

## CONVICTION INSTRUCTIONS

1. Review the instructions in this packet. The instructions explain how to complete the following forms:
  - Appearance
  - Verified Petition for Expungement of Conviction Records Pursuant to IC §35-38-9-1
  - Form ACR
  - Findings and Order Granting Petition for Expungement /Sealing of Records of Arrest, Criminal Charges, or Juvenile Delinquency Allegations Pursuant to IC §35-38-9-1
2. Select the button labeled **I am Ready To Fill Out The Petition And Order**. Fill out and print these forms.
3. You will need to choose the insert(s) to include in your packet.
  - Most of the time a person who has misdemeanors, including Class D/Level 6 felonies that were reduced to misdemeanors, to expunge will need to fill out a "Section 2" insert. Fill out an insert for *each misdemeanor*.
  - Usually, a person who has a Class D/Level 6 felony that is ***not battery or criminal recklessness*** should fill out a "Section 3" insert. Fill out an insert for *each Class D that is not battery or criminal recklessness*.
  - Often, a person who has an A, B, C or D felony **without serious bodily harm** should fill out a "Section 4" insert. Fill out an insert for *each A, B, C or D felony battery without serious bodily harm*.

**You should have a Facts Pertaining to Expungement Matter, Findings as to Expungement Matter and Exhibit for EACH conviction you want expunged.**
4. Print and put your completed forms in the following order:
  - a. Appearance
  - b. The **first and second pages** of the *Verified Petition for Expungement of Conviction Records Pursuant to IC §35-38-9-1*
  - c. **Each** Facts page from the insert(s) you completed
  - d. The rest of the *Verified Petition for Expungement of Conviction Records Pursuant to IC §35-38-9-1*
  - e. Form ACR

- f. The **first page** of the *Findings and Order Granting Petition for Expungement of Conviction Records Pursuant to IC 35-38-9*
- g. **Each** *Findings* page from the insert(s) you completed.
- h. The rest of the *Findings and Order Granting Petition for Expungement of Conviction Records Pursuant to IC 35-38-9*
- i. **Each** *Exhibit* page from the insert(s) you completed.
- j. Attach a document to the back of the *Petition and Order* listing the following information for any additional cause numbers that did not fit on the Petition.

Cause #	Court Room
Offense (s) where convicted	Class of Offense (s) where convicted
Date of Arrest	Date of Conviction

STATE OF INDIANA

IN THE

NAME OF THE COUNTY  
WHERE YOUR PETITION  
WILL BE FILED

COURT TYPE

COURT

COUNTY OF

NAME OF THE COUNTY  
WHERE YOUR PETITION  
WILL BE FILED

CAUSE NO. LEAVE BLANK

IN RE THE PETITION FOR EXPUNGEMENT  
OF ~~RECORDS~~ OF ARREST, CRIMINAL CHARGES,  
OR JUVENILE DELINQUENCY ALLEGATIONS OF:

YOUR FULL LEGAL NAME

Petitioner

**APPEARANCE BY UNREPRESENTED PERSON IN EXPUNGEMENT MATTER**

1. My name is YOUR FULL LEGAL NAME and I am the Petitioner in this case I am not represented by a lawyer.

2. My current address is:

YOUR ADDRESS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SELECT THIS BOX ONLY  
IF YOU WANT THE  
COURT TO CONTACT  
YOU ONLY BY EMAIL

Email address: YOUR EMAIL ADDRESS

*I will accept service at the above email address.*

Phone:

YOUR PHONE NUMBER

Fax:

YOUR FAX NUMBER

OR, if in a related case, you have used the Attorney General confidential address, you may check the box below:

SELECT THIS BOX  
ONLY IF YOU USE  
THE ATTORNEY  
GENERAL'S  
CONFIDENTIAL  
ADDRESS

Attorney General confidential address

3. This is an XP case type as defined in Administrative Rule 8(B)(3).

4. There are related cases: *(If yes, please indicate below)*

SELECT 'YES' AND LIST THE  
RELATED CASES BELOW

Yes

No

Caption and case number of related cases:

PUT THE CAPTION (FOR EXAMPLE, STATE V. YOUR NAME) AND THE  
CAUSE NUMBER OF EACH RELATED CASE IN THESE BLANKS

Caption:

\_\_\_\_\_

Case No.:

\_\_\_\_\_

Caption:

\_\_\_\_\_

Case No.:

\_\_\_\_\_

Caption:

\_\_\_\_\_

Case No.:

\_\_\_\_\_

Caption:

\_\_\_\_\_

Case No.:

