

Instructions for Expungement of Arrest Record

*Note: If you were convicted or completed a diversion these instructions and referenced forms should **not** be used to request the expungement of the conviction, diversion, or related arrest.*

You will need the following forms: Order of Expungement of Arrest Cover Sheet – Criminal Cover Sheet – Petition for Expungement of Arrest Record – Notice of Hearing – Order for Expungement of Arrest Record – Order Denying Expungement of Arrest Record

Caution: Use of forms without the assistance of an attorney could harm your legal rights. You may want to have an attorney review your completed forms before you file them with the court. These are basic forms and may not cover every situation.

Read Directions Completely – Please Type or Print Neatly

1. Complete a Criminal Cover Sheet. Provide this form to the Clerk of the Court when you file your petition.
2. Complete the Petition for Expungement of Arrest Record. Where your name is required, insert your full legal name. If no criminal charges were filed as a result of the arrest you want to expunge, leave the case number blank. The clerk of the court will provide a new case number. If criminal charges were filed as a result of the arrest you want to expunge but the case was dismissed or you were found not guilty, insert the case number of the criminal case that was dismissed or in which you were found not guilty.
3. Sign the Petition for Expungement of Arrest Record. Your signature is your affirmation that all of the information in the petition is accurate to the best of your knowledge.
4. File the original petition and required number of copies with the Clerk of the Court in the county in which you were arrested and pay the required docket fee. (You will need to check with the Clerk to find out how many copies are required. *Note: The fee is waived if the arrest was the result of identity theft; or if the criminal charges were dismissed because a court found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings, or the charges have been dismissed.*)
5. If the Petition is not filed under an existing case number, obtain the case number from the Clerk of the Court when you file.
6. Contact the Clerk of the Court, or the Administrative Assistant of the judge to which the case has been assigned, and ask for a date and time for a hearing before the court. Ask for the division or room number of the hearing as well.
7. Complete the Notice of Hearing and make 2 additional copies. File the original notice and copies with the Clerk of the Court who will send a copy to the office of the attorney who prosecuted your case and the arresting law enforcement agency.
8. Complete the Order of Expungement of Arrest Record Cover Sheet.

9. Complete paragraphs numbered 1 through 4 of the Order for Expungement of Arrest Record and paragraphs numbered 1 through 4 of the Order Denying Expungement of Arrest Record (just in case).
10. Bring Order of Expungement of Arrest Record Cover Sheet, Order for Expungement of Arrest Record, and Order Denying Expungement of Arrest Record to the hearing.
11. Attend the hearing and answer any questions the court may have.