

CLEAR OR SEAL



A Lawyer's Guide to Expunctions, Nondisclosures, and Juvenile Sealings

Produced and distributed as a public service by
the Texas Young Lawyers Association and the State Bar of Texas

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by the
Texas Young Lawyers Association
and
the State Bar of Texas

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Texas Young Lawyers Association
Public Service in the Community Committee
P.O. Box 12487, Capitol Station
Austin, TX 78711-2487

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The information in this brochure is for educational and informational purposes only. All statutes referenced are current as of 2024 but are subject to change. Please consult an attorney regarding specific legal questions.

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EXPUNCTION, NONDISCLOSURE, AND JUVENILE SEALING ORDERS IN TEXAS

INTRODUCTION

Everyone, at some point, has made a mistake or has been in the wrong place at the wrong time resulting in various consequences. Unfortunately for some, these consequences can result in a criminal record. Such criminal records can impact future job searches, professional licenses, and credit scores.

Expunctions and Juvenile Sealing Orders are procedures used to clean up criminal history records, while Nondisclosure Orders are designed to seal adult criminal history records from public view. In Texas, an expunction can permanently remove arrest records and entries on an adult criminal history record, but it is limited in its application. Nondisclosures can seal adult criminal history records of certain offenses from public disclosure, but they are still visible to criminal justice agencies, licensing agencies, and certain government entities. Eligibility for either depends on the type of offense and type of community supervision (probation). Meanwhile, juvenile sealing orders will permanently remove criminal history records, but the court files will remain with the district clerk and available to certain people.

No agency, system, or person is perfect; mistakes can happen. Although the criminal justice system may be tough on offenders or those inadvertently caught in the criminal justice system, the law attempts to right wrongs and, when deserved, give second chances.

OVERVIEW ON EXPUNCTIONS

While most convictions cannot be removed from a person's record, Texas law does allow individuals to remove information about an arrest, charge, or conviction from their permanent records in certain circumstances. This is called an expunction. Once a person's record is expunged, all information is removed from the criminal record and that person can deny the incident ever occurred. In addition, every agency maintaining those records is ordered to expunge those from their systems, so there will be no record of the arrest, charge, or conviction in any system anywhere; this includes the law enforcement agency, the prosecuting attorney's office, etc.

Prior to beginning the process for expunction, you should review Chapter 55 of the Texas Code of Criminal Procedure¹ which outlines the arrests which may qualify for expunction, and any other statutes that may pertain to your expunction (such as the Alcoholic Beverage Code, Health & Safety Code, and/or Texas Civil Practice & Remedies Code). "Arrest" includes custodial and non-custodial arrests (like citations) for felony or misdemeanor offenses. At the outset, it is helpful to outline the offenses which do not qualify for expunction. Absent a pardon or acquittal on appeal, a person who is convicted of any offense or who is placed on community supervision (including deferred adjudication) for an offense other than a Class C misdemeanor is not eligible for expunction. A person is also not eligible for expunction if the arrest relates to a probation violation warrant or if the person absconds from the jurisdiction after being released on bond.

Records that may be available for expunction, subject to certain requirements listed in Chapter 55², include:

- An arrest for a crime when the defendant was acquitted;
- An arrest for a crime when the defendant was pardoned;
- Conviction for Unlawful Carrying of a Handgun, if the offense was committed before September 1, 2021 and was prosecuted pursuant to Texas Penal Code 46.02(a);
- Arrest, charge, or conviction on a person's record due to identity theft by another individual who was actually arrested, charged, or convicted of the crime ("Mistaken Identity" expunction);

¹ To be recodified to Chapter 55A. See HB 4504 from the 88th Regular Texas Legislative Session effective 1/1/2025.

² You should always conduct research or consult an attorney before attempting to apply for an expunction.

- A class C misdemeanor that resulted in deferred disposition or deferred adjudication;
- An arrest for a crime that was never charged;
- An arrest for an offense that was ultimately dismissed or quashed;
- A criminal charge that was dismissed through a veteran's treatment court program, so long as the petitioner has not previously received an expunction through this means;
- A criminal charge that was dismissed through a mental health court program, so long as the petitioner has not previously received an expunction through this means;
- A criminal charge that was dismissed through a pretrial diversion or pretrial intervention program;
- A criminal charge that was dismissed due to mistake, false information, or other similar reason indicating absence of probable cause, or the charging instrument was void; or
- An arrest for an offense that can no longer be prosecuted because the statute of limitations has expired (note this only applies to offenses never charged, offenses dismissed/quashed, and limited cases involving deferred adjudication).