\_\_\_\_\_

Caption: \_\_\_\_\_ Case No.: \_\_\_\_\_

Caption: \_\_\_\_\_ Case No.: \_\_\_\_\_

Additional information as required by local rule:  
**INCLUDE ANY ADDITIONAL INFORMATION REQUIRED BY LOCAL COURT RULE HERE**

**SIGN HERE WITH A PEN**  
\_\_\_\_\_  
Signature

**CERTIFICATE OF SERVICE**

I hereby certify that I sent a copy of this document on DATE MAILED by first-class U.S. mail, postage prepaid or via hand-delivery to the COUNTY NAME County Prosecutor at the following address:

PROSECUTOR'S OFFICE ADDRESS

\_\_\_\_\_  
\_\_\_\_\_

FOR THE CERTIFICATE OF SERVICE CHECK THE BOX THAT STATES HOW YOU WILL GET THESE FORMS TO THE PROSECUTOR, THEN FILL IN THE INFORMATION

I hereby certify that on DATE E-FILED a copy of this document was served upon the COUNTY NAME County Prosecutor via the Indiana E-filing System.

**SIGN HERE WITH A PEN**  
\_\_\_\_\_  
Signature

STATE OF INDIANA  
NAME OF THE COUNTY  
WHERE YOUR PETITION WILL BE  
FILED  
COUNTY OF \_\_\_\_\_

NAME OF THE COUNTY  
WHERE YOUR PETITION  
WILL BE FILED  
IN THE \_\_\_\_\_ COURT TYPE \_\_\_\_\_ COURT

CAUSE NO: LEAVE BLANK

IN RE THE PETITION FOR  
EXPUNGEMENT OF CONVICTION  
RECORDS OF:  
YOUR FULL NAME

Petitioner

An exhibit listing additional case numbers is attached  
Related Criminal Cause Numbers:  
Enter all criminal cause numbers that are to be addressed in  
this petition in descending order with the most recent case  
number first.  
If there are more than will fit here, check this box and attach  
the list to this Petition.

**VERIFIED PETITION FOR EXPUNGEMENT OF CONVICTION RECORDS PURSUANT TO  
I.C. 35-38-9**

Comes now the Petitioner, YOUR FULL NAME, in person and duly sworn upon their oath, and does file this Petition for Expungement/Sealing of Records under the provisions of IC 35-38-9 et. seq. and would respectfully request that the Court grant said petition and find that the convictions listed in this petition be expunged pursuant to statute and that access to these convictions be expunged in accordance with IC 35-38-9-6 or IC 35-38-9-7. In support thereof, the Petitioner would swear and affirm to the following factual information:

**INFORMATION PERTAINING TO ALL EXPUNGEMENT MATTERS**

1. That Petitioner's full name is YOUR FULL NAME, and that Petitioner has used the following other names or aliases:  
ENTER ALL ALIASES AND/OR OTHER NAMES THAT MAY BE ASSOCIATED WITH YOU IN ANY OFFICIAL DOCUMENTS.

2. That Petitioner's date of birth is YOUR BIRTH DATE; Petitioner's Social Security Number is XXX-XX-<sup>LAST 4 DIGITS</sup><sub>OF YOUR SOCIAL SECURITY NUMBER</sub> and Petitioner's driver's license number is YOUR DRIVER'S LICENSE NUMBER

3. Since the commission of the first criminal offense addressed in this Petition, Petitioner has resided at the following addresses:  
START BY WRITING THE ADDRESS YOU LIVE AT NOW AND PUT (CURRENT ADDRESS) BEHIND IT. THEN LIST YOUR PAST ADDRESSES WORKING BACKWARD TO THE ADDRESS YOU HAD AT YOUR FIRST ADDRESS. PUT (TIME OF FIRST ARREST) BEHIND THE LAST ADDRESS YOU LIST.

IF YOU NEED TO LIST MORE ADDRESSES, CHECK THIS BOX AND ATTACH A PAPER WITH YOUR OTHER ADDRESSES TO THIS PETITION.

Petitioner has attached an additional page, marked as "Exhibit," to the end of this petition that contains a list of the remaining addresses where petitioner has resided since the first criminal offense addressed in this petition.

4. Petitioner affirms, under oath and subject to penalties for the crime of Perjury that, to the best of their knowledge, there are no criminal investigations and/or charges pending against them in any jurisdiction.

5. The following is a list of all criminal convictions entered against Petitioner (including court; cause number; title and class/level of offense(s) on which conviction was entered; date offense was committed; date of conviction; appellate cause number (if applicable); and date of appellate opinion (if applicable)):

Page \_\_\_ of \_\_\_

a.

