

	HAMILTON COUNTY JUVENILE COURT ADMINISTRATIVE SERVICES		
	SECTION		
	SUBJECT Sealing and Expungement Policy		Ohio Revised Code 2151.356 2151.357 2151.358
APPROVAL DATE	ISSUED DATE	EFFECTIVE DATE	DISTRIBUTION METHOD
		4/11/23	Electronic Form
REVIEW DATE	REVIEWED BY Court Administrator	DISTRIBUTION LIST: Judges Court Administrator Hamilton County Public Defender Hamilton County Prosecutor	
APPROVED BY:			
Court Administrator: _____			

SEALING

Review by Court: The Court will act on its own to sealing all applicable offenses as listed in R.C. 2151.356 (B)(1)(a)-(e). The HCJC Clerk will run a report on JCMS each month of all cases dismissed on the merits, etc. The Administrative Magistrate will review a report generated by the Clerk to ensure that all eligible cases are promptly sealed.

Petitions Received: Petitions will be file stamped on the day received, but will not be visible in JCMS immediately as the HCJC Clerk will scan the petitions into JCMS for each case and ensure that all cases are assigned to the same Judge. Petitioners still under the jurisdiction of the court or otherwise ineligible because of the offenses at issue pursuant to 2151.356(C) will receive a letter from the Clerk explaining why they are not yet eligible and informing them their case will not be set for a hearing. This letter will be scanned into JCMS as part of the record.

Objections: The petitions received which are not still under the jurisdiction of the Court will be sent to a designee at the Hamilton County Prosecutor's office for the purpose of objections. This is the only communication the prosecutor's office will receive from the court and any objections will need to be filed with the Court within 30 days. If no objection is received within 30 days and upon review the Court determines the petitioner is eligible, the Court will automatically grant the sealing without a hearing. If a written objection is filed, the Court will set for a hearing within 30 days of receipt of that objection.

Copies to be dispersed: The Court will mail sealing orders to the petitioner at the address listed on the petition. The Court will ensure that the Ohio Bureau of Criminal Investigations and other applicable law enforcement agencies are served copies of the sealing order. Attorneys present in court who would like a copy will be provided one. To maintain the integrity and spirit of this process, the Court will not mail out additional copies.

EXPUNGEMENT

Review by Court: The Court will act on its own to expunge all applicable cases as listed in R.C. 2151.358 (A). The Administrative Magistrate will review a report generated by the Clerk to ensure that all eligible cases are promptly expunged.

Petitions Received: Petitions will be file stamped on the day received, but will not be visible in JCMS immediately as the HCJC Clerk will scan the petitions into JCMS for each case and ensure that all cases are assigned to the same Judge. If the case is not yet sealed/sealing was not applied for simultaneously or if are still under the jurisdiction of the Court, the Clerk will send a letter explaining why they are not yet eligible and informing them their case will not be set for a hearing. This letter will be scanned into JCMS as part of the record.

Objections: The petitions received which are not still under the jurisdiction of the Court will be sent to a designee at the Hamilton County Prosecutor's office for the purpose of objections. This is the only communication the prosecutor's office will receive from the court and any objections will need to be filed with the Court within 30 days. If no objection is received within 30 days and upon review the Court determines the petitioner is eligible, the Court will automatically grant the sealing without a hearing. If a written objection is filed, the Court will set for a hearing within 30 days of receipt of that objection.

Copies to be dispersed: The Court will ensure that the Ohio Bureau of Criminal Investigations and other applicable law enforcement agencies are served copies of the expungement order. Attorneys present in court who would like a copy will be provided one. To maintain the integrity and spirit of this process, the Court will not mail out additional copies.

The court reserves it powers granted under R.C. to act on its own as necessary to ensure proper sealing/expungement of all eligible cases.