



Sealing a Criminal Record in Franklin County

? Expungement: What is it?

“Expungement” is actually a misused term for “criminal record sealing”— a process that allows “**eligible offenders**” to apply to have their records sealed. Sealing a record means that your criminal conviction will be cleared and your record sealed from the public. However, law enforcement agencies, prosecutors, and other agencies can look at your sealed record; if you commit another crime, your sealed record can still be used against you in sentencing.

? Why should I get my record sealed?

- When you apply for some jobs, apartments, and licenses, the people reviewing your application might look at your criminal record. If you have a conviction on your record, it can decrease your chances of getting the job, apartment, or license.

? Who is an “Eligible Offender”?

- Anyone who has been convicted of an offense in Ohio or any other state who has (1) not more than one felony conviction, (2) not more than two misdemeanor convictions if the convictions are not from the same offense, OR (3) not more than one felony conviction and one misdemeanor conviction.
- When two or more convictions result from or are connected with the same act or result from actions committed at the same time, they count as one conviction.
- 90 Day Rule: When two or three convictions result from the same indictment, information, complaint, guilty plea, or official proceeding and are the result of related criminal acts committed within a 90 day period, they are counted as one conviction.

Which Offenses Cannot Be Sealed?

- Those involving a mandatory prison term.
- Any first or second degree felony.
- Any sex offenses.
- Any violent offenses that are either felonies or first-degree misdemeanors.
- Any offense where the victim was under 18 years old (except criminal non-support cases)
- DUI convictions.

How Soon Can I Apply?

- For **Misdemeanor Offenses**: one year from final discharge*
 - For **Felony Offenses**: three years from final discharge*
- * “Final Discharge” means after you have completed any sentence, including probation, or community control and have paid all outstanding fines.



Self-Help Instructions: Prefer to try on your own?

- Obtain an expungement form online or from the court and fill it out.
- You can also obtain forms at the Municipal Court Self Help Resource Center on the 10th Floor of 369 S. High St.
- For Felonies: Franklin County Common Pleas Clerk of Courts, 345 S. High Street, Columbus, Ohio 43215.
- For Misdemeanors: Franklin County Municipal Court, 375 S. High Street 2nd Floor, Columbus, Ohio, 43215.
- File the completed application with the filing fee of \$50 with the respective court. If you cannot pay the fee, you can request a waiver.
- Court staff will review your application for completeness and conduct a record check.
- The application and related information is sent to the Prosecutor.
- If the Prosecutor AGREES that the offender is eligible: the prosecutor and Judge sign off on the sealing and the record is then turned over to the Clerk of Courts where your record will be sealed.
- If the Prosecutor DISAGREES and files an objection: a hearing is scheduled with the judge in the most recent case. At the hearing the judge will agree, deny, or allow the sealing.

NEED HELP?

Our next clinic is on Tuesday, December 13th, 5:15 PM, and you can participate by phone!

SOUTHEASTERN OHIO RESIDENTS, Call 1-800-589-5888

How to Contact LASC

Request Services Online at www.columbuslegalaid.org

FRANKLIN & MADISON

Call (614) 241-2001 or Toll Free 1-888-246-4420

1108 City Park Avenue, Columbus, OH 43206

Office Hours: 8:30am-5:00pm Monday-Friday

DELAWARE, MARION, MORROW, & UNION

Call (740) 383-2161 or Toll Free 1-888-301-2411

150 Oak Street, Marion, OH 43302

Office Hours: 9:00am-5:00pm Monday-Friday

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