COURT OF CONVICTION	CAUSE NUMBER OF CONVICTION
TITLE OF OFFENSE	CLASS/LEVEL OF OFFENSE
DATE OF OFFENSE	DATE OF CONVICTION
APPELLATE CAUSE NUMBER (IF THERE IS ONE)	DATE OF APPELLATE OPINION (IF THERE IS ONE)

b.


c.


d.


~~Petitioner has attached an additional page, marked as "Exhibit," to the end of this petition listing other criminal convictions that have been entered against them.~~ IF YOU NEED TO ADD ADDITIONAL INFORMATION FOR #5, CHECK THIS BOX AND ATTACH A DOCUMENT WITH THE INFORMATION TO THIS PETITION

6. Petitioner acknowledges that they understand that IC 35-38-9-9(i) allows them to file only one petition for expungement during their lifetime. Petitioner certifies that they have made a good faith effort to remember and obtain records for all of their convictions. At the time of filing this petition, Petitioner has no knowledge of any NAME OF COUNTY WHERE PETITION WILL BE County convictions other than those that are addressed by this petition. YOUR INITIALS FILED (Petitioner's initials)

7. The following is a list of petitions to address convictions that are eligible for expungement under I.C. § 35-38-9-2 through 5 that the Petitioner has filed or will be filing in other Indiana counties:

a. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Petitioner has attached an additional page, marked as "Exhibit," to the end of this petition listing additional expungement petitions filed in other Indiana counties.

8. Petitioner has served a copy of this petition upon the Prosecuting Attorney in accordance with the Indiana Rules of Trial Procedure.

**Take out this page and insert your  
conviction Facts pages (from the  
Conviction Insert Forms)**

**ADDITIONAL INFORMATION SUBMITTED BY PETITIONER**

1. Petitioner submits the following additional information to be considered by this Court in support of the Petition:

a. **ADD ADDITIONAL INFORMATION YOU WANT THE THE JUDGE TO KNOW ABOUT YOU THAT SUPPORTS YOUR PETITION**

\_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_


\_\_\_\_\_

\_\_\_\_\_

c. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



The following documents are attached to this Petition as exhibits:

- A certified copy of a limited criminal history transcript from the Indiana State Police.
- A copy of the chronological case summary for the following cause numbers showing payment of all fines, fees and court costs:

\_\_\_\_\_

\_\_\_\_\_

- Other documentation as listed here:
- \_\_\_\_\_
- \_\_\_\_\_

CHECK  
ALL  
THAT  
APPLY

**WHEREFORE**, Petitioner respectfully requests this Court grant this Petition and **ORDER**:

List the "EXPUNGEMENT MATTER" numbers that to pertain to conviction cases that are eligible for expungement under IC § 35-38-9-2 and IC § 35-38-9-3.

1. As to Expungement Matters \_\_\_\_\_, the expungement of Petitioner's conviction records in accordance with **I.C. 35-38-9-6**, specifically:

a. The following agencies and entities shall be prohibited from releasing Petitioner's records or information in Petitioner's records, including but not limited to conviction records, arrest records, dismissed charge records, not-guilty records, and records of collateral actions, that related to the expunged convictions or that relate to the cause number of the expunged convictions, to anyone without a court order, other than a law enforcement officer acting in the court of the officer's official duty:

- i. The Indiana Department of Corrections;
- ii. The Indiana Bureau of Motor Vehicles;
- iii. Each law enforcement agency who incarcerated, provided treatment for, or provided other services for the person under an order of the court; and
- iv. Each person or entity who incarcerated, provided treatment for, or provided other services for the person under an order of the court.

b. The Indiana State Police Central Repository for Criminal History Information is ordered to seal all Petitioner's records for expunged convictions and records for all other matters related to the cause



number of expunged conviction(s). This includes but is not limited to conviction records, arrest records, dismissed charge records, not-guilty records, and records of collateral actions, that related to the expunged convictions or that relate to the cause number of the expunged convictions. Thus, the Central Repository must seal all of Petitioner's conviction records, dismissed charge records, not guilty records, arrest records, records of collateral actions, and any other records related to the cause number of the expunged conviction(s). Central Repository is also prohibited from disclosing these records to anyone except:

