

Expungement Information

If you are currently seeking expungement of a criminal conviction please read all of the below information completely and carefully.

Who is eligible for expungement

The Court does not have discretion and must expunge an individual's criminal history when all charges in the information have been dismissed, when the individual was found not guilty of all charges, and when the individual has received a pardon. A Court is not required, but may grant a Petition for Expungement when:

1. An individual reaches the age of 70 and has been free of conviction for at least ten years following release from confinement or supervision.
2. An individual subject to the conviction has been deceased for three years.
3. An individual convicted of a summary offense has been free from arrest or prosecution for at least five years following the conviction.

What you need to submit

Individuals seeking expungement need to submit the completed Petition form applicable to their case (see below to determine which form applies to your expungement needs). Completing the form in its entirety assures that you are in compliance with all procedures and your Petition will not be dismissed on its face. If you are receiving this information at the law library, the Petition will be the first page of the packet, but if you are retrieving this information online the Petition may be found at hyperlinks below. Additionally the attached sample Orders for each filing, although not required, should also be submitted. The submission of those documents will hasten the processing of your paperwork and receiving the relief you are requesting. The Orders are provided to you as pages two and three of the packets and the hyperlinks for those forms are also provided below. In addition, individuals seeking expungement are required to submit a copy of their Pennsylvania State Police Criminal History. The criminal history must be obtained no more than 60 days prior to the filing of the Petition for Expungement. Those requests may either be submitted online at <https://epatch.state.pa.us/Home.jsp> or via mail by completing and following the submission instructions on page four of the packet. If you have lost or need another copy of this form, it may be found at <https://www.psp.pa.gov/pages/request-a-criminal-history-record.aspx>.

Determining which form to use

There are two differing forms that are available for individuals seeking an expungement of their criminal record. If you are obtaining this information with the desire to expunge a conviction of a past summary offense (not a felony or misdemeanor) you must submit the form

titled “Petition for Expungement Pursuant to Pa. R. Crim. P. 490.” All other individuals should submit the form titled “Petition for Expungement Pursuant to Pa. R. Crim. P. 790.”

Hyperlinks for Petitions and Orders

Petition 490: <http://www.pacourts.us/assets/files/setting-899/file-76.pdf?cb=7f7eea>

Order 490: <http://www.pacourts.us/assets/files/setting-899/file-64.pdf?cb=0dff26>

Petition 790: <http://www.pacourts.us/assets/files/setting-899/file-77.pdf?cb=abf34b>

Order 790: <http://www.pacourts.us/assets/files/setting-899/file-65.pdf?cb=06e235>

*The directions and links included on this website provide information about the law and expungement process designed to help PRO SE filers address their own legal needs. But legal information **IS NOT** the same as legal advice –the application of the law to an individual’s specific circumstances. Although we go to great lengths to ensure our information is accurate and useful, we recommend you consult a lawyer if you want professional assurance that our information and your interpretation of it, is appropriate to your particular situation. We **CANNOT** provide legal advice and to do so would be considered the unauthorized practice of law.*

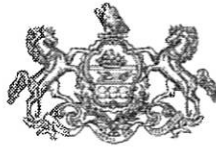
THE OFFICE OF THE CLERK OF COURTS CANNOT AND DOES NOT PROVIDE LEGAL ADVICE TO ANYONE.

ANY QUESTIONS REGARDING EXPUNGEMENTS MUST BE DIRECTED TO AN ATTORNEY.

