

EXPUNGEMENT PROCEDURES

JUDY R. ENSLEN

CLERK OF COURTS

BEAVER COUNTY COURTHOUSE

810 THIRD STREET

BEAVER, PA 15009

724-728-3934 Ext. 11487

EXPUNGEMENT PROCEDURES OVERVIEW

According to Pennsylvania Law Title 18 PA CS 9122, certain circumstances allow individuals to obtain permission to remove their name and case files from the criminal justice system. An expungement purges your criminal record from the files of the Clerk of Courts and other criminal justice agencies. A background check for healthcare workers, etc., will produce details of your case that might affect future employment opportunities, your ability to be bonded, or obtain a gun permit. Your case remains a matter of public record until a Petition for Expungement is filed and subsequently granted by a Judge of the Court of Common Pleas.

WHERE DO I BEGIN?

Call or visit the Clerk of Courts Office to receive the standard forms necessary to file a petition. A staff member will provide you with a copy of your Criminal Complaint, the Information filed, and your case disposition. Next, contact the Adult Probation Department to obtain an ARD Certificate. In order to have the ARD Certificate given to you, you must provide a copy of your paid in full receipt from the Clerk of Courts, and you must present your certificates of completion of any court ordered programs. Your entire petition must be typed on 8 1/2 X 11 inch paper or you may complete the blank petition contained in the Expungement Packet. Your Petition must include the following information:

- 1. Cover Sheet*
- 2. Petition / Motion*
- 3. Copy of Disposition*
- 4. Certificate of Completion of ARD from the Adult Probation Department*
- 5. Copy of any certificates of completion of court ordered program(s)*
- 6. Verification affidavit*
- 7. Preliminary Order*
- 8. Final Order*

You may obtain a packet of the above information from the Clerk of Courts Office, or from the Law Library's Pro Se Center.

You may also obtain this information through the Clerk of Courts link on Beaver County's Website at:

www.beavercountypa.gov/Clerkofcourts/forms.htm

FILING YOUR PETITION

Bring the original petition to the Clerk of Courts Office between the hours of 8:30 a.m. and 4:30 p.m. There is a non-refundable filing fee of 55\$.00 (\$60.50 if Petition is not for a Common Pleas Case Number), required at the time of filing. Payment may be made in cash or by money order payable to "Clerk of Courts". The Court will then schedule a hearing date on the petition. Generally, hearing dates are scheduled 30 days after the petition is filed to allow the District Attorney time to review the petition and notify the Court of any objections. Once the Court approves your Application for Expungement, the Clerk of Courts Office will notify all involved agencies to destroy and purge their records. It is YOUR responsibility to include those agencies that you wish to be notified. The agencies are also mandated to return to the Clerk of Courts affidavits stating that they have complied with the Court's order to Expunge and have removed all identifiers of you arrest record.

HOW DO I KNOW MY RECORD HAS BEEN EXPUNGED?

Upon your petition being approved, a copy of the Final Order will be mailed to you. Those agencies involved in your case will be sent certified copies of the Court's Order to Expunge and are required to return to the Clerk of Courts signed affidavits that they have complied with the Court's Order. This process generally takes six (6) months for completion. Please be aware that although the Clerk of Courts Office sends the notifications out in a timely manner, we have NO control on response from outside agencies.

FINAL NOTE

You may petition the Court Pro Se, for the Expungement of your criminal record. As in all court proceedings, obtaining an attorney to handle matters of this nature would be in your best interest. Finally, any conviction such as having entered a guilty plea to a criminal offense, or if a jury returns a verdict of guilty against you, is not expungeable except in certain circumstances. You may refer to Title 18 PA CS 9122 for details.

To expedite obtaining your Certificate of Completion of ARD, you may contact the Adult Probation department at 724-728-3934 Ext. 11600. However, you may not pick up your certificate unless you present your paid in full receipt from the Clerk of Courts and provide proof of completion of any court ordered programs.