Expunctions that are not covered under Chapter 55 include:

- Conviction of a person under age 21 for either consumption of alcohol by a minor or possession of alcohol by a minor (see Chapter 106 of the Health & Safety Code);
- Conviction of only one (1) offense under 101.73 of the Alcoholic Beverage Code;
- Conviction of tobacco use by a minor under 161.255 of the Health & Safety Code (only eligible for expunction after the minor has turned 21 year of age);
- Certain fine-only misdemeanor or municipal offense, committed by a minor, under Chapter 45 of the Texas Code of Criminal Procedure;
- Failure to Attend School under Chapter 45 of the Texas Code of Criminal Procedure;

Not all individuals with records eligible for expunction above qualify to receive an expunction, so it is important to read Chapter 55 thoroughly and speak to an attorney to ensure that your arrest meets the requirements.

Statute of Limitations

A person cannot file a petition seeking expunction of a felony charge that has been dismissed if the statute of limitations for the crime has not yet expired. The statute of limitations is the amount of time that the state or county has to prosecute an action against a person after that person has been arrested for an offense. The statute of limitations is different depending on the crime, but most are at least three years after the date of the offense. You can find the different statutes of limitation for different offenses in Texas Code of Criminal Procedure Chapter 12. If there is no statute of limitations because the offense falls under Article 12.01(1), a dismissed offense can only be expunged upon the approval of the prosecutor and the Court.

Expunction after Acquittal

A person who has been arrested for an offense is entitled to have all records related to the arrest expunged if the person is acquitted, unless the acquittal arose out of a criminal episode and the person was convicted of or remains subject to prosecution for at least one other offense occurring during the criminal episode.

A criminal episode means the commission of two or more offenses that are either (1) “committed pursuant to the same transaction or pursuant to two or more transactions that are connected or constitute a common scheme or plan,” or (2) “the repeated commission of the same or similar offenses.” See Texas Penal Code 3.01.

There are a couple other exceptions that would preclude an acquittal from being expunged: (1) An acquitted offense where the person was found not guilty by reason of insanity; or (2) if the records are needed to prosecute someone else for the offense, for use in a civil case, or for use in another criminal case.

If the acquittal is by an appellate court (intermediate court or Court of Criminal Appeals), the expunction is discretionary. A court presiding over a case based on an acquittal must enter an order of expunction not later than the 30th day after the date the court receives notice of the acquittal.

Expunction after Pardon

Similarly, a person who has been arrested for an offense is entitled to have all records related to the arrest expunged if the person is convicted and subsequently pardoned. An “actual innocence pardon” occurs if the pardon or court order clearly indicated

on its face that the pardon or order was based on the person's actual innocence. A court presiding over a case based on actual innocence must enter an order of expunction not later than the 30th day after the date the court receives notice of the pardon or other granting relief.

Expunction for Cases Never Filed (“Reduced Waiting Period”)

A person who is arrested but not charged by an indictment, information, or complaint may file for an expunction prior to the expiration of the statute of limitations if the reduced waiting period has expired. The reduced waiting period is (1) at least 180 days from the date of the arrest for an offense punishable as a Class C misdemeanor, (2) at least one year from the date of the arrest for an offense punishable as a Class B or A misdemeanor, or (3) at least three years have elapsed for an offense punishable as a felony. This reduced waiting period can be waived by the prosecutor if they certify that the records are no longer needed for any other criminal prosecution or investigation.

Expunction on Prosecuting Attorney’s Recommendation

A person may also obtain an expunction if the office of the prosecuting attorney recommends the expunction to the court before the person is tried for the offense. An expunction based on the prosecutor’s recommendation is within the discretion of the court, meaning that that court may reject the recommendation and deny the expunction. This is limited to rejected or unindicted cases, dismissed cases, and some deferred adjudications.