HOW TO FILE AN EXPUNGEMENT LYCOMING COUNTY

- 1. Complete the entire petition or form for expungement. The Clerk of Courts cannot assist you in the drafting or completion of the form. Failure to include all required information may result in the petition being rejected by the court. In such an event, you will need to re-file your petition. There is a filing fee each time you file this petition. As such, you are encouraged to consult an attorney or review Rules 490, 575,576,790 and 791 of the Rules of Criminal Procedures for further guidance.**
- 2. Make 3 copies of your petition form with attached proposed order of expungement. Bring all copies to the Prothonotary/Clerk of Courts office located on the 1st floor of the Lycoming County Court House. Staff will time and date stamp and forward the original to the courts to be scheduled/signed.**
- 3. You **MUST** attach a copy of your Pennsylvania State Police Criminal Record Search(PSPCR) to your petition. Failure to attach the PSPCR will result in your petition being returned for re-filing and an additional filing fee.**
- 4. The filing fee of **\$132.00** must be paid at the time of filing. Cash, personal check, certified check or money orders are acceptable forms of payment. We **DO NOT** accept credit cards. If you cannot pay the required fee, you may include a Petition to Proceed Without Payment of Costs petition (In Forma Pauperis Petition.)**
- 5. Be certain to keep a copy of your Petition for your personal files. Should the Expungement be granted, **please retain at least one(1) certified copy of the Order as the original order, as well as the entire file will be destroyed and you will be unable to obtain a duplicate after the file is destroyed.****

In the Court of Common Pleas
County of Lycoming
29 Judicial District



Commonwealth of Pennsylvania
v

Docket No: CP - - - -20

Petition for Expungement Pursuant to Pa.R.Crim.P. 790

AND NOW, the petitioner avers the following and requests that this petition for expungement pursuant to Pa.R.Crim.P. 790 be granted for the reasons set forth below.

PETITIONER INFORMATION						
Full Name:		DOB:		Social Security Number:		
Address:		Alias(es):				
CASE INFORMATION						
List name, address of the Judge of the Court of Common Pleas or Philadelphia Municipal Court who accepted the guilty plea or heard the case:						
Judge:			Address:			
Philadelphia Municipal Court or Court of Common Pleas Docket Number:			Offense Tracking Number (OTN):			
Name of Arresting Agency:			Date of Arrest:		Date on Complaint:	
List name and mailing address of the affiant as shown on the complaint, if available:						
Name of Affiant:			Address:			
List specific charges, as they appear on the charging document, to be expunged and the disposition of each charge (please attach additional sheet(s) of paper if necessary):						
PA Statute (Title)	Section	Subsection	Statute Description	Counts	Grade	Disposition
If the sentence imposed included a fine, costs or restitution, has the amount due been paid?				<input type="checkbox"/> Yes		<input type="checkbox"/> No
List the reason(s) for the expungement (please attach additional sheet(s) of paper if necessary):						
<input type="checkbox"/> I have attached a copy of my Pennsylvania State Police Criminal History which I have obtained within 60 days before filing this petition.						
<input type="checkbox"/> I have not attached a copy of my Pennsylvania State Police Criminal History. State reason(s) below:						

When this petition is filed with the Clerk of Courts, the petitioner shall serve a copy upon the attorney for the Commonwealth.

I, the undersigned petitioner, avers that the facts set forth in this petition are true and correct to the best of my personal knowledge or information and belief, and are made subject to the penalties of unsworn falsification to authorities under 18 Pa.C.S § 4904.

Signature of Petitioner

Date

Commonwealth of Pennsylvania

v.

IN THE COURT OF COMMON PLEAS OF
Lycoming _____ COUNTY,
PENNSYLVANIA

CRIMINAL DIVISION

DOCKET NO: _____

ORDER

AND NOW, this ____ day of _____, 20____, after consideration of the
_____ presented by _____,
it is ORDERED that the Petition/Motion is _____.

- The criminal charges in the above-captioned case specified below are dismissed.
- The defendant's arrest record regarding these charges shall be expunged. Further, it is ORDERED that the arresting agency shall destroy all criminal records, fingerprints, photographic plates and photographs pertaining to the charge(s) specified below, which resulted from the arrest(s) of _____.
- In addition, all criminal justice agencies upon which this order is served shall expunge and destroy the official and unofficial arrest and other criminal records, files and other documents pertaining to the captioned proceedings.

The information required under Pa.R.Crim.P. 790 appears on the attached page(s) which is hereby incorporated into this ORDER by reference.

