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WHAT TO DO ONCE YOU'VE RECEIVED A CERTIFICATE OF ELIGIBILITY

You must take the following steps to complete the Sealing or Expunging process.

Once you have received your **Certificate of Eligibility** from FDLE, within 12 months from the date of issuance of the certificate, you must:

- 1) File a **Petition to Seal or Expunge** together with the **FDLE Certificate of Eligibility** issued to you by the Florida Department of Law Enforcement; a supporting **Affidavit** (the Affidavit must be notarized); and an **Order** for the Judge to sign approving the Petition, with the Broward County Clerk of Court.
 - A form ***Petition to Seal or Petition to Expunge***, a form ***Supporting Affidavit***, and a form ***Order*** are available for your use on the State Attorney's website, www.browardsao.com You may download those documents and fill in the blanks. You may also contact the State Attorney's Office at (954)831-6955 if you prefer to have a copy of the forms emailed or mailed to you.
 - ***The Affidavit must be notarized.*** You may have any notary public notarize it for you or you may bring the completed Petition and Affidavit into the State Attorney's office at any Courthouse location and we will notarize the Affidavit for you at no cost to you.

The Clerk of Courts will need the **original copies** of the **FDLE Certificate of Eligibility**, the **Petition to Seal or Expunge**, the **Affidavit**, and the **Order** for the Judge to sign once the Petition is approved.

You must also submit a copy of each of these document to The Office of the State Attorney.

- 2) The Clerk of Court will then process the Petition to Seal or Expunge, Affidavit and Order and will forward copies to the Judge for review.
- 3) Once the Judge reviews and signs the **Order** granting your Petition to Seal or Expunge the records, the Clerk of Court will contact you. You will then be required to pay the Clerk of Court \$42 plus the cost of copies.
- 4) The Clerk of Court will then forward certified copies of the **Order Sealing or Expunging** your records to the appropriate state attorney or statewide prosecutor, the arresting agency, and to any other agency which the records of the court reflect has received the criminal history record from the court.

The Clerk will provide you a certified copy of the judge's Order as confirmation that you have completed the process of Sealing or Expunging your record.

- 5) If your records are **Expunged**, there is nothing further you need to do. Please read **Section A** below for a list of agencies to whom you must disclose the existence of the records even though they've been **Expunged**. To any entity, agency or person other than those listed in **Section A**, you may deny the existence of the records.
- 6) If your records are **Sealed**, after 10 years from the date of Sealing you may choose to ask the Court to Expunge them at that time or you may leave them **Sealed**. Please read **Section B** below for a list of agencies to whom you must disclose the existence of the records even though they've been **Sealed**. To any entity, agency or person other than those listed in **Section B**, you may deny the existence of the records.

SECTION A:
EFFECT OF CRIMINAL HISTORY RECORD EXPUNCTION

The person may deny or fail to acknowledge the arrest/incident sealed except when:

- Applying for a job with a criminal justice agency
- When a defendant in a criminal prosecution
- Applying for sealing or expungement
- Applying for admission to the Florida Bar
- Seeking employment with, or licensing by, the Department of Children and Family Services, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or in a sensitive position having direct contact with children, the developmentally disabled, the aged or the elderly.
- Seeking employment or licensing with the Department of Education, any district school board, university laboratory school, charter school, any private or parochial school or any local governmental entity that licenses child care facilities.
- Seeking authorization from a Florida seaport for employment within or access to one or more seaports

SECTION B:
EFFECT OF CRIMINAL HISTORY RECORD SEALING

The person may deny or fail to acknowledge the arrest/incident sealed except when:

- Applying for a job with a criminal justice agency
- When a defendant in a criminal prosecution
- Applying for sealing or expungement
- Applying for admission to the Florida Bar

- Seeking employment with, or licensing by, the Department of Children and Family Services, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or in a sensitive position having direct contact with children, the developmentally disabled, the aged or the elderly.
- Seeking employment or licensing with the Department of Education, any district school board, university laboratory school, charter school, any private or parochial school or any local governmental entity that licenses child care facilities.
- Seeking authorization from a Florida seaport for employment within or access to one or more seaports
- Attempting to purchase a firearm and are subject to a criminal background check