

St. Louis County Circuit Court

Instructions For Expungement of Arrest Records

Note: These instructions and forms are to be used only for expungements pursuant to Chapter 610, and do not apply to the expungement of alcohol related driving offenses pursuant to Chapter 577. These instructions and forms do not apply to expungement and correction of arrest/conviction records – Identity Theft pursuant to Section 575.120.4 RSMo.

The current filing fee is \$97.00 for each petition. **A separate petition is needed for each arrest, unless they are the same incident [day and agency].**

THE FOLLOWING MUST BE TRUE FOR THE COURT TO GRANT THE EXPUNGEMENT.

The court may grant an expungement if the court finds that the arrest was based on false information and the following conditions exist:

1. There is no probable cause, at the time of the action to expunge, to believe that you, the arrested person, committed the offense;
2. No charges will be pursued as a result of the arrest;
3. You have no prior or subsequent misdemeanor or felony convictions;
4. No civil action is pending relating to the arrest or the records sought to be expunged; and
5. You did not receive a suspended imposition of sentence [SIS] for the offense for which the arrest was made or for any offense related to the arrest.

If you received an SIS, the court cannot grant an expungement of the arrest record. **However**, after successful completion of probation, official records pertaining to the case are closed records and are inaccessible to all persons, except to the defendant, and as provided under Sections 610.105 and 610.120 RSMo. You may check with the criminal department in Room 206 to verify the status of the case. You may obtain a copy of your arrest records from the St. Louis County Police at Police Headquarters, 7900 Forsyth, Clayton, Missouri 63105.

COMPLETING THE PETITION FORM (Complete All Information)

1. **List yourself**, the arrested person, as the plaintiff.
2. **The defendants are named** in the first part of the petition form. **Identify the defendants**, by checking the appropriate box and naming the agencies who you believe to have a record of the arrest, as follows:
 - If a court file was opened in this court, name the appropriate Circuit or Associate Circuit Court Division.
 - If a file was opened in one of the municipal courts of St. Louis County (Brentwood or Pine Lawn as examples) name that Court.
 - If a file was opened in St. Louis county Satellite Municipal Court, name that Court, the St. Louis County Municipal Court Administrator, and the St. Louis County Counselor, on the lines below the OTHER category.
 - If you were charged with an offense associated with the arrest, (warrant issued) name the prosecutor of the county or municipality.
 - Always name the arresting agency** (police, sheriff, or the highway patrol troop).
 - Always name St. Louis County Police.**
 - Always name the Criminal Records Repository.**
3. **Read carefully the statement in the large box under “PETITION FOR EXPUNGEMENT OF ARREST RECORDS”.**
4. **Fill in the remaining information**, full name, sex, etc.
5. **Obtain and attach your fingerprints on a standard fingerprint card, one for each arrest.** NOTE: The fingerprint card will be forwarded to the Central Repository for the sole purpose of positively identifying you.
6. **Review the petition carefully, take it to a notary and sign it before them. You are swearing that the facts are true according to your best knowledge and belief.**

FILING THE PETITION AND OBTAINING A HEARING DATE

1. **Bring your petition, your completed fingerprint card, and filing fee** to the **filing office window** in the **lobby** on the **street level** of the **Courts Building**.
2. After the pleadings clerk has accepted your pleading, **you will be directed to the Summons Department for initiation of the case.**
3. **You will then be directed to the Civil/Equity Department to receive a hearing date and to complete the required notice forms. A hearing will be held no sooner than 30 days from the filing of the petition. You will be given a copy** of the petition and the completed notices for your records.

If you have any questions not answered by these instructions, you should consult a lawyer.