Expunction of Unlawful Carrying of a Weapon offenses

A person may also obtain an expunction of a unlawful carrying of a weapon offense under Texas Penal Code § 46.02(a) even if that offense resulted in a conviction. The offense must have occurred before September 1, 2021. This does not include any other offense under Texas Penal Code § 46.02, such as carrying a handgun during the commission of a criminal offense.

APPLYING FOR AND OBTAINING AN EXPUNCTION

The first step in gaining an expunction is to file a Petition for Expunction with the district court requesting that the court grant an Order for Expunction. Some links to basic forms for both the Petitions for Expunction and Orders for Expunction are included at the end of this pamphlet. Some counties may provide their own forms; you may want to check with the district clerk of the county where you were arrested to find out what forms are recommended. As with any legal proceeding, errors in the following procedure can have serious consequences. Therefore, it is always advisable to seek the assistance of an attorney.

The person applying for the expunction is known as the Petitioner. Either the Petitioner or their attorney will have to prepare and file the Petition for Expunction. There will be fees associated with filing the Petition (see Article 102.006 of the Code of Criminal Procedure). The Petition should include the Petitioner's personal identifying information, the offense charged, the dates of the arrest and offense, the name of the arresting agency, and a list of all of the agencies or entities that may have a record of the arrest. These agencies/entities are known as "Respondents." A full list of the information required to be contained within the petition is found in Art. 55A.253 of the Texas Code of Criminal Procedure. If the offense was charged, the Petition should also contain the cause number for the case, the name of the court, how the charge was resolved (i.e. dismissed, pretrial diversion, no billed by the grand jury, or acquitted) and the date the charge was resolved. The Petition should also include the "TRN" tracking number for the arrest, which can be found either through the county's arrest records or by obtaining a certified copy of your criminal history record through the Texas Department of Public Safety ("TXDPS").

TXDPS is the central repository of criminal records for Texas arrest records and should always be included in the petition for expunction as an entity to be served. TXDPS will automatically notify all private entities that purchase criminal history record information from the agency. If you want an entity not listed to receive notice and expunge your records, you must include them separately with either a fax or email listed. Those entities are listed here:

<https://publicsite.dps.texas.gov/ConvictionNameSearch/Home/Default/Purchases>

The Petition must be verified, meaning that you must have it notarized when it is signed. One exception to the notary requirement is to include an unsworn declaration pursuant to Texas Civil Practice & Remedies Code 132.001. Finally, the Petition should contain a blank “notice of hearing” so that the court can set a hearing on the issue.

Once the Petition is completed, Petitioner must file it with the appropriate court, via the court clerk. Whether the Petition should be filed in municipal, county, or district court will depend on the level of the offense. If the offense was formally charged, then the Petition will most likely need to be filed in the district clerk’s office of the county where it was originally charged. All attorneys are required to e-file civil matters, but pro se petitioners may be able to file their petition in person at the appropriate clerk’s office. Pro se petitioners should always contact the clerk to obtain up to date filing procedures.

After the Petition is filed, the court will schedule a hearing and send notice of the hearing to all Respondents. Respondents are required to have 30 days’ notice of any hearing. After the clerk has sent notice to the parties, the court may conduct a hearing to allow the Respondents an opportunity to contest the expunction. However, if the Petitioner meets all the necessary requirements and there is no objection, the court may grant the expunction without a hearing. Pro se petitioners should always contact the court directly to clarify whether a hearing is needed, and whether the petitioner will need to appear.

After the court grants the expunction, the Petitioner will need to present an Order for Expunction to the court for the judge’s signature. The court will likely expect the Petitioner to have an Order drafted and ready for the judge to sign at the hearing on the expunction. That Order will need to be filed with the appropriate clerk, and that clerk then serves the parties and the listed agencies with the signed Order (the Respondents). The records will either be deleted or returned to the court clerk by each Respondent, pursuant to the court’s Order for Expunction.

You can confirm your expunction was processed by the State of Texas (TXDPS maintains your full criminal history record) by emailing **expunctions@dps.texas.gov**. Keep in mind it may take several weeks for your order to be processed.

OVERVIEW ON NONDISCLOSURES

Nondisclosures were created as a second chance for first-time or low-level offenders. A nondisclosure order “seals” a person’s criminal offense from public view. Nondisclosure may be available when a person is not eligible for an order of expunction. Texas Government Code § 411.071 allows an individual with certain offenses who has successfully completed deferred adjudication community supervision or been convicted to petition the court for an order of nondisclosure. An order of nondisclosure is a court order prohibiting public entities, including courts, clerks of the court, law enforcement agencies, and prosecutorial offices, from disclosing certain criminal records to certain people or entities.

