

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 4.19

EXPUNCTION OR SEALING OF CRIMINAL CASES

WHEREAS, sections 943.0585 and 943.059, Florida Statutes, provide for the expunction or sealing of criminal cases under the criteria set forth in those statutory provisions as well as Florida Criminal Rules 3.692; and

WHEREAS, in requests for sealing and expunction, sections 943.0585 and 943.059, Florida Statutes, provide that the Florida Department of Law Enforcement has 60 days to determine whether the sealing or expunction complies with law, requiring a 60-day delay in sealing or expunging a criminal case; and

WHEREAS, the clerk is required to access expunged or sealed cases in order to file subsequently filed documents and to image files for retention purposes; and

WHEREAS, in order to remove any documents in such cases that have been recorded in the official records must be identified in the expunction or sealing order to be removed from the official records; and

WHEREAS, though the filing fee is fixed at \$42 per case, other costs associated with the sealing or expunction of a criminal case are variable and cannot be determined until an expunction or sealing order is entered requiring a process to ensure payment before a case is sealed or expunged, it is hereby

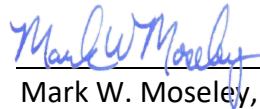
ORDERED:

1. Any order expunging a criminal case must include language providing that:
 - (a) The sealing or expunction order shall go into effect 60 days from the date that it is entered; and
 - (b) All costs associated with the sealing or expunction of the case must be paid before the clerk is authorized to seal the case.
2. Any order sealing or expunging a criminal case must include language providing that all costs associated with the sealing or expunging of the case must be paid before the

clerk is authorized to seal the case.

3. Any petition and subsequent order sealing or expunging a case must identify any recorded documents to be removed from the Official Records and if none, so provide. Only identified recorded documents will be removed from the county's Official Record.
4. The clerk is authorized to open any sealed or expunged court file for the purpose of filing documents pertinent to the particular file, as well as for imaging.

ORDERED on this 6th day of July 2021.



Mark W. Moseley, Chief Judge