

Expungement Process

Order Dismissing Charges and Expunction

If at an initial hearing all charges in a case are dismissed, they can also be ordered expunged.

- The Courtroom Clerk will add a Document called Order Dismissing Charges and Expunction.
- A copy of this Order will be sent to Kathy Brooks.

Motion for Expunction of Juvenile Court Records

If the Defendant or the Public Defender files a Motion for Expunction, it is either file stamped and scanned by the Clerk's office or electronically file stamped by the Clerk's office.

If fees are owed, the Clerk will send the Defendant a Bill of Cost Letter notifying them that the motion is not eligible to be expunged due to the unpaid fees.

If there are no outstanding fees, the motion will be placed in the file and given to Terry Brown in probation. Terry will do an initial review of the history of the child and assign the motion to ADA Holley (DEL.HOL) with comments as to his findings.

- Click on the name of the document to get into the Document Detail screen.
- Click the Assign button
- User ID = Del.Hol
- Note – you may add a note if you wish.
- Click the Update button to continue
- This will send a Quest message to Del.Hol notifying him that a document was assigned to him.

Motion to Set Expunction Hearing

ADA Holley will review the motion and findings, and if there is an objection to automatically granting the motion, will create a Motion to Set Expunction Hearing.

The motion will be sent to the Clerk's office to be file stamped and scheduled for an expunction hearing before Judge Irwin. A Notice of Hearing will be sent to the defendant and to the State.

Order to Expunge the Official Files and Records

ADA Holley will review the motion and findings, and if there is no objection to granting the motion will create the Order to Expunge the Official Files and Records and send to the judicial officer for electronic approval.

Expunction Hearing

After an expunction hearing the court will either grant or deny the motion and create the appropriate order.

Expunging the files

A copy of each of the above documents will be sent to Kathy Brooks through Quest messaging. Upon receipt of an Order to Expunge, Kathy will to into the appropriate case(s),

- add a case status of “Expunged.”
- After notice has been sent to the parties, click the “expunged” button at the top of the case detail screen.

<http://www.gawquest.com/equest/manual/Expungement.pdf>