

PROCEDURES FOR FILING A
PETITION TO EXPUNGE A CRIMINAL HISTORY RECORD

1. Fill in your copy of the Petition to Expunge, Affidavit, and Order. You will file your Petition with the **County Court for Misdemeanors** or with the **Circuit Court for Felonies**.
2. Have the **Affidavit notarized** – it must be signed in front of the notary.
3. **Attach the FDLE Certificate of Eligibility to Expunge** (issued to you by the Florida Department of Law Enforcement) to the Petition.
4. Once you complete the Petition documents, make an additional two copies of each and compile three packets. Each packet must contain:
 - Petition to Expunge
 - Affidavit in Support of Petition to Expunge – **notarized**
 - Order to Expunge
 - FDLE Certificate of Eligibility
5. Mail or deliver the packets as follows:
 - **Packet # 1** (containing the **original documents**) must be filed with the Clerk of the Courts
Clerk of the Courts
Broward County Courthouse
201 S.E. Sixth Street
Fort Lauderdale, Florida 33301
 - Attn: Expunge/Seal – **Room 160** (For **Felonies**)
 - Attn: Expunge/Seal – **Room 130** (For **Misdemeanors**)
 - **Packet # 2**
Office of the State Attorney
201 S.E. Sixth Street
Fort Lauderdale, Florida 33301
Attn: Expungements – **Room 8130**
 - **Packet # 3** – Keep for your records.
6. The Clerk of Court will forward a copy of your Petition to the Judge for review. If approved, the Judge signs the Order to Seal. **You will receive a bill and be required to pay the Clerk of Court a \$42.00 filing fee plus the cost of copies.**
Once you pay this fee, the Clerk of Courts will forward certified copies of the Judge’s Order to all the law enforcement agencies which the records of the court reflect has your criminal history record on file. A certified copy of the Judge’s Order will also be mailed to you.
You must pay the Clerk’s filing fee or they will not distribute the Judge’s Order to Seal. Your certified copy of the Judge’s Order to Seal is confirmation that you have completed the entire process...CONGRATULATIONS!

For questions or additional information, please visit the Office of the State Attorney website at www.sao17.state.fl.us or contact our office at (954) 831-6955.

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA
 IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA, : CASE NO.: _____
Plaintiff, : DIVISION : _____
 : (Name of Judge)
v. :

(Name of defendant / petitioner) :
Defendant :

PETITION TO EXPUNGE

The petitioner, _____, by and through the undersigned attorney, petitions this honorable court, under Florida Rules of
(Name of defendant)
Criminal Procedure 3.692 and section 943.0585 Florida Statutes, to expunge all criminal history record information in the custody of any criminal
justice agency and the official records of the court concerning the petitioner's arrest on _____, by _____,
(Arrest Date) (Arresting Agency)
for _____ and as grounds therefor shows:
(Charges)

1. On _____, the petitioner, _____, a _____, whose date of birth is _____, was arrested by
(Arrest Date) (Name of defendant) (Race / Sex) (Date of birth)
_____, and charged with _____.
(Arresting agency) (Charges)

2. The petitioner has not been adjudicated guilty of nor adjudicated guilty of committing any of the acts stemming from this arrest or alleged criminal activity.

3. The petitioner has not been previously adjudicated guilty of a criminal offense or a comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051 (3)(b), Florida Statutes.

4. The petitioner has not secured a prior records expunction or sealing under section 943.0585, or 943.059, Florida Statutes, former section 943.058, Florida Statutes, former section 893.14, Florida Statutes, or former section 901.33, Florida Statutes, or any other law, rule, or authority.

5. The petitioner's record has been sealed under section 943.059, Florida Statutes, former section 943.058, Florida Statutes, former section 893.14, Florida Statutes, or former section 901.33, Florida Statutes, for at least 10 years; or there has not been an indictment, information, or other charging document filed against the petitioner who is the subject of this criminal history record information; or an indictment, information, or other charging document filed against the petitioner who is the subject of this criminal history information was dismissed by the prosecutor or the court.

6. A Certificate of Eligibility for expunction of nonjudicial criminal history records issued by the Florida Department of Law Enforcement accompanies this petition.