- i. a prosecuting attorney, if:
    - (a) authorized by a court order; and
    - (b) needed to carry out the official duties of the prosecuting attorney;
  - ii. a defense attorney, if:
    - (a) authorized by a court order; and
    - (b) needed to carry out the professional duties of the defense attorney;
  - iii. a probation department, if:
    - (a) authorized by a court order; and
    - (b) necessary to prepare a presentence report; and
  - iv. the Federal Bureau of Investigation and the Department of Homeland Security, if disclosure is required to comply with an agreement relating to the sharing of criminal history information;
  - v. the:
    - (a) supreme court;
    - (b) members of the state board of law examiners; and
    - (c) executive director of the state board of law examiners; and
    - (d) employees of the state board of law examiners, in accordance with rules adopted by the state board of law examiners;for the purposes of determining whether an applicant possesses the necessary good moral character for admission to the bar; and
  - vi. a person required to access expunged records to comply with the Secure and Fair Enforcement for Mortgage Licensing Act (12 U.S.C. 5101 et seq.) or regulations adopted under the Secure and Fair Enforcement for Mortgage Licensing Act.
  - vii. the bureau of motor vehicles, the Federal Motor Carrier Administration, and the Commercial Drivers License Information System (CDLIS), if disclosure is required to comply with IC 9-24-6-2(d) relating to reporting a conviction for a violation of a traffic control law.
- c. The Clerk of the Appellate Courts shall be notified to seal any records in the Clerk's possession that relate to the conviction in a manner consistent with I.C. 35-38-9-6(c):
- i. redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the petitioner's name (in the same manner that opinions involving juveniles are redacted); and
  - ii. provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement.

- d. Except as provided in I.C. 35-38-9-6(c) and (d), the records of the sentencing court, a juvenile court, the Court of Appeals or Indiana, and the Indiana Supreme Court concerning Petitioner shall be permanently sealed;
2. As to Expungement Matters \_\_\_\_\_, the expungement of Petitioner's conviction records in accordance with **I.C. 35-38-9-7**, specifically that:
- a. Petitioner's conviction records under the listed cause numbers shall be expunged in accordance with I.C. 35-38-9-7:
- i. Court records and other public records relating to the arrest, conviction, or sentence of Petitioner that have been marked expunged shall remain public records. However, the Court now orders that those records be clearly and visibly marked or identified as being expunged.
- ii. The following agencies and entities in possession of records that relate to the conviction ordered to be marked as expunged shall add an entry to Petitioner's record of arrest, conviction, or sentence in the criminal history database stating that the records are marked as expunged:
- (a) The Indiana Department of Correction;
  - (b) The Indiana Bureau of Motor Vehicles;
  - (c) Each law enforcement agency who incarcerated, provided treatment for, or provided other services for the person under an order of the court; and
  - (d) Each person or entity who incarcerated, provided treatment for, or provided other services for the person under an order of the court.
- and grant all other relief just and proper in the premises.

**AFFIRMATION**

**I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND ACCURATE.**

\_\_\_\_\_  
**YOUR NAME** \_\_\_\_\_, Petitioner  
 [Printed name]

**CERTIFICATE OF SERVICE**

The Petitioner hereby certifies that the foregoing pleadings have been served upon the following persons or parties, via US First Class mail, electronic mail, facsimile transmission, or hand delivery on this day DATE \_\_\_\_\_:

COUNTY \_\_\_\_\_ County Prosecutor's Office  
 Attn: NAME OF PROSECUTOR \_\_\_\_\_  
PROSECUTOR'S ADDRESS \_\_\_\_\_

\_\_\_\_\_  
**SIGN HERE**  
 Signature of Petitioner

YOUR NAME \_\_\_\_\_, Petitioner  
 [Printed name]

YOUR ADDRESS \_\_\_\_\_

Phone: YOUR PHONE NUMBER \_\_\_\_\_ Email: YOUR EMAIL \_\_\_\_\_

**Form ACR (Access to Court Records)**

STATE OF INDIANA IN THE \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_ CAUSE NO. \_\_\_\_\_

IN RE THE PETITION FOR EXPUNGEMENT OF RECORDS OF ARREST, CRIMINAL CHARGES, OR JUVENILE DELINQUENCY ALLEGATIONS OF: **FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE OTHER DOCUMENTS IN THIS PACKET AND COPY THE INFORMATION HERE**

\_\_\_\_\_  
Petitioner

**Notice of Exclusion of Confidential Information from Public Access  
(FILED WITH TRIAL COURT CLERK)**

Contemporaneous with the filing of this notice, YOUR FULL LEGAL NAME has filed confidential information under the Indiana Rules on Access to Court Records. YOUR FULL LEGAL NAME, provides this notice that the confidential information is to remain excluded from public access in accordance with the authority listed below:

<u>Name or description of document</u>	<u>ACR grounds for exclusion</u>
Confidential Information Form listing	Access to Court Records Rule 5
Petitioner's full Social Security Number	

**SIGN HERE WITH A PEN**

\_\_\_\_\_  
Signature

**CERTIFICATE OF SERVICE**

I hereby certify that I sent a copy of this document on DATE MAILED by first-class U.S. mail, postage prepaid or via hand-delivery to the COUNTY NAME County Prosecutor at the following address:

PROSECUTOR'S OFFICE ADDRESS

FOR THE CERTIFICATE OF SERVICE CHECK THE BOX THAT STATES HOW YOU WILL GET THESE FORMS TO THE PROSECUTOR, THEN FILL IN THE INFORMATION

I hereby certify that on DATE E-FILED a copy of this document was served upon the COUNTY NAME County Prosecutor via the Indiana E-filing System.