A nondisclosure does NOT completely destroy all records of the arrest like an expunction does, but it will limit public accessibility to the records of a particular offense. An order of nondisclosure legally frees you from having to disclose certain information about your criminal history. In other words, you are not required to disclose information related to an offense that is the subject of an order of nondisclosure. An Order of Nondisclosure applies to a particular criminal offense. The order does not apply to all offenses that may be on your criminal history record, but you may obtain multiple orders for multiple offenses. Each of the sections listed below has specific requirements and procedures that must be satisfied to obtain an order of nondisclosure. ***Consequently, you should conduct additional research or consult an attorney before attempting to apply for a nondisclosure.***

Eligible Offenses:

Orders of Nondisclosure are available for the following offenses listed in Chapter 411 of the Government Code:

- Deferred Adjudication Community Supervision; Certain Nonviolent Misdemeanors (§ 411.072);
- Deferred Adjudication Community Supervision; Felonies and Certain Misdemeanors (§ 411.0725);
- Deferred Adjudication Community Supervision; Certain Driving While Intoxicated and Boating While Intoxicated Misdemeanors (§ 411.0726);
- Procedure Following Successful Completion of Veterans Treatment Court Program (§ 411.0727);
- Certain Victims of Trafficking of Persons or Compelling Prostitution (§ 411.0728);

- Procedure for Certain Veterans Placed on Community Supervision (§ 411.0729);
- Community Supervision Following Conviction; Certain Misdemeanors (§ 411.073);
- Procedure for Community Supervision Following Conviction; Certain Driving While Intoxicated Convictions (§ 411.0731);
- Conviction and Confinement; Certain Misdemeanors (§ 411.0735); and
- Procedure for Conviction; Certain Driving While Intoxicated Convictions (§ 411.0736).

Ineligible Offenses:

You are *ineligible* for an order of nondisclosure if you have ever been convicted of or placed on deferred adjudication for any one of the following offenses listed in § 411.074 (this includes the offense for which the order of nondisclosure is requested):

- An offense requiring sex offender registration under Chapter 62, Texas Code of Criminal Procedure;
- An offense under Section 20.04, Texas Penal Code (Aggravated Kidnapping), regardless of whether the offense is a reportable conviction or adjudication for purposes of Chapter 62, Texas Code of Criminal Procedure;
- An offense under any of the following sections of the Texas Penal Code:
- An offense under Section 19.02, Texas Penal Code (Murder);
- An offense under Section 19.03, Texas Penal Code (Capital Murder);
- An offense under Section 20A.02, Texas Penal Code (Trafficking of Persons);
- An offense under Section 20A.03, Texas Penal Code (Continuous Trafficking of Persons);
- An offense under Section 22.04, Texas Penal Code (Injury to a Child, Elderly Individual, or Disabled Individual);
- An offense under Section 22.041, Texas Penal Code (Abandoning or Endangering a Child);

- An offense under Section 25.07, Texas Penal Code (Violation of Court Orders or Conditions of Bond in a Family Violence, Sexual Assault or Abuse, Stalking, or Trafficking Case);
- An offense under Section 25.072, Texas Penal Code (Repeated Violation of Certain Court Orders or Conditions of Bond in Family Violence, Sexual Assault or Abuse, Stalking, or Trafficking Case); or
- An offense under Section 42.072, Texas Penal Code (Stalking); or
- Any other offense involving family violence, as defined by Section 71.004, Texas Family Code.

You may also be ineligible for an order of nondisclosure for certain offenses if you were convicted of or placed on deferred adjudication for another offense, excluding any traffic offenses punishable by fine only, during the period after you were convicted of or placed on probation or deferred adjudication for the offense for which the order of nondisclosure is requested and during any applicable waiting period, if any, following the completion of your sentence, probation, or deferred adjudication.

