

Akron Municipal Court Sealing Dismissal Packet

This packet contains the following:

- Sealing Process for Akron Municipal Court
- Sealing Municipal Cases Information Sheet
- Application for Sealing of Dismissal
- Supplemental Sealing Information Form
- Affidavit for Sealing Dismissal (must be notarized if mailing application materials)
- Order for Sealing of Dismissal
- Ohio Attorney General Form

*It is your responsibility to review all documents in this packet and review the guidelines to determine if you can get your prior convictions or dismissals sealed.

Sealing Process for Akron Municipal Court

1. Obtain the Akron Municipal Sealing Packet from the Clerk of Courts.
2. **Carefully read and review** the Sealing Municipal Cases Information Sheet to determine if your past cases qualify for sealing.
 - You **CANNOT** have any criminal or traffic proceedings pending against you in **ANY COURT**.
 - Convictions arising from the same incident count as one.
 - Akron Municipal Court can only seal cases that were handled in the Akron Municipal Court (**MISDEMEANORS ONLY**).
3. **Complete** the Application for Sealing of Dismissal.
4. **Complete** the Supplemental Sealing Information Form.
5. **Complete** the Affidavit for Sealing of Dismissal.
6. **Complete** the Order for Sealing of Dismissal.
7. **Complete** the Ohio Attorney General Form.
8. **Sign the bottom of this form** acknowledging that you have read and understand the process outlined herein.
9. **Submit payment** along with the Application, Supplemental Form, Affidavit, Order, Attorney General Form, and Sealing Process to the Akron Municipal Clerk of Courts.
10. The fees to process your sealing application are as follows:
 - The application fee is \$50.00.
 - An applicant can request to seal multiple cases on one application.
 - FEES are **NOT** refundable so please make sure you review the qualifications before you apply for sealing.
11. The entire process will take between 45 and 90 days. You will receive notice of your hearing date at the address provided in this packet.

Applicant Signature

Date

*If you have additional questions about whether you are eligible for sealing, please consult with an attorney or refer to the University of Akron Reentry Clinic at <https://www.uakron.edu/law/curriculum/clinical-programs/reentry.dot>

Sealing Municipal Cases Information Sheet

Information adapted from material produced by the Ohio Justice and Policy Center, the Legal Aid Society of Columbus, and Southeastern Ohio Legal Services

To apply for record sealing, the applicant can complete the appropriate sealing packet as provided by the Clerk of Courts office.

Can I seal my case?

An applicant can seal a case if the case is eligible for sealing and there are no open or pending criminal cases, including warrants and traffic cases. The Ohio Revised Code (R.C.) provides the types of cases that can be sealed.

What case is eligible?

Any dismissal can be sealed.

Most municipal convictions can be sealed, except for:

- The following traffic-type cases, unless R.C. 2953.61(B)(1) applies:
 - R.C. 4506: Commercial Driver’s Licensing offenses
 - R.C. 4507: Driver’s License offenses
 - R.C. 4510: Driver’s License Suspension offenses
 - R.C. 4511: Operation of Motor Vehicles offenses
 - R.C. 4549: Motor Vehicle Crimes
- Sex offenses where the offender must register pursuant to R.C. 2950
- Offenses where the victim was under 13 (except non-support of dependents under R.C. 2919.21)
- Domestic Violence (R.C. 2919.25)
- Violations of a Protection Order (R.C. 2919.27)

There are exceptions and special cases, so if you are unsure if your case is eligible, please consult with a lawyer or contact a clinic such as the University of Akron Reentry Clinic

When can I apply?

It depends on the level of offense. After there is a final entry and all sentencing/files/obligations are complete, the applicant must wait an additional amount of time based on the level of offense:

- | | |
|-----------------------------------|--------------------|
| • Dismissal: | No additional time |
| • Minor Misdemeanor: | 6 months |
| • Most Other Misdemeanors: | 1 year |
| • Theft in Office (R.C. 2921.43): | 7 years |

Akron Municipal Court
217 S. High Street, Room 740
Akron, Ohio 44308
330-375-2570, option 7

Application for Sealing of Dismissal

Attorney _____	Phone _____
Applicant _____	DOB _____ / _____ / _____
Address _____	CITY/STATE _____ ZIP _____
Phone _____	SSN _____ - _____ - _____
CASE# _____	ARREST DATE _____ / _____ / _____
CASE# _____	ARREST DATE _____ / _____ / _____
CASE# _____	ARREST DATE _____ / _____ / _____
CHARGE(S) _____	CODE(S) _____
_____	_____
_____	_____
_____	_____

The applicant, _____, comes before this Court and requests to seal the dismissal for case number(s) _____.