**SIGN HERE WITH A PEN**

\_\_\_\_\_  
Signature

**Not Public Record**

**CONFIDENTIAL INFORMATION FORM**

XP CAUSE NUMBER: LEAVE THIS BLANK

PETITIONER'S NAME: YOUR FULL LEGAL NAME

PETITIONER'S FULL SOCIAL SECURITY NUMBER: YOUR FULL SOCIAL SECURITY NUMBER

**ATTENTION CLERK: FOR SELF REPRESENTED LITIGANTS TREAT THIS FORM  
AS IF IT IS PRINTED ON GREEN PAPER.**

**IF THIS DOCUMENT IS E-FILED, FILE THIS AS A CONFIDENTIAL DOCUMENT**

**Not Public Record**

**NOT PUBLIC RECORD**

STATE OF INDIANA

IN THE \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_

CAUSE NO: \_\_\_\_\_

An exhibit listing additional case numbers is attached

IN RE THE PETITION FOR  
EXPUNGEMENT OF CONVICTION  
RECORDS OF:

Related Criminal Cause Numbers:  
**FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE  
PETITION YOU FILLED OUT AND ADD THE SAME  
INFORMATION HERE**

Petitioner \_\_\_\_\_

**FINDINGS AND ORDER GRANTING PETITIONER’S VERIFIED PETITION FOR EXPUNGEMENT OF  
CONVICTION RECORDS PURSUANT TO I.C. § 35-38-9**

Petitioner, **YOUR NAME** \_\_\_\_\_, [by counsel, \_\_\_\_\_,]  
filed this *Verified Petition for Expungement of Conviction Records Pursuant to I.C. §35-38-9*, and the State of Indiana, by  
counsel,  filed  did not file its Response to Petitioner’s Verified Petition for Expungement.

Petitioner’s Verified Petition for Expungement seeks relief as provided by I.C. §35-38-9 for multiple cases arising  
out of **NAME OF COUNTY** \_\_\_\_\_ County, Indiana that resulted in convictions.

- Upon review of said Petition ,  and the State of Indiana’s Response, the Court finds that the State has provided no legal basis upon which to state an objection to the Court’s granting of Petitioner’s Verified Petition for Expungement/Sealing of Arrest Records.
- A hearing was held on \_\_\_\_\_ regarding said Petition of which all parties were given notice and during which all parties were given an opportunity to present evidence and Arguments.

**FINDINGS AS TO ALL EXPUNGEMENT MATTER:**

The Court now finds by a preponderance of the evidence that:

1. Petitioner’s Verified Petition for Expungement complies with the requirements of I.C. § 35-38-9-8.
2. Consistent with the provisions of I.C. § 35-38-9-9(i) and except as provided in I.C. § 35-38-9-9(j) and (k), Petitioner has only filed one (1) Verified Petition for Expungement in their lifetime.
3. The following is a list of petitions to address convictions that are eligible for expungement under I.C. § 35-38-9-2 through 5 that the Petitioner has filed or will be filing in other Indiana counties:

- a. **LIST THE INFORMATION YOU INCLUDED IN #7 OF YOUR PETITION**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

An additional page has been attached to the end of this petition, marked as “Exhibit,” listing additional expungement petitions filed in other Indiana counties.

4. No charges are currently pending against Petitioner.

**Take out this page and insert your conviction Findings pages (from the Conviction Insert Forms)**

**NOT PUBLIC RECORD**

**ORDER**

It is therefore ORDERED, ADJUDGED, and DECREED that Petitioner's Verified Petition for Expungement is GRANTED as to EXPUNGEMENT MATTERS: \_\_\_\_\_ and DENIED as to EXPUNGEMENT MATTERS: \_\_\_\_\_. All information necessary to identify particular agency records that are to be expunged pursuant to this Order has been included in **Exhibit A** attached to this Order.