Important Note about Nondisclosures:

Although the offense subject to a nondisclosure order is hidden from public view, certain criminal justice and state agencies can still obtain information regarding that offense by accessing full criminal history record. For a list of such agencies, see Tex. Gov't Code § 411.0765. Some examples of entities that can access non-disclosed records include: schools and school districts, licensing entities such as the Texas Board of Nursing and Texas Education Agency, the Texas Department of Family and Protective Services, and municipal or volunteer fire departments.

APPLYING FOR AND OBTAINING A NONDISCLOSURE

The process for obtaining an Order of Nondisclosure is somewhat like obtaining an Order for Expunction, but slightly more complicated. **As with any legal proceeding, errors in the following procedure can have serious consequences. Therefore, it is always advisable to seek the assistance of an attorney.**

Like an expunction, the person applying for a nondisclosure order is referred to as the “Petitioner” or sometimes the “Applicant.” A Petition must be filed with the court that disposed of the offense, whether by deferred adjudication or conviction. Some links to basic forms for both the petitions for nondisclosure and orders for nondisclosure are included at the end of this pamphlet. Some counties may provide

their own forms, as well. The full requirements for a nondisclosure are listed in Texas Government Code § 411.0745.

The Petition should include the Petitioner’s personal identifying information, the offense charged, the dates of the arrest and offense, the name of the arresting agency, and a list of all of the agencies or entities that may have a record of the arrest (the “Respondents”). The Petition should also contain the cause number for the case, the name of the court, how the charge was resolved (i.e. deferred adjudication, conviction, or probation) and the date the charge was resolved. If the Petitioner served probation, they should include the date they were discharged from probation as well. Finally, the Petition should also include the “TRN” tracking number for the arrest, which can be found either through the county’s arrest records or by obtaining a certified copy of your criminal history record.

TXDPS is the central repository of criminal records for Texas arrest records and should always be included as a Respondent in both the petition and order. TXDPS will automatically notify all private entities that purchase criminal history record information from the agency. If you want an entity not listed to receive notice and expunge your records, you must include them separately with either a fax or email listed.

Those entities are listed here:

<https://publicsite.dps.texas.gov/ConvictionNameSearch/Home/Default/Purchases>.

The Petition must be verified, meaning that you must have it notarized when it is signed. One exception to the notary requirement is to include an unsworn declaration pursuant to Texas Civil Practice & Remedies Code 132.001. Finally, the Petition should contain a blank “notice of hearing” so that the court can set a hearing on the issue. A hearing will be conducted after proper notice to the required parties and the court will determine, at that time, whether to grant the order. The court generally has more discretion to decide whether to grant an order for nondisclosure than a judge reviewing an expunction request. The court will deny a nondisclosure order if justice would not be served by granting the order (as determined by the court), a requirement not necessary for expunction petitions.

You may need one or more of the following documents, depending on your case, to help you to determine if you are eligible for an order of nondisclosure:

1. A copy of the judgment in your case;
2. A signed order or document showing that the judge reduced your period of deferred adjudication, probation, or confinement, or granted you an early termination;

3. A signed order or document showing that you completed your deferred adjudication or probation, including any term of confinement imposed and payment of all fines, costs, and restitution imposed;
4. A discharge order (an order or document showing that you were discharged from probation or deferred adjudication);
5. A discharge and dismissal order (an order showing that the judge set aside the verdict in your case or permitted you to withdraw your plea and dismissed the accusation, complaint, information, or indictment against you) in accordance with Texas Code of Criminal Procedure Article 42A.701 (formerly Section 20(a) of Article 42.12), or Article 42A.111; and A signed order or judgment reflecting any affirmative findings made by the judge, including any finding that: (1) it is not in the best interest of justice for you to receive an order of nondisclosure; (2) the offense involved family violence; and (3) you must register as a sex offender.

The above documents, if applicable to your nondisclosure, should either be attached as an exhibit to your petition or brought to the hearing and presented to the court.

OVERVIEW ON JUVENILE SEALINGS

A juvenile under the age of 17 referred to juvenile court has a record even if not detained by law enforcement before the referral. Referrals to juvenile court may be made for Class A or B misdemeanors, felony offenses, or for conduct indicating a need for supervision (CINS), which include class C misdemeanors, conduct that would not be against the law if committed by an adult, and other specific offenses like sexting.

