

VILLAGE OF LOCKLAND, OHIO RECORD SEALING PROCESS

The Village of Lockland Mayor's Court Clerk's Office is responsible for accurate and timely record keeping. The proper filing, processing and maintaining of Record Sealing applications, and subsequent sealing of court records, is one of many tasks within the Clerk's Criminal/Traffic Divisions. Although professional public service is offered to assist you in filing for a record to be sealed, the clerk's office, as the custodian of records, **cannot give legal advice**. Our goal is to help you through the process in an impartial way of delivering excellent service while complying with State Legal requirements.

Currently, pursuant to applicable sections of the Ohio Revised Code, to qualify for a Record to be Sealed you must be an "Eligible Offender".

TRAFFIC CHARGES ARE NOT ELIGIBLE TO BE SEALED.

- A. Eligible Offender – a person who has been convicted of an offense in this state or any other jurisdiction and who has not more than one felony conviction, not more than two misdemeanor convictions, or not more than one felony conviction and one misdemeanor conviction
- B. When two or three convictions result from the same indictment, information, or complaint, from the same plea of guilty, or from the same official proceeding, and result from related criminal acts that were committed at the same time, they shall be counted as one conviction, provided that a court may decide that it is not in the public interest for the two or three convictions to be counted as one conviction
- C. Counts as a prior conviction-OVI, drag racing, driving under OVI suspension, hit skip, odometer tampering or VIN tampering offenses

You are **NOT** eligible for your record to be sealed if:

- A. A year has NOT passed since the completion of your conviction, bail forfeiture (BF), or minor misdemeanor (mm), this includes any time of probation or PNC (non-reporting probation).
 - 1. An eligible offender may apply at the expiration of one (1) year after his/her final discharge if convicted of a misdemeanor.
- B. You have any pending criminal charges or unpaid tickets in any court.
- C. If you exceed the eligible offender limits on the number of convictions, you CANNOT have any of your criminal conviction records sealed.
- D. Convictions when the offender is subject to a mandatory prison term.

In some circumstances, the Prosecutor may file an objection, usually on public indecency and domestic violence charges.

There is a **\$50.00 non-refundable filing fee**. Payment may be made by cash, money order, MasterCard or Visa. There is NO CHARGE on dismissal application misdemeanors. You must submit in writing a motion for record sealing and an explanation as to why you feel this conviction should be sealed. Payment is to be made in full when the application and your letter of explanation are turned in to the Clerk's Office. If you are indigent, you must contact the Clerk of Courts to file an Affidavit of Indigency.

In making the determination whether to seal records, all of the following apply:

1. The court may cause an investigation to be made to determine if the person who is the subject of the proceedings has been rehabilitated to a satisfactory degree.
 - a. The age of person
 - b. The nature of the case
 - c. The cessation or continuation of delinquent, unruly, or criminal behavior
 - d. The education and employment history of the person
 - e. Any other circumstances that may relate to the rehabilitation of the person who is the subject of the records under consideration.
2. The court may require a person filing for a record to be sealed to submit any relevant documentation.
3. The court shall promptly notify the prosecuting attorney of any proceedings to seal records.

**THERE ARE NO GUARANTEES FOR YOUR RECORD TO BE SEALED.
YOUR FILING FEE IS NON-REFUNDABLE.**

If the Court grants the sealing of the record, the Clerk shall notify the Police Department to forward all information on that Defendant for that specific case number, to the Court. The Clerk shall notify the Police Department by sending a copy of the Magistrate's order and a brief letter of instruction.

Once received, the Clerk shall place all information in a sealed envelope. The envelope shall be labeled with the Defendant's name, case number, and sealing date. This envelope is then filed appropriately.

After your Record Sealing is granted, it may take up to 5 weeks for your record to be removed from the Ohio Bureau of Criminal Identification and Information.

However, your record can still be seen by prosecutors, parole or probation officer and the police if you are involved in a criminal investigation in the future for another crime. Also, state law permits several types of employers, including police departments, child-care providers, any medical-care providers, schools, and nursing homes, to see your sealed record if you apply for a job with them.

COURT HEARING SET FOR: _____Month _____Day 20____Year

TIME: __4__ P.M.

VILLAGE OF LOCKLAND CLERK OF COURTS
HAMILTON COUNTY, OHIO

STATE OF OHIO * CASE NO. _____
Plaintiff, *
-vs- * JUDGE _____
_____*
Defendant/Applicant * APPLICATION FOR SEALING
* OF RECORD INVOLVING CONVICTION

I respectfully request the Court seal my criminal record pursuant to Ohio Revised Code 2953.32. I am an eligible offender; one year has passed since the final discharge of my misdemeanor conviction; and no criminal proceedings are pending against me.

Charge to be Sealed: _____

Date of Sentence: _____

If Probation, Date Terminated: _____

Current Address of Applicant: _____

Phone: _____

D.O.B.: _____

Defendant/Applicant Signature

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Application was delivered by hand or mail (circle one) to the Office of the Prosecutor on the _____ day of _____, 201__.

Defendant/Applicant Signature

VILLAGE OF LOCKLAND CLERK OF COURTS
HAMILTON COUNTY, OHIO

STATE OF OHIO * CASE NO. _____
Plaintiff, *
-vs- * JUDGE _____
_____*
Defendant/Applicant * APPLICATION FOR SEALING
OF RECORD INVOLVING NON-
CONVICTION

I respectfully request the Court seal my criminal record pursuant to Ohio Revised Code 2953.52.
No criminal proceedings are pending against me; and one of the following applies, as checked:

_____ I was found not guilty of a criminal offense by a jury or court; or

_____ I was the defendant in a dismissed complaint, indictment, or information

Charge to be Sealed: _____

Date of Acquittal/Dismissal: _____

Current Address of Applicant: _____

Phone: _____

D.O.B.: _____

Defendant/Applicant Signature

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Application was delivered by hand or mail (circle one) to the Office of the Prosecutor on the _____ day of _____, 201__.

Defendant/Applicant Signature

VILLAGE OF LOCKLAND CLERK OF COURTS
HAMILTON COUNTY, OH

As required by Ohio State Law, a Criminal Record investigation will be conducted by the Lockland Police Department and presented to the Court. Please provide the information listed below completely and accurately in order to avoid delay in the investigation. Most cases will be heard within 30 days of submittal of application.

1) Current home address (if moving before your Record Sealing hearing date, please note the new address).

2) Date of Birth: _____

3) List any aliases, maiden name, and/or legal name changes since the age of 18.

4) List all cities/states that you have lived since the age of 18. Include locations of colleges and/or other schools attended, military assignments, employment locations, etc.

5) Current place of employment: _____

6) List any pending charge(s) in this or any other Court.

7) Reason for requesting Record Sealing: Employment Purposes
 Housing Purposes
 Educational Purposes
 Other _____

I, the undersigned, acknowledge that the above information is true and correct to the best of my ability.

Signature of Applicant

Date