1. **As to all EXPUNGEMENT MATTERS for which an expungement is granted:** The following provisions of this Order shall apply to all except those person or entities specifically listed to whom sealed records may be disclosed pursuant to paragraph 2(b) of this Order:
  - a. Except as provided in I.C. §35-38-9-6(f), Petitioner's civil rights shall be restored, including the right to vote, to hold public office, to be a proper person under IC §35-47-1-7(2), and to serve as a juror.
  - b. It is unlawful discrimination for any person to:
    - i. suspend;
    - ii. expel;
    - iii. refuse to employ;
    - iv. refuse to admit;
    - v. refuse to grant or renew a license, permit, or certificate necessary to engage in any activity, occupation, or profession; or
    - vi. otherwise discriminate against;  
  
Petitioner because of a conviction or arrest record expunged or sealed under this Order.
  - c. In any application for employment, a license, or other right or privilege, Petitioner may be questioned about a previous criminal record only in terms that exclude expunged convictions or arrests.
  - d. Petitioner shall be treated as if Petitioner had never been convicted of the offense. However, upon subsequent arrest or conviction for an unrelated offense, the expunged conviction: (1) may be considered by the Court in determining the sentence imposed for the new offense; (2) is a prior unrelated conviction for the purposes of a habitual offender enhancement and enhancing the new offense based on a prior conviction; and (3) may be admitted as evidence in the proceeding for a new offense as if the conviction had not been expunged.
  - e. If Petitioner is required to register as a sex offender based on the commission of a felony that has been expunged in accordance with this Order:
    - i. the expungement does not affect the operation of the sex offender registry website, any person's ability to access Petitioner's records, records required to be maintained concerning sex or violent offenders, or any registration requirement impose don the Petitioner; and
    - ii. the expunged conviction must be clearly marked as expunged on the sex offender registry website.
  - f. Expungement of any conviction records in accordance with this order does not affect any existing or pending driver's license suspension.
  - g. Nothing in this Order should be construed to prevent the Indiana Bureau of Motor Vehicles from reporting information about conviction for a violation of a traffic control law to the Commercial Drivers License Information System (CDLIS) in accordance with I.C. §9-24-6-2(d).

**NOT PUBLIC RECORD**

**NOT PUBLIC RECORD**

2. **As to EXPUNGEMENT MATTERS** \_\_\_\_\_  
of Petitioner's records, including but not limited to conviction records, arrest records, dismissed charge records, not-guilty records, and records of collateral actions that relate to the expunged convictions or that relate to the cause number of the expunged convictions under the following Cause Numbers, are expunged in accordance with Indiana Code §35-38-9-6:

List all cause numbers (included related MC cause numbers in parenthesis next to the criminal case cause number) that are eligible for expungement under IC 35-38-9-2 and 3.

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- a. **Records in possession of state and local agencies and service providers:** The following agencies and entities are hereby prohibited from releasing Petitioner's record including but not limited to conviction records, arrest records, dismissed charge records, not-guilty records, and records of collateral actions that relate to the expunged convictions or that relate to the cause number of the expunged convictions to anyone without a court order, other than a law enforcement officer acting in the court of the officer's official duty:
- i. The Indiana Department of Corrections;
  - ii. The Indiana Bureau of Motor Vehicles, except as provided in paragraph 1(g) of this Order,
  - iii. Each law enforcement agency who incarcerated, provided treatment for, or provided other services for the person under an order of the court, including:
    - (a) ~~For criminal cause numbers eligible for expungement under IC § 35-38-9-2 and IC § 35-38-9-3, enter the names of any Law Enforcement Agencies who are in possession of records related to your arrest, incarceration, treatment, or other services provided~~
    - (b) ~~under court order.~~ \_\_\_\_\_; and
  - iv. Each person or entity who incarcerated, provided treatment for, or provided other services for the person under an order of the court, including:
    - (a) ~~For criminal cause numbers eligible for expungement under IC § 35-38-9-2 and IC § 35-38-9-3, enter the names of any any entities other than Law Enforcement Agencies who are in possession of records related to your incarceration, treatment, or other services~~
    - (b) ~~provided under court order.~~ \_\_\_\_\_.
- b. **Records in possession of the Indiana State Police Central Records Repository:** In accordance with I.C. §35-38-9-6(a)(2), the Indiana State Police Central Repository for Criminal History Information is ordered to seal all of Petitioner's records for Cause Number \_\_\_\_\_ . This includes, but is not limited to, conviction records, arrest records, dismissed charge records, not-guilty records, and records of collateral actions that relate to the expunged convictions or any other matters that relate to this cause number. The Central Repository is also prohibited from disclosing these records to anyone except:
- i. a prosecuting attorney, if:
    - (a) authorized by a court order; and
    - (b) needed to carry out the official duties of the prosecuting attorney;
  - ii. a defense attorney, if:
    - (a) authorized by a court order; and
    - (b) needed to carry out the professional duties of the defense attorney
  - iii. a probation department, if:
    - (a) authorized by a court order; and
    - (b) necessary to prepare a presentence report; and
  - iv. the Federal Bureau of Investigation and the Department of Homeland Security, if disclosure is required to comply with an agreement relating to the sharing of criminal history information;
  - v. the:
    - (a) supreme court;
    - (b) members of the state board of law examiners;
    - (c) executive director of the state board of law examiners; and
    - (d) employees of the state board of law examiners, in accordance with rules adopted by the state board of law examiners;

