

# Expungement Application Packet

If you cannot afford to hire your own attorney, the Cuyahoga County Public Defender may be able to assist you with sealing (often called “expunging”) a criminal record from Cuyahoga County Common Pleas Court.

In order to be eligible for expungement, a person can only have **one felony and one misdemeanor OR two misdemeanors** across his or her entire criminal record. Minor misdemeanors and most traffic offenses do not count. However, this is only the most basic requirement. There are many other restrictions and exceptions. Because of this, the Public Defender cannot tell you right away if you are eligible for an expungement.

*From start to finish, the expungement process usually takes 6-8 months.*

## Instructions:

Step One: Fill out the attached forms.

Step Two: Return these forms to the Public Defender’s Office in person or by mail.

Cuyahoga County Public Defender’s Office  
Attn: Expungement Application  
310 W. Lakeside, Suite 200  
Cleveland, OH 44113

**The phone number for the Public Defender is (216) 443-7223.**

Step Three: The Public Defender’s office will do a preliminary assessment of your eligibility for expungement.

Step Four: Within 21 days, our office will notify you by **PHONE** if we are able to assist you. If you appear to be eligible, we will tell you what the next steps are. If you are not, we will explain some alternative options.

We do a preliminary check of your criminal record using the information that you provide to us. Because we are not a law enforcement agency, we cannot run a full background check. We are only able to search public court records...not law enforcement databases.

**Therefore, it is very important that the information you provide us is accurate so that we know which public court records to look at. Please fill out the attached forms *completely*.**

## **Application for Representation**

### **CONTACT INFORMATION**

First and Last Name: \_\_\_\_\_ Middle Name: \_\_\_\_\_

Any other names you have used (aliases, maiden names, etc.): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number (s): \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

What is the name and phone number of another person who we can leave a message with if we cannot get in touch with you?

Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

### **INFORMATION ABOUT YOUR CRIMINAL HISTORY**

Have you ever been to court for any kind of criminal case or DUI/OVI case anywhere in the country other than the Justice Center in downtown Cleveland, Ohio? We need this information even if that record has been expunged OR if that case was dismissed/charges were dropped.

\_\_\_\_\_ YES

\_\_\_\_\_ NO

If yes, which court or courts did you go to?

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In order to determine your eligibility for expungement, we must contact the Cuyahoga County Probation Department to confirm that all fines, fees, and restitution (if ordered) were paid in your case. Do we have your permission to do so?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

Do we have your permission to use a commercial background check service to run a background check?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

Today's Date: \_\_\_\_\_

## Representation Acknowledgement Form

I, \_\_\_\_\_, (print name) want the Public Defender's Office to assist me with an application to seal my criminal record (often called an expungement).

- I understand that I must provide the Public Defender's Office with an accurate description of my criminal record.
- I understand that that Public Defender's Office cannot provide me with a final assessment of my eligibility for expungement until a motion is filed and my attorney receives a copy of the Expungement Investigation Report that is created by the Probation Department.
- I understand that just because I am eligible for an expungement by law does NOT mean that the Judge is *required* to grant my application. I understand that it is ultimately up to the Judge to determine whether my record will be sealed.
- I understand that if the Public Defender's Office cannot reach me or if I do not attend my expungement hearing, my attorney may be forced to withdraw my application for expungement.
- I understand that there is a \$50 filing fee for expungement of a conviction that must be paid to the Clerk of Courts if I do not qualify for a poverty affidavit. I understand that this \$50 filing fee is NONREFUNDABLE. I understand that this filing fee WILL NOT BE RETURNED TO ME UNDER ANY CIRCUMSTANCES, EVEN IF MY APPLICATION IS DENIED OR WITHDRAWN.
- I understand that a Certified Legal Intern may represent me at my expungement hearing. I understand that a Certified Legal Intern is a law student who has completed two years of school and who has received an Intern's License from the Ohio Supreme Court and can represent clients in court with supervision from a licensed attorney.
- I understand that even if my expungement is granted, certain employers will still be able to see my criminal record on a background check. These employers include (but are not limited to) law enforcement, child care, schools, nursing homes/ in-home health care, healthcare, private security companies, and banks.
- **I understand that it is MY responsibility to notify the Public Defender's Office if my phone number or address changes.**

*I have read and understood everything on this page.*

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

## Financial Questionnaire

1. How many people live in your household? \_\_\_\_\_

2. How many dependents do you have? \_\_\_\_\_

3. Current place of employment: \_\_\_\_\_

Position: \_\_\_\_\_

Length of time at this employer: \_\_\_\_\_

What is your monthly income? \_\_\_\_\_

4. If you are not employed, how do you support yourself? \_\_\_\_\_

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5. Do you receive food stamps?  Yes  No

6. Do you receive social security assistance?  Yes  No

7. How much do you pay per month for your rent/mortgage? \_\_\_\_\_

8. How much do you pay per month for utilities and phone service? \_\_\_\_\_

9. Do you have any other expenses that you must pay every month such as student loans or child support? If so, list the type of expense and amount.

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10. Are you an active member of the military or a veteran? If yes, please describe service:

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