

As of April 4, 2023, new laws have made many changes to sealing and expungement processes in Ohio.

Under the new laws, a person may be eligible to have their criminal conviction sealed or expunged so long as the conviction is not for an offense that is prohibited from sealing and the applicant has waited the proper length of time. A non-conviction (dismissal, no bill, etc.) can continue to be sealed under these new laws.

What is the difference between sealing a record and expunging a record?

Sealing a criminal case record means that it is unavailable for public access. This record is not destroyed or erased because there are many circumstances in which the court documents from that case can be accessed, such as for some types of background checks.

When a criminal case is expunged, the records are permanently destroyed so that the record is “permanently irretrievable” – no case documents can ever be accessed.

Is my case eligible for sealing or expungement?

Your case may be eligible for sealing or expungement if (1) it is not a prohibited offense and (2) you have waited the proper length of time.

Some types of felonies that are **not eligible** for sealing or expungement:

- Some sexually oriented offenses with registration requirements
- Convictions of an offense where victim is under 13 (except for non-support)
- Convictions of domestic violence or violating a protection order
- Any 1st or 2nd degree felony or more than two 3rd degree felonies
- Any felony offense of violence

Some types of municipal court cases are **not eligible** for sealing or expungement:

- Convictions under R.C. 4506 (CDLs)
- Convictions under R.C. 4507 (Driver’s License Laws)
- Convictions under R.C. 4510 (License Suspension/Cancellation/Revocation)
- Convictions under R.C. 4511 (Traffic Laws, such as OVI)
- Convictions under R.C. 4549 (Motor Vehicle Crimes such as Fictitious Plates)
- Some sexually oriented offenses with registration requirements
- Convictions of an offense where victim is under 13 (except for non-support)
- Convictions of domestic violence or violating a protection order

What is the waiting period to seal felony offenses?

- Three years after the final discharge if convicted of one or more 3rd degree felonies
- One year after the final discharge if convicted of one or more 4th or 5th degree felonies

- If the offender is subject to sex offense registration requirements, 5 years after registration requirement ends
- Dismissals/no bills/not guilty – can be sealed after the finding is entered by the court
- For bail forfeiture – any time after the date on which the forfeiture was entered

What is the waiting period for expunging felony offenses?

- Ten years after the time period specified at which the person can apply to have a case sealed
- For bail forfeiture, three years after the date on which the forfeiture was entered

What is the waiting period for a misdemeanor offense?

Misdemeanors have the same waiting period for expunging or sealing a case:

- One year after the final discharge if convicted of one or more misdemeanor offenses
- Six months after final discharge of a minor misdemeanor conviction
- Bail forfeiture – any time after the date on which the forfeiture was entered
- Dismissals/no bills/not guilty – can be sealed after the finding is entered by the court

How much does it cost to seal or expunge a case?

There is no fee for non-convictions.

There is a \$50 non-refundable fee for convictions. Under the Revised Code, an applicant may request to have the records of more than one case in a single application. However, the application has to include only cases from that court.

Example: If you apply to seal three misdemeanors and two felonies in Hamilton County, you would need to file an application in the Hamilton County Municipal Court for the three misdemeanors with a \$50 non-refundable fee and file an application in the Hamilton County Common Pleas Court for the two felonies with the \$50 non-refundable fee.

If you feel you cannot afford the fee, you can ask the Court to find you indigent by filing an Affidavit of Indigency.

Where can I find more information about my cases?

You can search for your records online on the Clerk's Office website - <https://www.courtclerk.org/records-search/> for case information.

You can also visit the Sheriff's Office at the Justice center where you can get a list of all of your charge(s) and case(s) in Hamilton County (cost is \$5.00).

Where do I file?

Misdemeanor	Hamilton County Justice Center Room 112	1000 Sycamore Street Cincinnati, OH 45202	8AM – 3PM Monday – Friday	(513) 946-6021
Felony	Hamilton County Court House Room 315	1000 Main Street Cincinnati, OH 45202	8AM – 4PM Monday – Friday	(513) 946-5697

Sealing and Expungement Forms

Where can I get more information about sealing and expungement?

Here are some places to start:

- Ohio Revised Code sections 2953.31-2953.34
- <https://www.ohiolegalhelp.org/> - a great self-help resource for many legal issues
- For answers to specific questions, it's best to consult with an attorney. The Ohio Justice and Policy Center and Hamilton County Public Defender Office both offer free legal advice and legal clinics for individuals seeking record sealing or expungement support.
 - The Ohio Justice and Policy Center - <https://ohiojpc.org/> or 513-421-1108 or email: secondchance@ohiojpc.org
 - Hamilton County Public Defender's Office - <https://www.hamiltoncountypd.org/fresh-start/>

**HAMILTON COUNTY MUNICIPAL COURT
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO**

STATE OF OHIO

CASE NO. _____

Plaintiff,

JUDGE _____

vs

**APPLICATION FOR CRIMINAL
SEALING/EXPUNGEMENT AND
REQUIRED INFORMATION FOR
INVESTIGATION**

[CHECK ONLY ONE BELOW]

☐ Application to **expunge** a record of **conviction** or **bail forfeiture**, pursuant to R.C.2953.32

Date of conviction: _____

☐ Application to **seal** a record of **conviction** or **bail forfeiture**, pursuant to R.C.2953.32

Date of conviction: _____

☐ Application to **expunge** a record of **non-conviction** (dismissal/acquittal), pursuant to R.C.2953.33

Date of dismissal/acquittal: _____

☐ Application to **seal** a record of **non-conviction** (dismissal/acquittal), pursuant to R.C.2953.33

Date of dismissal/acquittal: _____

Charge(s): _____

Address (if moving before hearing date, please note new address): _____

City: _____ State: _____ Zip: _____

Phone: _____ DOB: _____ Social security number: _____

List any aliases, maiden name, and/or legal name changes since the age of 18: _____

List all cities/states that you have lived in since the age of 18, including locations of colleges, schools, military assignments, employment locations, etc: _____

Current place of employment: _____ If not employed, current source(s) of income: _____

I, the undersigned, acknowledge that the above information is true and correct to the best of my ability. I also state that no criminal proceedings are pending against me. **If I am requesting expungement on a sealed case, I further acknowledge the above-captioned case will be temporarily unsealed and blocked from public view in order to process this application.**

SIGNATURE OF APPLICANT

DATE

APPLICANT'S ATTORNEY

SUPREME COURT #

ATTORNEY'S ADDRESS

PHONE #

For Office Only: Control Number _____