



# HAMILTON COUNTY JUVENILE COURT

## Sealing & Expungement Policy R.C. 2151.356, 2151.357; 2151.358; 2930.171

### 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, unofficial cases, JPO's upon the age of 19, and status offenses. 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.

Hearings: All petitions filed under 2151.356(C)(1) will be set for a hearing by the Court at least 60 days out in compliance with 2930.171.

Objections: Petitions for sealing will be served on the Prosecutor's office. This is the only communication the prosecutor's office will receive from the court and any objections to the petition will need to be filed with the Court within 30 days.

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 sealing decision. The magistrate will hand deliver copies of all decisions to attorneys on the record. Once the sealing decisions are adopted by the Judge, the Clerk will email out to attorneys and mail to petitioners. To maintain the integrity and spirit of this process, the Court will not send out additional copies.

Subsequent Motions and Objections: While cases will no longer be visible after the magistrate decision sealing the case, the case will be "revived" for objections and appeals when timely made. If the decision is upheld, a subsequent decision will need to be entered to re-seal the case.

### 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.

Hearings: All petitions filed under 2151.358(B) will be set for a hearing by the Court at least 60 days out in compliance with 2930.171.

Objections: Petitions for expungement will be served on the Prosecutor's office. 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.

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 decision. The magistrate will hand deliver copies of all decisions to attorneys on the record. Once the expungement decisions are adopted by the Judge, the Clerk will email out to attorneys and mail to petitioners. To maintain the integrity and spirit of this process, the Court will not send out additional copies.

Subsequent Motions and Objections: While cases will no longer be visible after the magistrate decision expunging the case, the case will be "revived" for objections and appeals when timely made. If the decision is upheld, a subsequent decision will need to be entered to re-expunge the case.

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