



# Sealing your Record

*in 6 Easy Steps*

# Expunging your Record

*in 8 Easy Steps*

# Sealing & Expungement

Frequently Asked Questions



**1 Application process with FDLE**

Fill out application - ONLY PART A - Once completed, submit via mail to FDLE. **MUST BE ORIGINAL - NO DUPLICATES**

Include the following with your application

1. Complete fingerprints with law enforcement agency. The State attorney office does not process finger prints.
2. Order copies of Certified Disposition from Clerk's office.
3. Prepare a money order for processing fees - \$75 (verify) FDLE Address :P.O. Box 1489 Tallahassee, Florida 32302

- Download directly from sao9.net or FDLE web page
- FDLE Address :P.O. Box 1489 Tallahassee, Florida 32302

**2 Certificate of Eligibility**

If you have completed all steps, you will receive your certificate of eligibility from FDLE.

*Please keep all original documents as they will need to be filed with the clerk.*

**3 Petition**

On our webpage sao9.org you can download the following:

1. Petition
2. Affidavit (must be notarized)
  - a. Clerks may notarize & Amscot, personal bank
3. Proposed Order
4. Send completed documents and certificate of eligibility to SAO for review, we follow up directly for amended changes, if needed.



**4 File with the Clerk**


Following review from SAO, you will be advised to file all your ORIGINAL documents - petition, affidavit, and certificate. This must be completed in person or mail be mailed to the clerk's office. Clerks: 425 N Orange Ave, Orlando FL 32801 | Cost: \$42 (not incl. fees) [Must be in Money Order]

**\*\*The office of the state attorney will not review documents until they have been filed with the clerk\*\***

**5 Judicial Review**

Once filed - Judge will review all documents for approval.

- If completed correctly Judge will review and sign orders.
- If a hearing is needed, the SAO will coordinate with the Courts, Defense and appropriate parties.



**6 Judgement from the Courts**

**My sealing and expungement were approved, now what?**

If approved, the Judge will sign the proposed order. The final step will be paying the remaining balance to the courts. Following completion of payment, The office of the SAO will not acknowledge any existence of your case once it has been expunged.

Once Judge signs the Order, it will be sent to the Clerk of Court. If any outstanding balances are due, the Clerk will contact you. If all is in order, the clerk will send you a certified copy of the Order. This order will be sent to all agencies involved, to remove the documents from their system.

**1 Application**

Fill out application - ONLY PART A - Once completed, submit in person or via mail.


**MUST BE ORIGINAL - NO DUPLICATES**

- Download directly from sao9.net
- Mailing: 415 Orange Ave, Orlando FL 32801

**2 Review Process for SAO**

Tips for what to complete during review:

1. Complete fingerprints with law enforcement agency. *The State attorney office does not process finger prints.*
2. *Order copies of Certified Disposition from Clerk's office.*
3. Prepare a money order for processing fees - \$75 (verify) FDLE Address :P.O. Box 1489 Tallahassee, Florida 32302



**3 Verdict**


**Application is ready** - Applicant will receive application back from SAO, applicant will need to send to FDLE with money order, completed fingerprints and certified disposition.

**Application is incomplete**- SAO will advise of what has to be completed to get back on track.

**4 Certificate of Eligibility**

If you have completed all steps you will now mail all of your completed documentation to FDLE. They will provide you a certificate of eligibility to move onto the next step

Mailing Address: P.O. Box 1489 Tallahassee, Florida 32302



**5 Petition**

On our webpage you can download the following:

1. Petition
2. Affidavit (must notarized) Clerks may notarize & Amscot
3. Proposed Order
4. Send completed documents and certificate of eligibility to SAO for review and proceed to step 6.

**6 File with the Clerk**


File your documents with the clerk of court. This can be done in person or mailing. Clerks: 425 N Orange Ave, Orlando FL 32801 | Cost: \$42 (not incl. fees) [Must be in Money Order]

**7 SAO Review**

Once filed - Paralegals review the COMPLETED documents.

- If completed correctly SAO will review and draft response
- If a hearing is needed, the SAO will coordinate with the Courts, Defense and appropriate parties.
- If not completed correctly - Paralegals will reach out to advise of any corrections.

**\*\*The office of the state attorney will not review documents until they have been filed with the clerk\*\***



**8 Judgement from the Courts**

**My sealing and expungement were approved, now what?**

If approved, the Judge will sign the proposed order. The final step will be paying the remaining balance to the courts (if any). Following completion of payment, the order will be sent to all agencies involved, to remove the documents from their system. The office of the State Attorney will not acknowledge any existence of your case once it has been expunged.

**Why do I still have a criminal history record when the charges against me were dropped/dismissed/no action filed/abandoned/ nolle prossed?**


Under Florida law, adult criminal history records are public unless sealed or expunged. See Section 943.053(3), F.S., which provides for public access to criminal history records, under specified conditions. The term "criminal history information" is defined, tracking the federal definition, in Section 943.045, F.S. A criminal history record is created when a person is arrested and fingerprinted, and includes the disposition of any charges stemming from that arrest, whether it is an adjudication of guilt or the withholding of adjudication, acquittal, or dismissal of charges before trial, or other disposition.

**How long does it typically take to receive a response once I have submitted my Application for a Certificate of Eligibility?**

The current processing time is over 90 working days (this does not include weekends or holidays). All applications are processed in the order that the full and complete application for Certificate of Eligibility and all required supporting documents are received.

**What charges cannot be sealed or expunged?**

**A list of criminal offenses that may not be sealed when (i.e., even if) adjudication is withheld is found in Section 943.059, F.S., and is included with the application package. (The same listing is found in Section 943.0585 F.S., because the specified offenses may not be expunged either, even if sealed for 10 years under an earlier version of the law.)**



**Do I have to have an attorney to get my criminal history sealed or expunged?**

There is no requirement that you have an attorney in order to request a seal or an expungement of your criminal history record. However, because the process sometimes involves complex legal issues, an attorney's advice and assistance may well be helpful in many cases.

**How many dates of arrest can I have sealed or expunged?**

**With respect to the relief offered by these statutes (Section 943.059, 943.0585), a person may only seal or expunge one arrest record in one proceeding. More than one arrest record may be sealed or expunged in a single proceeding if the court, in its sole discretion, finds the arrests in question to be related.**

**Sealing VS Expungement**

**When a criminal history record is sealed or expunged, the public will not have access to it. Certain governmental or related entities, primarily those listed in Section 943.059(4) (a), F.S, have access to the sealed record information in its entirety. When a record has been expunged, most of the entities which would have access to a sealed record will be informed that the subject of the record has had a record expunged, but would not have access to the record itself without a court order. The response to a record search query from such an entity would be: "Criminal History Record Expunged Pursuant to Florida Statutes 943."**