**NOT PUBLIC RECORD**



**NOT PUBLIC RECORD**

for the purpose of determining whether an applicant possesses the necessary good moral character for admission to the bar;

- vi. a person required to access expunged records to comply with the Secure and Fair Enforcement for Mortgage Licensing Act (12 U.S.C. 5101 et seq.) or regulations adopted under the Secure and Fair Enforcement for Mortgage Licensing Act; and
- vii. the Bureau of Motor Vehicles, the Federal Motor Carrier Administration, and the Commercial Drivers License information System (CDLIS), if disclosure is required to comply with IC §9-24-6-2(d) relating to reporting a conviction for a violation of a traffic control law.

c. **Records of the sentencing court, the juvenile court, the Court of Appeals and the Supreme Court:** Except as provided in IC §35-38-9-6(d), the records of the sentencing court, a juvenile court, the Court of Appeals of Indiana, and the Indiana Supreme Court concerning Petitioner shall be permanently sealed.

d. As to court records stored under the following appellate/post conviction relief cause numbers:  
Enter all appellate cause numbers that are associated with the criminal case cause numbers eligible for expungement under IC § 35-38-9-2 and I.C. § 35-38-9-3. If applicable, list any appellate cause numbers associated with the criminal cause numbers.

the Clerk shall send a copy of this Order to the Indiana Clerk of the Appellate Courts, and Clerk of the Appellate Courts shall:

- i. redact any opinion or memorandum decision in which the Petitioner has been named as it appears on the computer gateway administered by the office of technology so that it does not include the Petitioner’s name (in the same manner by which opinions involving juveniles are redacted); and
- ii. provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement

e. The Clerk shall send a copy of this Order to all parties of record or their attorneys to the Indiana State Police Central Repository for Criminal History, to the Indiana Department of Corrections, to the Indiana Bureau of Motor Vehicles, and the following law enforcement agencies or entities that possess records related to Petitioner’s conviction:

- i. The COUNTY County Sheriff’s Department
- ii. The local law enforcement agencies:
  - (a) For criminal cause numbers eligible for expungement under IC § 35-38-9-2 and IC § 35-38-9-3, enter the names of any Law Enforcement Agencies who are in possession of records related to your arrest,
  - (b) incarceration, treatment, or other services provided under court order.
- iii. All persons or entities who incarcerated, provided treatment for, or provided other services for the person under an order of the court, including:
  - (a) For criminal cause numbers eligible for expungement under IC § 35-38-9-2 and IC § 35-38-9-3, enter the names of any any entities other than Law Enforcement Agencies who are in possession of records related to your incarceration, treatment, or
  - (b) other services provided under court order.

3. **As to EXPUNGEMENT MATTERS** \_\_\_\_\_  
pertaining to records related to the following criminal and MC cause numbers:  
List all cause numbers (included related MC cause numbers in parenthesis next to the criminal case cause number) that are eligible for expungement under IC 35-38-9-4 and 5.

Petitioner’s conviction records shall be **expunged in accordance with IC §35-38-9-7**, specifically:

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- a. All court records and other public records relating to the arrest, conviction, or sentence of Petitioner that have been marked expunged shall remain public records. However, the Court now orders that those records be clearly and visibly marked or identified as being expunged.
- b. The following agencies and entities in possession of records that relate to the conviction ordered to be marked as expunged shall add an entry to Petitioner’s record of arrest, conviction, or sentence in the criminal history database stating that the records are marked as expunged:
  - i. The Indiana Department of Correction;
  - ii. The Indiana Bureau of Motor Vehicles;
  - iii. Each law enforcement agency who incarcerated, provided treatment for, or provided other services for the person under an order of the court:
    - For criminal cause numbers eligible for expungement under IC § 35-38-9-4 and IC § 35-38-9-5, enter the names of any Law
    - (a) Enforcement Agencies who are in possession of records related to your arrest, incarceration, treatment, or other services provided
    - (b) under court order.; and
  - iv. Each person or entity who incarcerated, provided treatment for, or provided other services for the person under an order of the court, including:
    - For criminal cause numbers eligible for expungement under IC § 35-38-9-4 and IC § 35-38-9-5, enter the names of any Law
    - (a) Enforcement Agencies who are in possession of records related to your incarceration, treatment, or other services provided under court
    - (b) order.

