被驳回（即不可再诉），但不包括根据RCW 13.40.127撤销的延期处置，且该封存需遵守州政府（如有）对驳回决定提出上诉的权利。

2.4 [ ] **Resealing post nullification under RCW 13.50.260:**

**根据RCW 13.50.260撤销封存后，重新封存：**

This case was previously sealed and then the sealing order was nullified after adjudication in subsequent case number \_\_\_\_-8-\_\_\_\_\_. Since nullification, there has been a disposition in the subsequent case number. Now, this case [ ] does qualify [ ] does not qualify for sealing by statute. Resealing in this case is [ ] appropriate [ ] inappropriate (RCW 13.50.260).

本案此前已被封存，经后续以下案件编号的判决后撤销封存令： -8-

。自撤销封存后，在后续案件编号中已有处置结果。现在，此案[-]符合[-]不符合法律规定的加封条件。对本案重新加封[-]合适[-]不合适(RCW 13.50.260)。

2.5 [ ] **Motion to seal records under GR 15:**

**根据GR 15加封记录的请求：**

Compelling privacy or safety concerns that outweigh the public interest in access to the court records [ ] have [ ] have not been found. In addition, the court finds as follows:

[-]已经发现[-]尚未发现超出获取法庭记录的公共利益重要性的重大隐私或安全问题。此外，法院认定如下：

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**III. Order**

**命令**

Based on the above findings, it is hereby ordered:

基于上述调查结果，特此命令：

[ ] **Sealing Denied (ORSFD):** The files and records in this case shall not be sealed.

**加封被拒绝(ORSFD):** 本案的档案和记录不得封存。

[ ] **Administrative Sealing Hearing Continued Due to Active Supervision (ORSFD):**

Because the Respondent remains on active supervision/parole, the administrative sealing cannot be granted at this time. However, the case shall be continued to a date within 30 days of the anticipated end of supervision/parole. The matter is therefore continued to:

**因处于有效监管状态，行政封存听证会已延期(ORSFD):** 由于被申请人仍处于有效监管/假释状态，因此目前无法授予行政封存。但是，案件应延期至监管/假释预期结束日期后30天内。因此，本案延期至：

(Date) \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.  
(日期) \_\_\_\_\_ 地点 \_\_\_\_\_ 上午/下午

At: \_\_\_\_\_ Court, Room/Department: \_\_\_\_\_  
地址: \_\_\_\_\_ 法院、房间/部门:

Address \_\_\_\_\_

地址 \_\_\_\_\_

for an administrative sealing hearing, at which time the court will consider eligibility for administrative sealing under RCW 13.50.260.

举行行政封存听证会，届时法院将根据RCW 13.50.260考虑行政封存的资格。

[ ] **Sealing Granted (ORSF):** The files and records in this case shall be sealed as follows:

**加封获批准(ORSF):** 本案档案、记录按如下方式封存:

[ ] **Pursuant to RCW 13.50.260 or RCW 13.40.127:**

**根据RCW 13.50.260或RCW 13.40.127:**

The court grants the motion to seal pursuant to RCW 13.50.260 or RCW 13.40.127, as applicable, including any administrative review required by statute. Pursuant to this order:

法院根据RCW 13.50.260 或RCW 13.40.127（如适用），包括法规要求的任何行政审查批准封存请求。根据本令:

1. With the exception of identifying information specified in RCW 13.50.050(13), the official juvenile court record, the social file, and other records relating to the case as are named are sealed;  
除RCW 13.50.050(13)中规定的识别信息外，官方少年法庭记录、社会档案以及与案件相关的其他记录均已加封;
2. The proceedings in the case shall be treated as if they never occurred and the subject of the records may reply accordingly to any inquiry about the events, the records of which are sealed. However, county clerks may interact or correspond with the Respondent, Respondent's parents, restitution recipients, and any holders of potential assets or wages of the Respondent for the purposes of collecting any outstanding legal financial obligations, even after juvenile court records have been sealed;  
本案的诉讼程序应视为从未发生过，记录主体可对有关该事件的任何询问作出相应答复，该记录已被加封。但是，县书记员可以与被告、被告的父母、赔偿接受者以及被告的任何潜在资产或工资持有人进行往来或通信，以催收任何未偿付的法定财务义务，即使在少年法庭记录已被加封后;
3. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual;  
任何机构对于涉及保密或封存记录的查询，应当回复称这些记录是保密的，并且不能提供有关个人记录是否存在或不存在的信息;
4. Inspection of the files and records included in this order may only be permitted by order of the court and upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(13);  
本命令所涉及的文件和记录的查阅，仅在法院命令允许的情况下才可进行，并且必须由信息或投诉所涉及的个人提出申请，除非RCW 13.50.010(8)和13.50.050(13)另有规定;
5. Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying this order. However, the court may order this case resealed

upon disposition of the subsequent matter if this case meets the sealing criteria under RCW 13.50.260 and this case has not previously been resealed;

在封存记录后，任何对未成年人犯罪或普通犯罪的认定都将导致封存令失效。但是，如果此案符合RCW 13.50.260下的封存标准并且此案之前未重新封存，法院可在后续事项处理时下令重新封存此案；

6. Any charging of an adult felony subsequent to this order has the effect of nullifying this order.

在此命令之后对成人提出的任何重罪指控都会导致该命令失效。

- [ ] Pursuant to GR 15: The court grants the motion to seal pursuant to GR 15. The files and records in this case are sealed for a period not to exceed the following time period:

根据GR 15：法院根据GR 15批准加封请求。本案的文件和记录的封存期限不超过以下期限：

\_\_\_\_\_, and  
the clerk of the court is ordered to seal the entire court file and to secure it from public access.

法庭

书记员官应按命令封存整个法院档案，确保公众无法查阅。

Dated: \_\_\_\_\_

日期：

\_\_\_\_\_  
Judge/Commissioner

法官/助理法官

Submitted by:

提交人：

- [ ] Deputy Prosecuting Attorney/WSBA No.

副检察官/WSBA编号

- [ ] Attorney for Respondent/WSBA No.

被申请人律师/WSBA编号

Approved as to form by:

经以下人员确认形式无误：

- [ ] Deputy Prosecuting Attorney/WSBA No.

副检察官/WSBA编号

- [ ] Attorney for Respondent/WSBA No.

被申请人律师/WSBA编号