

# EXPUNGE OR SEAL CRIMINAL RECORD – STEP 2: PETITION

## RESEARCH GUIDE

### **OVERVIEW:**

This guide provides information to assist those who wish to petition the court to expunge or seal a criminal history record ***after*** receiving the Certificate of Eligibility from the Florida Department of Law Enforcement. Note: the original Certificate of Eligibility from the FDLE is required to file the Petition to Expunge or Seal.

**Ask your librarian for additional resources.**

The following forms are available to file with the Clerk of the Court.

1. Petition to Expunge **or** Petition to Seal - Attach the certificate of eligibility
2. Affidavit in Support of Petition
3. Proposed Order to Expunge or Seal
4. Notice of Hearing
5. Receipt, Waiver and Consent to Expunge or Seal

### **RESOURCES IN THE VOLUSIA COUNTY LAW LIBRARY**

Listed below are some resources available at the Daytona Beach and DeLand branches:

1. [Florida Jurisprudence 2d](#), Volume 15A, Criminal Law – Procedure §2254, 2257
2. [Florida Pleading and Practice Forms](#) §97:14, 97:33
3. [Florida Rules of Criminal Procedure](#), Rule 3.692
4. Petition to Expunge or Seal forms

### **ONLINE RESOURCES**

Click on the links below for further online information:

- [Florida Statute 943.0585](#) - Expunge
- [Florida Statute 943.059](#) - Seal
- [FDLE Seal-and-Expunge-Process](#)

**NOTICE:** This research guide is based on information gathered from the resources cited above. For more information on this or other legal topics visit the nearest branch of the Volusia County Law Library.

**IF YOU ARE ACTING AS YOUR OWN ATTORNEY, YOU ARE RESPONSIBLE FOR EVERYTHING THAT INVOLVES YOUR CASE. Remember:** Check with the Clerk of the Court for filing fees/court costs.