

FAIRFIELD COUNTY JUVENILE COURT
224 East Main Street
Lancaster, OH 43130
(740) 681-7223

INFORMATION ON APPLICATION TO SEAL OR EXPUNGE A RECORD
(HB 137, Effective 10/19/2006)

Ohio law allows you to apply to have your juvenile record sealed or expunged. The following is an explanation of the process that you must follow to seal or expunge your record.

1. If your offense was aggravated murder, murder, rape, sexual battery, or gross sexual imposition, your record cannot be sealed.
2. For other delinquency, unruly and juvenile traffic offenses, you may apply for an order to seal your record if two years has passed after termination of probation or any order made by the Court has ended. This includes orders such as fines, court costs, restitution, counseling, etc. If you have been placed in a juvenile institution or other facility, you may not apply until two years after you have received an unconditional discharge from such institution or facility.
3. To “seal a record” means to remove a record from the main file of similar records and to secure it in a separate file that contains only sealed records accessible only to the Juvenile Court. In limited situations, sealed records are also available to (1) law enforcement or a prosecutor for proper prosecutorial or law enforcement purposes; (2) the person who is the subject of the sealed records or (3) a party to a civil action that is based upon the case which is sealed.
4. Applying to seal your record doesn't automatically mean that it will be sealed. The Juvenile Court must find that you have been rehabilitated to a satisfactory degree. The Court will consider your age, the nature of the case, the cessation or continuation of delinquent, unruly, or criminal behavior, your education and employment history and any other circumstances that may relate to your rehabilitation. The Court will notify the prosecutor of your application and the prosecutor then has 30 days to file an objection. The Court may schedule a hearing. If a hearing is scheduled, you should bring any witnesses or evidence to the hearing that may assist the Court in making its determination.
5. If your record has been sealed, your record will automatically be expunged after a period of 5 years or when you reach age 23, whichever occurs sooner. You may apply to the Juvenile Court to have your sealed record expunged sooner. If you are already 23 years old, and your record is approved to be sealed, it will also automatically be expunged.
6. How does expunging a record differ from sealing a record? A sealed record is kept separate from the main files and not accessible in most circumstances, but it physically exists. To “expunge a record” means to destroy, delete, and erase a record, as appropriate for the record’s physical or electronic form or characteristic. This means that the record is physically destroyed and permanently irretrievable.
7. If your record is sealed or expunged by the Juvenile Court and someone asks you if you have a record, you may properly reply that no record exists. If asked, the Court will also reply that no record exists.
8. You may wish to read portions of the Ohio Revised Code, § 2151.355; 2151.356; 2151.357 and 2151.358 for further details, which is available at most libraries or on the internet.

The filing fee for either Application is \$68 and must be paid at the time of filing. The Court will mail to you notice of a hearing date, if one is scheduled, and/or a copy of the ruling made by Court.