While juvenile records are confidential, the law allows sharing with entities that need access for community safety or to provide services to juveniles. While juvenile records are not eligible for expunction (see § 58.265 of the Texas Family Code), they may be sealed under certain circumstances, which is very similar. If the records are sealed, the offense is removed from your full criminal history record, and no one may access the physical court records except with a court order, which may only be issued in limited circumstances. Chapter 58 of the Texas Family Code has more information regarding juvenile records and Subchapter C-1 details the sealing of those juvenile records.

Juvenile records exempt from sealing include:

- (1) Any records relating to a criminal combination or criminal street gang maintained by the Department of Public Safety or a local law enforcement agency under Chapter 67, Code of Criminal Procedure;
- (2) Sex offender registration records maintained by the Department of Public Safety or a local law enforcement agency under Chapter 62, Code of Criminal Procedure; and
- (3) Records collected or maintained by the Texas Juvenile Justice Department for statistical and research purposes, including data submitted under Section 221.007, Human Resources Code, and personally identifiable information.

Juvenile Sealings: When an Application is Required

If you are required to file an application to seal your juvenile records, the court may choose to order the records sealed without a hearing or may hold a hearing to decide whether to seal the records. The court cannot deny an application for sealing without first having a hearing. Sealing does not apply to records in a justice or municipal court related to a Class C misdemeanor. Those records may be eligible for expunction, though. Some links to basic juvenile sealing forms are included at the end of this pamphlet. Some counties may provide their own forms, as well.

“Automatic” Juvenile Sealings:

Some juvenile records do not require an application, but are automatic once certain conditions are met, listed in Section 58.253, 58.254, 58.255, and 58.2551 of the Texas Family Code. If you think your juvenile records qualify under one of these sections, and they have not yet been sealed by the county, you should contact the prosecuting attorney in the juvenile court where you currently live or where the charge originated from for more information.

When records are sealed, all adjudications are vacated, and it is as though the referral to juvenile court never happened. You are not required to state in any proceeding or in any application for employment, licensing, admission, housing, or other public or private benefit that the records ever existed or that you were ever arrested, prosecuted, or adjudicated. Additionally, the law states that once records are sealed, the information in the records, the fact that they once existed, or your denial of the existence of the records may not be used against you in any manner. Similar to an expunction for an adult, the individual filing a juvenile sealing application may need to follow certain procedures and meet specific criteria before the court will seal a juvenile record. *Different procedures apply to the sealing of juvenile offenses. Consequently, you should conduct additional research or consult an attorney before attempting to apply for the sealing of a juvenile record.*

HELPFUL LINKS AND OTHER RESOURCES

There are great resources available online to help you with various aspects of the expunction, nondisclosure, or juvenile sealing process. For more information, please visit the following websites:

- **Texas Fresh Start Guide**

<https://georgetown.neotalogic.com/a/TexasFreshStartV2>

This free, anonymous, interactive tool from Georgetown University Law Center helps you determine whether or not you qualify for an expunction or nondisclosure order.

- **Texas State Law Library - Expunctions and Nondisclosure Orders**

<https://guides.sll.texas.gov/expunctions-and-non-disclosure>

The State Law Library has links to several sources of information, including the relevant provisions in the Texas Code, plain language explanation of the law, and fillable forms. The website covers both expunctions and nondisclosures.

- **Texas Judicial Branch**

www.txcourts.gov/rules-forms/orders-of-nondisclosure

The Texas Judicial Branch has an overview of nondisclosures in general, as well as a breakdown of the different types of nondisclosures, and the forms associated with each. This is the best place for information regarding nondisclosures.

- **Juvenile Law Section of the State Bar of Texas**

<https://juvenilelaw.org/resources/forms/>

The Juvenile Law Section of the State Bar of Texas provides various sample forms, including those filings required for sealing juvenile records.

- **Statement of Inability to Pay Costs**

www.txcourts.gov/media/1435953/statement-final-version.pdf

If you do not have enough money to pay the court fees, you can ask a judge to waive the fees with this form.

- **E-Filing Guide for Pro Se Litigants**

www.txcourts.gov/media/1442179/tyla-guide-how-to-efile-documents.pdf

Filing a document with the court clerk is the only way the court is able to consider the document when making its decision. There are two main ways pro se litigants can file documents with the court. The first way is to file a document either in person or by mail. The second way is to file a document electronically if the litigant has access to a computer and the internet. This guide describes both methods of filing.

