

HAMILTON COUNTY MUNICIPAL COURT
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

STATE OF OHIO

CASE NO. _____

Plaintiff,

JUDGE _____

- Vs. -

APPLICATION FOR CRIMINAL SEALING OF

RECORD INVOLVING NON-CONVICTION

Defendant, _____, respectfully
makes application to the Court for criminal sealing of his/her criminal record, pursuant to Ohio Revised Code
2953.52. The applicant states the following: that he/she is an eligible offender and that no criminal proceedings
are pending.

Charge: _____

Date of Dismissal/Acquittal: _____

Dismissal / Acquittal Judge: _____

Current Address of Applicant: _____

Phone: _____ DOB: _____

Defendant / Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Application was delivered hand or mail (circle which) to the
Office of the Prosecutor on the _____ day of _____, 20_____.

Defendant / Applicant

GUIDELINES FOR MUNICIPAL CRIMINAL SEALINGS

While sealing a criminal record is often referred to as “expungement,” there are key differences. Expunging a record results in the deletion of any record that an arrest or criminal charge ever occurred. However, in Ohio, adult convictions cannot be “expunged” or completely erased from your record. In fact, the word “expungement” is no longer used in Ohio law for the process we’re discussing here. Instead, it is called “sealing a criminal record” (Ohio Revised Code § 2953.31 – 2953.62). When a record is sealed, the electronic and paper records of your criminal charges are filed in a separate, secured location. The record still exists but it cannot be seen by most people. (Source: Ohio Justice & Policy Center. [Criminal Records Manual](#)) An individual may be eligible for the criminal sealing process if he/she meets the following criteria:

Eligibility:

1. The applicant is an “eligible offender”. An eligible offender" is defined as anyone who has been convicted of an offense in this state or any other jurisdiction and who *has not more than one felony conviction, not more than two misdemeanor convictions if the convictions are not of the same offense, or not more than one felony conviction and one misdemeanor conviction* in this state or any other jurisdiction.
2. **One year must have passed from the last date of action on a Municipal case.** For example, if placed on probation, one year must have passed from the termination date of probation or if it was a pay out ticket or fines and costs, one year must have passed from the date the fines/costs were paid.
3. There can be no charges pending before the Court in Hamilton County or elsewhere.

Under section 2953-31 thru 2953-36, an individual may not be eligible for Criminal Sealing if:

1. The conviction is a DUI, Leaving the Scene, Drag Racing, or any other serious traffic offense.
These offenses will also disqualify the applicant from obtaining a criminal sealing any criminal conviction.
2. The applicant has been charged with a **first-degree misdemeanor** of a violent offense, which includes Domestic Violence (2919.25); Sexual Imposition (2907.06); Aggravated Menacing (2903.21); Menacing by Stalking (2903.211); Escape (2921.34); Arson (2909.03).
3. Any first degree misdemeanor in which the victim was under the age of 18 years (including Endangering/ Neglect Child).

CRIMINAL SEALING APPLICATION INFORMATION

1. A non-refundable \$50 filing fee is to be paid at the Criminal Clerk’s office, Room 112 of the Justice Center, at the time of application for Criminal Sealing of a Conviction. No filing fee is required for Acquittals or Dismissals. The defendant must go to the Assignment Commissioner, Room 117, to get the court date.
2. If an individual is indigent, a Motion of Indigency must be filed with the Assignment Commissioner, Room 117, of the Justice Center.
3. A court appearance is required for a Criminal Sealing .

For answers to specific questions, it is best to consult with an attorney. The [Ohio Justice and Policy Center](#) and the [Hamilton County Public Defender](#) offer free legal advice and legal clinics for individuals seeking record sealing support.



County of Hamilton

PATRICK X. DRESSING, ESQ.
COURT ADMINISTRATOR
(513) 946-5900

**COURT OF COMMON PLEAS
MUNICIPAL COURT
1000 MAIN STREET ROOM 410
CINCINNATI, OHIO 45202**

ASSISTANT COURT ADMINISTRATORS
SUSAN M. LUKEN, ESQ.
COMMON PLEAS COURT
(513) 946-5901
ANDREW J. GILLEN
MUNICIPAL COURT (RM. 205)
(513) 946-5201
FAX (513) 946-5808

Chief Probation Officer
Municipal Court Operation

RE: State of Ohio
City of Cincinnati

-vs-

City Prosecutor
Municipal Court Operation

NAME: _____

ADDRESS: _____

or

PHONE NO. _____

DATE OF BIRTH: _____

County Prosecutor
Municipal Court Operation

DATE OF CONVICTION: _____

or

NON-CONVICTION: _____

Gentlemen:

The above named defendant has applied for the expungement of the record of his/her conviction/non-conviction in the above captioned matter. The Court has set this application for hearing on _____ at _____ in Room _____. The Probation Department is hereby directed to conduct an investigation of the desirability of granting such application for expungement.

Sincerely,

Kristie Cornelius
Assignment Commissioner
Municipal Court

HAMILTON COUNTY ADULT PROBATION DEPARTMENT

As required by Ohio State Law, an expungement investigation will be conducted by the Probation Department and presented to the Court. Please provide the information listed below completely and accurately in order to avoid a delay in the investigation.

- 1). Current home address (if moving before your expungement hearing date, please note the new address).

- 2). Date of Birth: _____

- 3.) List any aliases, maiden name, and/or legal name changes since the age of 18.

- 4). List all cities/states that you have lived since the age of 18. Include locations of colleges and/or other schools attended, military assignments, employment locations, etc.

- 5). Current place of employment: _____

If not employed, current source of income: _____

- 6). List any pending charge(s) in this or any other Court.

- 7). Reason for requesting expungement: _____ Employment Purposes

_____ Housing Purposes

_____ Educational Purposes

_____ Other _____

I, the undersigned, acknowledge that the above information is true and correct to the best of my ability.

SIGNATURE OF APPLICANT

DATE



AFTAB PUREVAL

HAMILTON COUNTY CLERK OF COURTS

Defendant Name

Case Number

Notification of Expungement or Criminal Sealing of Records by a Third Party

In addition to having your records Sealed or Expunged, pursuant to Ohio law, you can also request a private third party company (Higbee & Associates) to contact consumer reporting agencies that publish records of criminal convictions. This private third party company shall notify any identified websites, publications, or data repositories to immediately remove any and all information in reference to the case(s) listed above. (Please see R.C. 2953.32, 2953.37, 2953.38, 2953.53)

1. Cost to send notification of Criminal Sealing Of Records or Expungements to private third party company: **\$45.00** to be paid to Hamilton County Clerk of Courts.
2. This fee **must** be paid at the same time that you request the Criminal Sealing of Records or Expungement.
3. Once you **OPT OUT** of this additional service, you will no longer have the option to **OPT IN** to have your Criminal Sealing or Expungement sent to the private third party company.
4. The optional **\$45.00** will be returned if your Criminal Sealing of Records or Expungement is denied by the Court **OR** a refund is requested in writing and delivered to the Clerk's Office prior to the Judge making a determination on the case.

I have read the above information and choose:

I **OPT IN** to have my records sent to Higbee & Associates and pay the **\$45.00 additional fee**

I **OPT OUT** of this additional service provided by Higbee & Associates. **No additional fee.**

Signature

Printed Name

Current Address

Phone Number/Email Address

Date of Birth