

EXPUNGEMENT/SEALED RECORD

Contact Information:
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What is a sealed or expunged record?

A sealed or expunged record is a criminal history record the court has ordered sequestered, set aside, removed from public view and treated as confidential. Sealed or expunged does not mean the physical destruction of any record. Once the record has been sealed or expunged, the record will only be disclosed as authorized by A.C.A. §16-90-903.

Effect of an Expungement?

An individual whose record has been expunged shall have all privileges and rights restored, shall be completely exonerated, and the record which has been expunged shall no affect any of his civil rights or liberties, unless otherwise specifically provided by law. Upon the entry of the uniform order to seal records of an individual, the individual's underlying conduct shall be deemed as a matter of law never to have occurred, and the individual may state that no such conduct ever occurred and that no such records exist.

How many times can a person request expungement?

There may be only one (1) discharge and dismissal under section §5-64-407 with respect to any person. A person against whom such proceedings are discharged or dismissed may seek to have the criminal records sealed, consistent with the procedures established in §16-90-901 and §16-90-905. The defendant may petition the court to expunge all charges that stem from the same arrest. For example: If a person was arrested for Theft of Property and Criminal Mischief on March 10, 2005, the defendant can petition to have both charges expunged. However, if the defendant was arrested for Theft of Property on March 10, 2005 and Criminal Mischief on March 18, 2005, the defendant must select which arrest that he/she wishes to petition for expungement.

Petition to Seal: http://www.acic.org/forms/CCH/CH_Petition.pdf

Order to Seal: http://www.acic.org/forms/CCH/CH_OrderToSeal_012204.pdf

These forms must be filled out completely **BEFORE** bringing them to the court. If you need additional information to fill out the forms, contact ACIC at the above phone number or address. Once the forms are brought to the court it will take 30-60 days to process.