- **Texas Law Help**

TexasLawHelp.org is a website dedicated to providing free and reliable legal information to low-income Texans and provides forms that can be utilized for expunctions.

Forms regarding the expunction process are available at:
<https://texaslawhelp.org/toolkit/i-need-clear-arrest-from-my-record-expunction>

- **Texas Department of Public Safety - Crime Records Division**

The Crime Records Division of TXDPS can assist you in obtaining a certified copy of your criminal history record and checking the status of your expunction order being processed: <https://www.dps.texas.gov/section/crime-records>

Email: expunctions@dps.texas.gov

EXPUNCTION FORMS

These forms are promulgated by TexasLawHelp.org. TexasLawHelp is a website dedicated to providing free and reliable legal information to low-income Texans. It is a project of the Texas Legal Services Center, and is supported by the Texas Access to Justice Foundation, Texas Bar Foundation, Travis County Law Library, and Texas Legal Aid Organizations.

These forms and others that may assist you in the expunction process are available at: <https://texaslawhelp.org/toolkit/i-need-clear-arrest-from-my-record-expunction>

The information and forms in this guide are not legal advice and are not a substitute for the help of a lawyer. It is always a good idea to talk with a lawyer about your situation.

- Petition for Expunction of Criminal Records (Charges Not Filed)
- Additional Arrest Exhibit (Charges Not Filed)
- Order Granting Expunction of Criminal Records (Charges Not Filed)
- Petition for Expunction of Criminal Records (Charges Dismissed or Quashed)
- Additional Arrest Exhibit (Charges Dismissed or Quashed)
- Order Granting Expunction of Criminal Records (Charges Dismissed or Quashed)
- Order Granting Expunction of Criminal Records (Charges Dismissed or Quashed with Additional Arrests Where Charges Were Not Filed)

NONDISCLOSURE FORMS

These forms are promulgated by the Texas Judicial Branch.

These forms and others that may assist you in the nondisclosure process are available at: www.txcourts.gov/rules-forms/orders-of-nondisclosure

The information and forms in this guide are not legal advice and are not a substitute for the help of a lawyer. It is always a good idea to talk with a lawyer about your situation.

- Order of Nondisclosure under Section 411.072
- Petition for Order of Nondisclosure under Section 411.0725
- Order of Nondisclosure under Section 411.0725
- Petition for Order of Nondisclosure under Section 411.0726
- Order of Nondisclosure under Section 411.0726 (Driving While Intoxicated)
- Order of Nondisclosure under Section 411.0726 (Boating While Intoxicated)
- Petition for Order of Nondisclosure under Section 411.0727
- Order of Nondisclosure under Section 411.0727
- Petition for Order of Nondisclosure under Section 411.0728
- Order of Nondisclosure under Section 411.0728
- Petition for Order of Nondisclosure under Section 411.0729
- Order of Nondisclosure under Section 411.0729
- Petition for Order of Nondisclosure under Section 411.073
- Order of Nondisclosure under Section 411.073
- Petition for Order of Nondisclosure under Section 411.0731
- Order of Nondisclosure under Section 411.0731
- Petition for Order of Nondisclosure under Section 411.0735
- Order of Nondisclosure under Section 411.0735
- Petition for Order of Nondisclosure under Section 411.0736
- Order for Order of Nondisclosure under Section 411.0736

SEALING JUVENILE RECORDS FORMS

These forms are promulgated by the Juvenile Law Section of the State Bar of Texas.

These forms and others that may assist you in the sealing of juvenile records process are available at: <https://juvenilelaw.org/resources/forms/>

The information and forms in this guide are not legal advice and are not a substitute for the help of a lawyer. It is always a good idea to talk with a lawyer about your situation.

- Application for Sealing Juvenile Records
- Order Sealing Records - No Application - Delinquent Conduct
- Order Sealing Records - No Application - CINS
- Order Sealing Records (Application No Hearing)
- Order Sealing Records (Application and Hearing)
- Order Declining to Seal Records (Statutory Criteria Not Met)
- Order Declining to Seal Records (Hearing)
- Verification Form – Probation/Prosecutor/Law Enforcement/Service Provider
- Verification Form - DPS
- Verification Form - TJJD
- Verification Form - No records exist

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