BY THE COURT:

Pursuant to Pa.R.Crim.P. 790, the following information is provided:

1. Petitioner Name: _____

2. Alias(es): _____

3. Petitioner's Address: _____

4. Petitioner's Date of Birth: _____

5. Petitioner's Social Security Number: _____

6. Name and address of the judge of the Court of Common Pleas or Philadelphia Municipal Court who accepted the guilty plea or heard the case:

7. Name and mailing address of the affiant as shown on the complaint, if available:

8. Docket Number: _____

9. Offense Tracking Number (OTN): _____

10. The date on the complaint, or the date of arrest, and if available, the criminal justice agency that made the arrest:

11. The specific charges, as they appear on the charging document, to be expunged and applicable dispositions (attach additional sheets if needed):

12. If the sentence includes a fine, costs, or restitution, whether the amount due has been paid: _____

13. The reason for expungement:

14. The criminal justice agencies upon which certified copies of the order shall be served:



Petition for Expungement Pursuant to Pa.R.Crim.P. 490

AND NOW, the petitioner avers the following and requests that this petition for expungement pursuant to Pa.R.Crim.P. 490 be granted for the reasons set forth below.

PETITIONER INFORMATION						
Full Name:		DOB:		Social Security Number:		
Address:		Alias(es):				
CASE INFORMATION						
List name, address of Judge of the Magisterial District or Philadelphia Municipal Court who accepted the guilty plea or heard the case:						
Judge:			Address:			
Magisterial District Court Number:						
Philadelphia Municipal Court or Magisterial District Docket Number:						
Name of Arresting Agency:			Date of Arrest:		Date on Citation or Complaint:	
List name and mailing address of the affiant as shown on the complaint or citation, if available:						
Name of Affiant:			Address:			
List specific charges, as they appear on the charging document, to be expunged and the disposition of each charge (please attach additional sheet(s) of paper if necessary):						
PA Statute (Title)	Section	Subsection	Statute Description	Counts	Grade	Disposition
If the sentence imposed included a fine, costs or restitution, has the amount due been paid? <input type="checkbox"/> Yes <input type="checkbox"/> No						
List the reason(s) for the expungement (please attach additional sheet(s) of paper if necessary):						
<input type="checkbox"/> I have attached a copy of my Pennsylvania State Police Criminal History which I have obtained within 60 days before filing this petition.						
<input type="checkbox"/> I have not attached a copy of my Pennsylvania State Police Criminal History. State reason(s) below:						

When this petition is filed with the Clerk of Courts, the petitioner shall serve a copy upon the attorney for the Commonwealth.

I, the undersigned petitioner, avers that the facts set forth in this petition are true and correct to the best of my personal knowledge or information and belief, and are made subject to the penalties of unsworn falsification to authorities under 18 Pa.C.S § 4904.

Signature of Petitioner

Date

Commonwealth of Pennsylvania

v.

IN THE COURT OF COMMON PLEAS OF
Lycoming COUNTY,
PENNSYLVANIA

CRIMINAL DIVISION

DOCKET NO: _____

ORDER

AND NOW, this ____ day of _____, 20____, after consideration of the
_____ presented by _____,
it is ORDERED that the Petition/Motion is _____.

- The criminal charges in the above-captioned case specified below are dismissed.
- The defendant's arrest record regarding these charges shall be expunged. Further, it is ORDERED that the arresting agency shall destroy all criminal records, fingerprints, photographic plates and photographs pertaining to the charge(s) specified below, which resulted from the arrest(s) of _____.
- In addition, all criminal justice agencies upon which this order is served shall expunge and destroy the official and unofficial arrest and other criminal records, files and other documents pertaining to the captioned proceedings.

The information required under Pa.R.Crim.P. 490 appears on the attached page(s) which is hereby incorporated into this ORDER by reference.

