

### **Information on Expungement (Record Sealing)**

**PLEASE BE ADVISED THAT COURT STAFF CANNOT PROVIDE LEGAL ADVICE REGARDING YOUR SPECIFIC CASE AND THE PROBABILITY OF YOUR MOTION BEING GRANTED. PLEASE CONSULT AN ATTORNEY WITH ANY QUESTIONS.**

***READ THE FOLLOWING BEFORE FILING TO HAVE YOUR RECORD SEALED WITH THIS COURT***

**The attached forms are used to request to have your record sealed or an Expungement of a conviction and/or indictment, which occurred in this Court. Once you file your Expungement request, a background check will be conducted by the Belmont County Adult Probation Department. When the check is completed, the matter will be set for an oral hearing and the Court will notify you of the hearing date.**

***If you feel you are eligible, follow these steps:***

- **Attached to this packet is a LIST of charges, which are NOT EXPUNGEABLE BY LAW. Please consult with an attorney before filing if you have been convicted of or plead guilty to one of these charges.**
- **You are eligible for Expungement (record sealing) three (3) years after successful termination from Community Control or three (3) years after the completion of a prison sentence and *you are a first time offender*. You must also have no previous convictions and no charges currently pending against you.**
- **There may be issues other than a prior record which may prevent the Court from granting an Expungement (record sealing). Again, please consult with an attorney if you have any questions regarding this issue.**
- **The fee to file an Expungement in this Court is \$200.00 and is NON-REFUNDABLE.**
- **If the Expungement is granted, please be aware some agencies or professions may have access to the information. If you think this may be an issue, it is strongly recommended that you contact the State Board which deals with your profession.**
- **Traffic cases cannot be Expunged (sealed) for ANY reason.**
- **A Motion for Expungement (record sealing) may be filed immediately only on cases which have been Dismissed or have a finding of Not Guilty made.**

**OFFENSES WHICH CANNOT BE EXPUNGED (SEALED)**

<b>2907.02</b>	<b>Rape</b>
<b>2907.03</b>	<b>Sexual Battery</b>
<b>2907.04</b>	<b>Unlawful Sexual Conduct w/Minor</b>
<b>2907.05</b>	<b>Gross Sexual Imposition</b>
<b>2907.06</b>	<b>Sexual Imposition</b>
<b>2907.07</b>	<b>Importuning</b>
<b>2907.08</b>	<b>Voyeurism</b>
<b>2907.09</b>	<b>Public Indecency</b>
<b>2907.21</b>	<b>Compelling Prostitution</b>
<b>2919.25</b>	<b>Domestic Violence</b>
<b>4507</b>	<b>Driver's License Law</b>
<b>4510</b>	<b>Driver's Suspension Law</b>
<b>4511</b>	<b>Traffic Offenses</b>
<b>4549</b>	<b>Motor Vehicle Crimes</b>

**ANY M1 OFFENSE OF VIOLENCE WITH THE EXCEPTION OF:**

<b>2903.13</b>	<b>Assault</b>
<b>2917.01</b>	<b>Inciting to Violence</b>
<b>2917.03</b>	<b>Riot</b>
<b>2917.31</b>	<b>Inducing Panic</b>