

## Information on Expungement

# PLEASE READ BEFORE FILING AN EXPUNGEMENT WITH THIS COURT

The forms listed on the Ashland Municipal Court Forms page used to request an Expungement of a conviction and/or charge, which occurred in this Court. Once you file your Expungement Affidavit in Support of Motion to Seal/Expunge Record, and Motion To Expunge, a background check will be conducted by the Court's Deputy Clerk/ Deputy Bailiff in charge of Expungements. When the check is completed, the matter will be set for an oral hearing and the Court will notify you of the hearing date. You MUST be present.

Please be advised of the following before you file your request:

- o Attached to this packet is a list of charges, which are not Expungeable by law. Please consult with an attorney before filing if you have been convicted or plead to one of these charges.
- o That there are issues other than prior record, which may prevent the Court from granting an Expungement. Again, please consult with an Attorney if you have any questions regarding this issue.
- o The fee to file the Expungement is NON REFUNDABLE.
- o Even if the Expungement is granted, please be aware some agencies or professions may have access to the information (i.e. Federal government, nursing, health care, teaching (this is not an exhaustive list). If you think this may be an issue, it is strongly suggested that you contact the state board, which deals with your profession.
- o Traffic cases cannot be expunged for ANY reason.
- o The one year time period does not begin until any and all probation time has been completed and/or terminated
- o A Motion for Expungement may be filed immediately only on cases which have been Dismissed or have a finding of Not Guilty

PLEASE BE ADVISED THAT THE COURT STAFF CANNOT  
PROVIDE LEGAL ADVICE REGARDING YOUR SPECIFIC  
CHARGE AND THE PROBABILITY OF YOUR MOTION BEING  
APPROVED. PLEASE CONSULT AN ATTORNEY WITH ANY  
QUESTIONS YOU MAY HAVE

# Offenses that cannot be Expunged

List includes all substantially similar municipal code sections unless otherwise indicated

2907.02	Rape
2907.03	Sexual Battery
2907.04	Unlawful Sexual Conduct with a minor
2907.05	Gross Sexual Imposition
2907.06	Sexual Imposition
2907.07 *	Importuning
2907.08*	Voyeurism
2907.09 **	Public Indecency
2907.12	Repealed
2907.21 **	Compelling Prostitution
2907.22 **	Promoting Prostitution
2907.23 **	Procuring
2907.31 **	Disseminating Matter Harmful to juveniles
2907.32 **	Pandering Obscenity
2907.321	Pandering Obscenity Involving a Minor
2907.322	Pandering Sexually Oriented Matter Involving Minor
2907.323	Illegal use of Minor Nudity-Oriented Material
2907.311 **	Displaying Matter Harmful to Juveniles
3907.33 **	Deception to Obtain Matter Harmful to juveniles
4507	Driver's License Law
4510	Driver's Suspension Law
4511	Traffic Offenses
4549	Motor Vehicle Crimes

Any M1 offense in which the victim is under 18 years of age

Any M1 offense of violence with the exception of:

2903.13 -Assault  
2917.1 -Inciting to Violence  
2917.03- Riot  
2917.31 -Inducing Panic

\*Only effects convictions on or after 10/10/2007 INCLUDING substantially similar muni codes.

\*\* Only effects convictions on or after 10/10/2007 DOES NOT include substantially similar muni codes.