BY THE COURT:

Pursuant to Pa.R.Crim.P. 490, the following information is provided:

1. Petitioner Name: _____

2. Alias(es): _____

3. Petitioner's Address: _____

4. Petitioner's Date of Birth: _____

5. Petitioner's Social Security Number: _____

6. Name and address of the judge of the Court of Common Pleas or Philadelphia Municipal Court who accepted the guilty plea or heard the case:

7. Name and mailing address of the affiant as shown on the complaint or citation, if available:

8. Magisterial District Court number: _____

9. Docket Number: _____

10. The date on the citation or complaint, or the date of arrest, and if available, the criminal justice agency that made the arrest:

11. The specific charges, as they appear on the charging document, to be expunged and applicable dispositions (attach additional sheets if needed):

12. If the sentence includes a fine, costs, or restitution, whether the amount due has been paid: _____

13. The reason for expungement:

14. The criminal justice agencies upon which certified copies of the order shall be served:

**PENNSYLVANIA STATE POLICE
REQUEST FOR CRIMINAL RECORD CHECK
1-888-QUERYPA (1-888-783-7972)**

This form is to be completed in ink by the requester – (information will be mailed to the requester only). If this form is not legible or not properly completed, it will be returned unprocessed to the requester. A response may take four weeks or longer.

TRY OUR WEBSITE FOR A QUICKER RESPONSE
<https://epatch.state.pa.us>

REQUESTER NAME	
ADDRESS	
CITY/STATE/ ZIP CODE	
TELEPHONE NO. (AREA CODE)	

FOR CENTRAL REPOSITORY USE ONLY CONTROL NUMBER
AFTER COMPLETION MAIL TO: PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY – 164 1800 ELMERTON AVENUE HARRISBURG, PA 17110-9758 DO NOT SEND CASH OR PERSONAL CHECK
CHECK ONE BLOCK <input type="checkbox"/> INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY – ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF \$22.00, PAYABLE TO: <u>“COMMONWEALTH OF PENNSYLVANIA”</u> THE FEE IS NONREFUNDABLE <input type="checkbox"/> NOTARIZED INDIVIDUAL/NONCRIMINAL JUSTICE AGENCY – ENCLOSE A CERTIFIED CHECK/MONEY ORDER IN THE AMOUNT OF \$27.00, PAYABLE TO: <u>“COMMONWEALTH OF PENNSYLVANIA”</u> THE FEE IS NONREFUNDABLE <input type="checkbox"/> FEE EXEMPT-NONCRIMINAL JUSTICE AGENCY – NO FEE

SUBJECT OF RECORD CHECK				
(FIRST)	(MIDDLE)	(LAST)		
MAIDEN NAME AND/OR ALIASES	SOCIAL SECURITY NUMBER	DATE OF BIRTH (MM/DD/YYYY)	SEX	RACE

The Pennsylvania State Police response will be based on the comparison of the data provided by the requester against the information contained in the files of the Pennsylvania State Police Central Repository only.

**FEEES FOR REQUESTS - \$22.00. NOTARIZED FEE REQUESTS - \$27.00.
MAKE ALL MONEY ORDERS PAYABLE TO: COMMONWEALTH OF PENNSYLVANIA **

REASON FOR REQUEST				
◀◀◀◀◀CHECK THE BOX THAT MOST APPLIES TO THE PURPOSE OF THIS REQUEST▶▶▶▶▶				
<input type="checkbox"/>	INTERNATIONAL ADOPTION - INTERNATIONAL ADOPTION MUST BE NOTARIZED AND MAILED IN. (\$27.00 FOR REQUEST)			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ADOPTION (DOMESTIC)	EMPLOYMENT	VISA	OTHER	

WARNING: 18 Pa.C.S. 4904(b) UNDER PENALTY OF LAW - MISIDENTIFICATION OR FALSE STATEMENTS OF IDENTITY TO OBTAIN CRIMINAL HISTORY INFORMATION OF ANOTHER IS PUNISHABLE AS AUTHORIZED BY LAW.