WHEREFORE, the petitioner moves to expunge any criminal history record information and any official court records regarding his/her arrest by _____, for _____ on _____.
(Arresting agency) (Charges) (Date)

I HEREBY CERTIFY that a true and correct copy of the foregoing pleading has been served on:

Office of the State Attorney for the 17th Judicial Circuit, in and for Broward County, Florida
Broward County Court House, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301 – Expungements Room 655.

this _____ day of _____, _____.
(Date) (Month) (Year)

(Signature of Defendant/Petitioner)

(Print Name of Defendant/Petitioner)

Defendant's
Address: _____
City: _____
State/Zip Code: _____
Phone Number: _____
Fla. Bar. No.: _____

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA
 IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA, : CASE NO.: _____
Plaintiff, : DIVISION : _____
 : (Name of Judge)
v. :

(Name of defendant / petitioner) :
Defendant :

AFFIDAVIT IN SUPPORT OF PETITION TO EXPUNGE

State of Florida
County of Broward

I, _____, am the defendant/petitioner in the above-styled cause and I do hereby swear or affirm that:
(Name of defendant)

1. I fully understand the meaning of all of the terms of this affidavit.
2. I have never been adjudicated guilty of a criminal offense or a comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051(3)(b), Florida Statutes.
3. I was arrested on _____, by _____, and I have not been adjudicated guilty of, nor
(Date) (Arresting agency)
adjudicated delinquent for committing, any of the acts stemming from that arrest or the alleged criminal activity surrounding my arrest.
4. I am eligible for the relief requested, to the best of my knowledge and belief, and do not have any other petition to expunge or seal pending before any court.
5. I have never secured a prior records expunction or sealing under any law.
6. My record of arrest for this date has been sealed for at least 10 years; or an indictment, information, or other charging document was not filed against me for the above criminal transaction; or an indictment, information, or other charging document filed against me was dismissed by the prosecutor or the court.

Signature of Defendant/Petitioner

Sworn to and subscribed before me on _____
(Date)

NOTARY PUBLIC, or other person authorized to administer an oath
Printed, typed, or stamped commissioned name of Notary Public

Personally known

Produced identification

Type of identification produced: _____

My commission expires: _____

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA
 IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA, : CASE NO.: _____
 :
 Plaintiff, : DIVISION : _____
 : (Name of Judge)
 :
 v. :
 _____ :
 (Name of defendant / petitioner) :
 Defendant :

**ORDER TO EXPUNGE UNDER SECTION 943.0585, FLORIDA STATUTES,
AND FLORIDA RULES OF CRIMINAL PROCEDURES 3.692**

THIS CAUSE having come on to be heard before me this date on a petition to expunge certain records of the petitioner's arrest on _____, (Arrest Date)
by _____, for _____, and the court having heard (Arresting Agency) (Charges)
argument of counsel and being otherwise fully advised in the premises, the court hereby finds the following:

1. The petitioner has never previously been adjudicated guilty of a criminal offense or a comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051(3)(b), Florida Statutes.
2. The petitioner was not adjudicated guilty of nor adjudicated delinquent for committing any of the acts stemming from the arrest or criminal activity to which this expunction petition pertains.
3. The petitioner has not secured a prior records expunction or sealing.
4. This record has either been sealed for at least 10 years; or no indictment, information, or other charging document was ever filed in this case against the petitioner; or an indictment, information, or other charging document filed against the defendant was dismissed by the prosecutor or the court.
5. A Certificate of Eligibility issued by the Florida Department of Law Enforcement accompanied the petition for expunction of nonjudicial criminal history records. Whereupon it is

ORDERED AND ADJUDGED that the petition to expunge is granted. All court records pertaining to the above-styled case shall be sealed in accordance with the procedures set forth in Florida Rule of Criminal Procedure 3.692; and it is further

ORDERED AND ADJUDGED that the clerk of this court shall forward a certified copy of this order to the _____ state attorney, _____ special prosecutor, _____ statewide prosecutor, _____, and the Sheriff of Broward County, who will comply (Arresting agency)
with the procedures set forth in section 943.0585, Florida Statutes, and appropriate regulations of the Florida Department of Law Enforcement, and who will further forward a copy of this order to any agency that their records reflect has received the instant criminal history record information; and it is further

ORDERED AND ADJUDGED that _____ shall expunge all information concerning indicia of (Arresting agency)
arrest or criminal history record information regarding the arrest or alleged criminal activity to which this petition pertains in accordance with the procedures set forth in section 943.0585, Florida Statutes, and Florida Rule of Criminal Procedure 3.692.

All costs of certified copies involved herein are to be borne by the _____ (Name of Defendant/Petitioner)

DONE AND ORDERED in Chambers at Broward County, Florida, on _____ of _____, _____.

Judge – 17th Judicial Circuit in and for Broward County, Florida