



DOUG WELBORN

CLERK OF COURT

19TH JUDICIAL DISTRICT
PARISH OF EAST BATON ROUGE

Criminal Records Department
P. O. Box 1991
Baton Rouge, LA 70821-1991
Telephone: (225) 389-3964
Fax: (225)389-3373
www.ebrclerkofcourt.org

INSTRUCTIONS FOR FILING A MOTION FOR EXPUNGEMENT

If a cash or property bond was posted for your release, please verify that the bond has been cancelled **PRIOR** to filing the Motion for Expungement. Further, if you missed a court date and had a Bond Forfeiture Judgment rendered, please verify that any issue concerning the judgment has been cancelled.

A **SEPARATE** Motion for Expungement must be filed for **EACH ARREST DATE**. To obtain the **REQUIRED criminal background check** or for information regarding the arrest, arresting agency and offenses charged, contact the Louisiana State Bureau of Criminal Identification and Information at (225) 925-6095 or www.lsp.org.

Determine which expungement motion you need:

1. **Motion for Expungement** - Form Exp 5-1(L): to be used for the following:

Arrests that did not result in conviction:

- Time expired for prosecution;
- Not prosecuted for any offense arising out of this charge;
- Pre-Trial Diversion Program;
- DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest;
- Charge dismissed, or
- Found not guilty/judgment of acquittal.

Misdemeanor Convictions:

- Conviction was set aside or dismissed pursuant to C.Cr.P. Art.894(B), or
- More than 5 years have passed since completion of sentence.

Felony Convictions:

- Conviction was set aside or dismissed pursuant to C.Cr.P. Art.893(E), or
- More than 10 years have passed since completion of sentence.

2. **Motion for Interim Expungement** - Form Exp 9-1(L) to be used to expunge a felony arrest from criminal history in certain cases resulting in a misdemeanor conviction.

NON-REFUNDABLE FEES REQUIRED WITH EACH FILING

C.Cr.P. Art.984. Additional requirements for the expungement of records involving a conviction of operating a vehicle while intoxicated - an additional fee of \$50.00 to the Office of Motor Vehicles.

Each Motion for Expungement must be accompanied by **FOUR SEPARATE U.S. POST OFFICE MONEY ORDERS** or a Certification of Fee Waiver from the District Attorney's Office. Motions for Expungement will not be accepted by the Clerk's Office unless each U.S. Post Office money order is issued in the correct amount and made payable to the proper agency as indicated below:

1	Bureau of Criminal Identification	\$250
2	EBRP District Attorney	\$50
3	EBRP Sheriff	\$50
4	EBRP Clerk of Court	\$200
5	Office of Motor Vehicles (FOR DWI CONVICTIONS ONLY)	\$50

PLEASE ALLOW SIX MONTHS FOR THE COMPLETION OF AN EXPUNGEMENT. Upon completion or denial of the expungement, certified copies will be forwarded to the address on the original motion or a more recent address as provided by the filing of a Change of Address.

Information regarding the status of an expungement, or address changes must be made by the applicant, either in person or via email to criminalinfo@ebrclerkofcourt.org. Information and/or changes requested by an applicant via email must include a copy of applicant's valid and current driver's license or photo ID. Information regarding the status of an expungement may be made by the attorney of record, either in person or via an email request to criminalinfo@ebrclerkofcourt.org.

The Clerk of Court's Office is prohibited by law from providing legal advice; therefore, this office cannot assist applicant in completing the Motion for Expungement forms. It is recommended that you contact an attorney for assistance in completing a Motion for Expungement. The following legal services may be able to assist you:

Southeast LA Legal Services Corporation ("SLLS") (provides free legal aid for low-income individuals) Phone: (855)512-3980 or (225)448-0331 Online Application: www.slls.org	Southern University Law Center Clinic Phone: (225) 771-3333 www.sulc.edu/administration/clinical-education/theclinics.htm
Baton Rouge Bar Association Lawyer Referral and Information Services ("LRIS") (Fee Based Services for individuals who qualify for legal aid) Phone: (225)344-9926, or www.brba.org/web/foundation/probono/web	