

Checklist for Victim's Statement in Petition to Expunge Records

(1) Victim's Statement

- You have received the enclosed documents because the defendant in the case in which you were a victim has filed a petition to expunge the records in the case.
- If a person's criminal record is expunged, it means that the records are sealed and that the agency possessing those records will respond to an inquiry as though that arrest or conviction did not occur. A person who has had criminal records expunged may respond to an inquiry as though that arrest or conviction did not occur.
- When a person petitions the court to expunge records, they serve the petition on the prosecuting attorney's office that prosecuted the case. The prosecuting attorney will then mail to you:
 - a copy of the petition and certificate of eligibility issued by the Bureau of Criminal Identification
 - the statutes and rules that apply to expungements;
 - a statement that you have a right to file an objection or recommendation with the court; and
 - instructions for filing an objection or recommendation.
- You have the right to object to the petition or to otherwise file a statement expressing your thoughts or opinion about the petition.
- If you choose to file a statement, you have up to 30 days after receiving this notice to file a victim's statement. Follow these procedures:
 - Print your name and contact information at the top of the first page. If you are represented by an attorney, have the attorney check the box for the attorney.
 - Complete the heading exactly as it appears in the Petition. Check the box next to "Victim's Statement."
 - Paragraph (1): If you object to the court expunging the petitioner's records, check this box and explain why you object.
 - Paragraph (2): If you want to recommend something to the judge, check the box(es) that best describe your recommendation.
 - Do not include any private or protected information on this form. When filed, this form is a public record. [Rule 4-202.09\(9\)](#) requires that you omit from a public record any information that is not itself public information.

For a list of records, data and information classified as public, private, and protected, see [Rule 4-202.02](#).

- Date and sign the form.
- Complete the Certificate of Service.
- Serve the form on the petitioner and the prosecuting attorney. You do not need to disclose your address to the petitioner.
- File the original form and certificate of service with the judicial services representative at the court.