

# CRIMINAL DISTRICT COURT ORLEANS PARISH

## EXPUNGEMENT PROCEDURES

### A. **MISDEMEANOR OR FELONY CONVICTION** - eligible if more than five years (for Misdemeanors with no Felonies) or more than ten years (for Felonies) have passed since the completion of any sentence or period of probation and parole and there are no pending criminal charges.

1. Go to District Attorney's Office (619 South White Street) to obtain an expungement certification. Bring a form of photo identification with you.
2. Obtain a background check from Louisiana State Police or the Clerk of Court.
3. Go to the Clerk of Criminal District Court's Office (Room 210) to obtain an expungement packet and request pertinent documents from the court record. Packet may also be downloaded at [www.criminalcourt.org](http://www.criminalcourt.org).
4. Fill out the packet completely. Make sure you provide accurate contact information so you can be notified of your next court date. Attach the certification and background check to the motion.
  - i. Only complete the expungement portion of the packet; not the Motion to Set Aside Conviction and Dismiss Prosecution.
  - ii. If you need help filling out the packet, please see an attorney or contact the listed agency below.
5. When you return with the completed packet go to Room 104 to pay your **non-refundable** fee. Take your completed motion and receipt to Room 210 for filing.

### B. **893CE) OR 894(B) DISMISSAL** – eligible if you pled guilty pursuant to Louisiana Code of Criminal Procedure Article 893 (for Felonies) or Article 894 (for Misdemeanors)

1. Go to the Clerk of Criminal District Court's Office (Room 210) to obtain an expungement packet and request pertinent documents from court record. Packet may also be downloaded [www.criminalcourt.org](http://www.criminalcourt.org).
2. Obtain a background check from Louisiana State Police or the Clerk of Court.
3. Prepare a Motion to Set Aside Conviction and Dismiss Prosecution and a Motion for Expungement.
4. Fill out the packet completely. Make sure you provide accurate contact information so you can be notified of your next court date. Attach the background check to the motion.
  - i. If you need help filling out the packet, please see an attorney or contact the listed agency below.
5. When you return with the completed packet go to Room 104 to pay your **non-refundable** fee. Take your completed motion and receipt to Room 210 for filing.

### C. **ARRESTS ONLY** – eligible if you were arrested and charges were refused or you were acquitted (i.e. a nolle prosequi was entered or you were found not guilty)

1. Go to District Attorney's Office (619 South White Street) to request a fee waiver certification. Bring a form of photo identification with you.
2. Obtain a background check from Louisiana State Police or the Clerk of Court.
3. Go to the Clerk of Criminal District Court's Office (Room 210) to obtain an expungement packet and request pertinent documents from court record. Packet may also be downloaded [www.criminalcourt.org](http://www.criminalcourt.org).
4. Fill out the packet completely. Make sure you provide accurate contact information so you can be notified of your next court date. Attach the background check to the motion.
  - i. Only complete the expungement portion of the packet; not the Motion to Set Aside Conviction and Dismiss Prosecution.
  - ii. If you need help filling out the packet, please see an attorney or contact the listed agency below.
5. When you return the completed packet go to (Room 104) to pay your **non-refundable** fee. Take your completed motion and receipt to (Room 210) for filing.

### **EXPUNGEMENT PROCESSING FEE:**

- The processing fee for an expungement is \$550.00. The \$550.00 fee **must** be paid in (Room 104) at the time of the filing of the motion for expungement.
- The fee is **NON-REFUNDABLE** and should be made payable to Clerk of Criminal District Court.
- Forms of payment: Cash, Money Order, Credit Card or Cashier's Check. No personal checks are accepted. *For Arrests only*, fee waivers may be requested through the District Attorney's Office.

### **IMPORTANT NOTES:**

- **Eligibility for dismissal/expungement is controlled by La. C.Cr.P. Article 971 et seq and motions may be denied at any time if application does not comply with law.**
- By law, the Clerk of Court shall not provide any legal advice on how to prepare legal documents. You will need to consult with an attorney if unable to complete pro se.
- Once motion is filed with Clerk of Court, it will be forwarded to the appropriate section of court and a hearing date **may** be set. You and/or your attorney will need to be present in court on that day unless otherwise contacted by the Court. The Clerk of Court will mail a notice of the court date.
- Once expungement is granted, you will be provided with 2 certified copies which may be obtained from the Clerk of Court in (Room 210).
- Only one individual may have something expunged per motion; only charges arising out of the same date of arrest may be expunged per motion.
- Questions about the form, may be directed to: Private Counsel or the Justice and Accountability Center of Louisiana; 4035 Washington Avenue, Suite 203, New Orleans, Louisiana 70125, 504-322-4050, [www.JACLouisiana.org](http://www.JACLouisiana.org)
- Mailing address: Clerk of Criminal District Court, 2700 Tulane Avenue, Room 114, New Orleans, LA 70119 ATIN: Expungement Clerk.