c. The Clerk shall send a copy of this Order to all parties of record or their attorneys, to the Indiana State Police Central Repository for Criminal History; to the Indiana Department of Correction, to the Indiana Bureau of Motor Vehicles, and the following law enforcement agencies or entities that possess records related to Petitioner’s conviction:

- i. The COUNTY County Sheriff’s Department
- ii. The local law enforcement agencies:
  - For criminal cause numbers eligible for expungement under IC § 35-38-9-4 and IC § 35-38-9-5, enter the names of any Law
  - (a) Enforcement Agencies who are in possession of records related to your arrest, incarceration, treatment, or other services provided
  - (b) under court order.
- iii. All persons or entities who incarcerated, provided treatment for, or provided other services for the person under an order of the court, including:
  - For criminal cause numbers eligible for expungement under IC § 35-38-9-4 and IC § 35-38-9-5, enter the names of any Law
  - (a) Enforcement Agencies who are in possession of records related to your incarceration, treatment, or other services provided under court
  - (b) order.

d. As to court records stored under the following appellate/post conviction relief cause numbers:  
Enter all appellate cause numbers that are associated with he criminal case cause numbers eligible for expungement under IC § 35-38-9-2 and I.C. § 35-38-9-3.If applicable, list any appellate cause numbers associated with the criminal cause numbers.

the Clerk shall send a copy of this Order to the Indiana Clerk of Appellate Courts, and:

- i. all court records and other public records relating to the arrest, conviction, or sentence shall remain public records;
- ii. the records shall be clearly and visibly marked or identified as being expunged.

SO ORDERED this LEAVE BLANK.

\_\_\_\_\_  
Judicial Officer  
COUNTY AND COURT TYPE Court  
\_\_\_\_\_  
Room \_\_\_\_\_

Notice to be given by: Court Clerk Other: LEAVE BLANK

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PROOF OF NOTICE

A copy of the entry was served either by mail to the address of record, deposited in the attorney's distribution box, or personally distributed to the following persons:

State of Indiana: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Date of notice: \_\_\_\_\_

Initial of person who notified parties: \_\_\_\_\_ Court \_\_\_\_\_ Clerk \_\_\_\_\_ Other

**Distribution To:**

\_\_\_\_\_  
Attorney for Petitioner  
\_\_\_\_\_  
\_\_\_\_\_

Indiana State Police  
Attn: Records Division  
100 N Senate Ave., Room N301 (East)  
Indianapolis, IN 46204

**YOUR NAME**  
Petitioner  
**YOUR ADDRESS**  
\_\_\_\_\_  
\_\_\_\_\_

Bureau of Motor Vehicles  
IGC North, Room 402  
100 N Senate Ave.  
Indianapolis, IN 46204

**COUNTY** \_\_\_\_\_ County Prosecutor's Office  
Attn: **PROSECUTOR'S NAME**  
**PROSECUTOR'S ADDRESS**  
\_\_\_\_\_  
\_\_\_\_\_

Indiana Department of Correction  
Attn: Records Division  
302 W. Washington Street, Room E-334  
Indianapolis, IN 46204

**COUNTY** \_\_\_\_\_ County Sheriff's Department  
**SHERIFF'S ADDRESS**  
\_\_\_\_\_  
\_\_\_\_\_

Office of the Indiana Attorney General  
Indiana Government Center South, 5<sup>th</sup> Floor  
302 W. Washington Street  
Indianapolis, IN 46204

\_\_\_\_\_ County Clerk  
*Enter the county where the MC cause number exists for the purpose of tracking the probation related to the cause number on this petition.*

Clerk of the Appellate Courts  
216 State House  
200 West Washington Street  
Indianapolis, IN 46204  
[check 'Clerk of the Appellate Courts' *only* if one or of the expunged cases was appealed.]

[check the 'County Clerk' box only if this ORDER Applies to court records stored under a separate MC Cause number that pertain to a PROBATION that was transferred to another county.]

**Law Enforcement Agencies:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Indiana Supreme Court  
Office of Judicial Administration  
Trial Court Technology  
251 N. Illinois Street, Suite 700  
Indianapolis, IN 46204  
[check this address *only* if a NO CONTACT ORDER was issued in one or more of the expunged cases as a condition of BOND or PROBATION.]

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**Take out this page and insert your  
non-conviction Exhibit pages (from  
the Conviction Insert Forms)**

**Attach a document to the back of the Petition and Order listing the following information for any additional cause numbers that did not fit on the Petition.**

**Cause #**

**Court Room**

**Offense(s) where convicted**

**Class of Offense(s) where convicted**

**Date of Arrest**

**Date of Conviction**