

IN THE CIRCUIT COURT OF THE 99th JUDICIAL CIRCUIT
ANY COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS)
or)
 A MUNICIPAL CORPORATION,)

vs.)
)
JAMES DOE)
Defendant/Petitioner.)

CASE NO. 00-CM-0000

ORDER TO SEAL ARREST RECORD

Charge: <u>THEFT</u>	Date of Arrest: <u>01/01/2000</u>
Arresting Authority: <u>ANYTOWN POLICE DEPARTMENT</u>	
Date of Birth: <u>02/02/72</u> Sex: <u>M</u> Race: <u>WHITE</u> ID #: <u> </u>	

THIS CAUSE comes before the Court on the Defendant/Petitioner's Petition to Seal Arrest Record. The Court being fully advised, **FINDS:**

1. Defendant/Petitioner was arrested by the Arresting Authority on the date and for the offense(s) stated above, or if no arrest was made, Defendant/Petitioner was charged with the offense(s) on the date stated above.
2. The Defendant/Petitioner was arrested and released without the filing of formal charges; OR
 The Defendant/Petitioner was charged, but was later acquitted or otherwise released without being convicted; OR
 The Defendant/Petitioner was convicted but the conviction was later reversed or vacated; OR
 The Defendant/Petitioner was released without conviction following the successful completion of a sentence of court supervision.
3. That the record(s) sought to be sealed qualifies for such relief under the provisions of 20 ILCS 2630/5.2(c).
4. That, if the case sought to be sealed resulted in a sentence of court supervision, the Defendant/Petitioner has met the waiting period to seal the record required by 20 ILCS 2630/5.2(c)(3)(B).
5. Defendant/Petitioner has paid all costs and fees for the filing of this Petition, or has been granted a fee waiver by the Court.

6. The Circuit Clerk has served notice on the Arresting Authority, the Department of the State Police, the State's Attorney and Chief Legal Officer of the unit of local government affecting the arrest and:

- none of said agencies has filed an objection to the Petition within 60 days from the date of service; OR
- this Court, having heard evidence in the matter, finds that the records should be sealed.

IT IS THEREFORE ORDERED as follows:

A. That the Petition to Seal the Defendant/Petitioner's arrest record is **GRANTED**, and the official records be **SEALED** as follows:

1. The Clerk of the Circuit Court, the Arresting Agency, and the Department of State Police **SHALL SEAL** all records of the Petitioner until further order of the court and the Clerk of the Circuit Court shall obliterate the Petitioner's name from the official index required to be kept by the Circuit Court Clerk under Section 16 of the Clerks of Courts Act.

2. That the Arresting Authority and the Department of State Police shall request the return of any other law enforcement records relating to the incident set forth in the Petition which have been transferred to the Federal Bureau of Investigation or any other law enforcement agency as a result of said arrest and **SHALL SEAL** said records upon their return.

B. That any arrest records **SEALED** are subject to inspection and use by the court for the purposes of subsequent sentencing for misdemeanor and felony violations and inspection and use by law enforcement agencies, the Department of Corrections, and State's Attorneys and other prosecutors in carrying out the duties of their offices. Upon conviction for any offense, the Department of Corrections shall have access to such sealed records pertaining to Defendant/Petitioner.

C. That in response to an inquiry for such records from anyone not authorized by law to access such records, the entity receiving such inquiry shall reply as it does when no records ever existed.

ENTERED: _____, 20____.

SAMPLE

JUDGE