THE APPLICANT REPRESENTS THE FOLLOWING:

1. Circle if applicable:
 - a. Applicant was found not guilty.
 - b. Complaint or citation was dismissed
 - c. Wrong defendant.
2. No criminal or traffic proceeding are now pending against the applicant.

It is understood that if this Application is granted, the order will be as follows:

1. The Official Record of the Akron Municipal Court will be sealed.
2. The Clerk will notify any other public office or agency that may have record of this case by certified mail.
3. The Sealing will be subject-to-relief as provided from R.C. 2953.31 to R.C. 2953.61

The applicant will furnish the clerk with a written list of public offices and agencies which they know have a record of the proceedings in this case.

HEARING ON THIS APPLICATION HAS BEEN SET FOR _____ / _____ / _____ AT _____
BEFORE JUDGE _____ IN ROOM _____

Signature _____

Date _____

A COPY OF THE APPLICATION WILL BE SENT TO THE CITY OF AKRON PROSECUTOR'S OFFICE AND THE CORRESPONDING JUDGE'S OFFICE

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330-375-2570, option 7

Supplemental Sealing Information Form

Name: _____ Age: _____

Maiden Name/Other Aliases: _____

Place of Birth: _____

Race: _____ HT: _____ WT: _____ Hair: _____ Eyes: _____

Family History

Husband(s) or Wife(s): _____

Children: _____

Employment History

Employer

Dates Worked

Education

Last School Attended

Dates Attended

Military History

Branch of Service

Dates Served

Have you ever lived in another city, county, or state other than Summit County, Ohio? If so, please list below:

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217 S. High Street, Room 740
Akron, Ohio 44308
330-375-2570, option 7

Affidavit for Sealing of Dismissal

Case No.(s) _____

I, _____, swear and/or affirm that the statements made on my Application for Sealing Dismissal, and to the Probation Department, during the investigation of this request, are true and complete.

Further, I swear and/or affirm that I do not have a criminal or traffic case pending at this time in any Court in this state or elsewhere, nor have I been convicted of any criminal or traffic case since the final discharge of this case, except _____.

I understand that an incomplete or false statement may cause the dismissal of my sealing record proceeding, or, if sealed, the setting aside of that order.

Signature of Applicant

Sworn to before me this ____ day of _____, 20__

Judge/Notary/Deputy Clerk

Akron Municipal Court
 217 S. High Street, Room 740
 Akron, Ohio 44308
 330-375-2570, option 7

Order for Sealing of Dismissal

Attorney _____	Phone _____
Applicant _____	DOB _____ / _____ / _____
Address _____	CITY/STATE _____ ZIP _____
Phone _____	SSN _____ - _____ - _____
CASE# _____	ARREST DATE _____ / _____ / _____
CASE# _____	ARREST DATE _____ / _____ / _____
CASE# _____	ARREST DATE _____ / _____ / _____
CHARGE(S) _____	CODE(S) _____
_____	_____
_____	_____
_____	_____

On the _____ day of _____, 20__, a hearing was held on the Application for Sealing of not guilty or dismissal in the above captioned case(s) as provided from R.C. 2953.31 to 2953.61.

This Court finds as follows:

1. Circle if applicable:
 - a. Applicant was found not guilty.
 - b. Complaint or citation was dismissed
 - c. Wrong defendant.
2. No criminal or traffic proceeding are now pending against the applicant.
3. The applicant has been rehabilitated
4. The Prosecutor has not filed an objection to this application
5. The Government's need to maintain this record does not outweigh the applicant's interests.

IT IS ORDERED SEALED all official records pertaining to this case and except as provided in R.C. 2953.34(C), all index references to this case deleted. This Order seals the official record of this case, except in subsequent proceeding where otherwise admissible and other relief provided from R.C. 2953.32 to R.C. 2953.34.

IT IS FURTHER ORDERED that the Clerk of Court shall seal all official records of the Akron Municipal Court and notify by certified copy all other public offices and agencies, including law enforcements departments who have record of this dismissal.

Judge/Akron Municipal Court

Date

APPROVED:

_____ Akron City Prosecutor
 _____ Attorney for Applicant
 _____ Applicant