



Pacific Law Journal Review of Selected Nevada Legislative

Volume 1981 | Issue 1

Article 68

1-1-1981

Juveniles; Inspection of Sealed Records

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Recommended Citation

Univeristy of the Pacific, McGeorge School of Law, *Juveniles; Inspection of Sealed Records*, 1981 U. PAC. L. REV. (2019).

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Juveniles

Juveniles; extradition of juveniles

N.R.S. §62.— (new); §169.025 (amended).
AB 542 (Nicholas); STATS 1981, Ch 559

Chapter 559 provides for the extradition of juveniles.¹ Under Chapter 559, whenever a child² commits a crime in Nevada and then flees to another state,³ the governor may request extradition from that state according to the adult extradition procedures of the other state.⁴ In addition, Chapter 559 provides that if a child flees to Nevada after committing a crime in another state, he or she may be extradited to that state under the Uniform Criminal Extradition Act,⁵ and while awaiting extradition, the child must be held in a place designed for the detention of juveniles, if space is available.⁶ While awaiting extradition chapter 559, however, makes no provision for the child's detention if there is no space available in a juvenile detention facility.⁷ Moreover, Chapter 559 provides that procedures pertaining to pretrial, trial, and post-trial matters in criminal cases will be applicable to the extradition of juveniles.⁸

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1. See N.R.S. §62.—.
 2. See *id.* §62.020 2 (definition of child).
 3. See *id.* §179.179 3 (definition of state).
 4. See *id.* §62.—.
 5. See *id.* §62.—. See generally *id.* §§179.177-179.235 (Uniform Criminal Extradition Act).
 6. See *id.* §62.—. See generally *id.* §§62.170 3, 62.180 3.
 7. See STATUTES OF NEVADA 1981, c.—, §—, at —. (enacting N.R.S. §62.—).
 8. See N.R.S. §169.025. See generally §§179.177-179.235.

Juveniles; inspection of sealed records

N.R.S. §62.275 (amended).
AB 453 (Foley); STATS 1981, Ch 770

Existing law allows a child¹ or probation officer on the child's behalf to petition the district court² for a hearing to seal³ virtually all records relating to the child,⁴ if either the child has not been referred to the court for three years and has never been made a ward of the court, or if

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1. N.R.S. §62.020 2 (definition of child).
 2. See *id.* §62.020 3 (defines court as juvenile division of the district court).
 3. See *id.* §62.275 4(c) (definition of seal).
 4. See *id.* §62.275 1 (records relating to misdemeanor traffic violations will not be sealed).

three years have elapsed since the juvenile court last had jurisdiction.⁵ All records of the child, otherwise, must be sealed automatically when the person reaches twenty-four years of age.⁶ Under either circumstance, the child may then reply to any subsequent inquiry as if the proceedings described in the sealed records never occurred.⁷ Chapter 770 provides that the court may, upon its own motion, inspect any sealed record for the purpose of sentencing a convicted adult⁸ under the age of twenty-one.⁹

5. *See id.* §62.275 1(a), (b). *See also id.* §62.275 3 (the court will order the records sealed, if after the hearing, the court finds the child has not been convicted of a felony or misdemeanor involving moral turpitude and has been rehabilitated to the satisfaction of the court).

6. *See id.* §62.275 3.

7. *See id.* §62.275 5.

8. *See id.* §62.020 1 (definition of adult).

9. *Compare id.* §62.275 8 with STATUTES OF NEVADA 1977, c. 531, §10, at 1276. *See also* N.R.S. §62.275 7 (the district attorney or an attorney representing the defendant in a criminal action may petition the court for an order to inspect the child's records).

Juveniles; restitution to victims of crime

N.R.S. §62.— (new); §62.200 (amended).

AB 18 (Stewart); STATS 1981, Ch 51

The general purpose of the Juvenile Court Act¹ is to provide a child² who comes within the jurisdiction of the Act with care, guidance, and control most conducive to both the child's welfare and the best interest of the State.³ In addition, the Act is intended to promote the establishment, supervision, and implementation of programs to prevent persons under the age of eighteen from being subject to the jurisdiction of the juvenile division of the district court.⁴ Chapter 51 expands the alternatives available to the court when dealing with a juvenile offender under the Juvenile Court Act.⁵ After a finding that the child is within the purview of the Juvenile Court Act and has committed a crime, a juvenile court may require the child to participate in a court-administered program⁶ designed to provide restitution to the victim or victims of that crime.⁷

1. *See generally* N.R.S. §§62.010-62.320 (Juvenile Court Act).

2. *See id.* §62.020 (definition of child).

3. *See id.* §62.290 1.

4. *See id.* §62.290 2.

5. *Compare id.* §62.200 1 with STATUTES OF NEVADA 1977, c. 531, §9, at 1275.

6. *See* N.R.S. §62.—.

7. *See id.* §§62.—, 62.200 1(g).