



## COUNTY OF MONTGOMERY

COURT HOUSE  
PO BOX 311  
NORRISTOWN, PENNSYLVANIA  
19404-0311

## OFFICE OF CLERK OF COURTS

CLERK OF COURTS  
ANN THORNBURG WEISS

FIRST DEPUTY  
MICHAEL J. PASTON, ESQ.

SECOND DEPUTY/ADMIN. ASST.  
LINDA SULOCK

(610) 278-3346  
FAX (610) 278-5188

[www.coc.montcopa.org](http://www.coc.montcopa.org)

**RE: Petition to Expunge**

**Docket No.** \_\_\_\_\_

### MANDATORY REQUIREMENTS FOR PROPOSED ORDER FOR EXPUNGEMENT TO COMPLY WITH PENNSYLVANIA RULE OF CRIMINAL PROCEDURE 791

Check list for the Mandatory Requirements for Proposed Order for Expungement.

- Name and Address of Defendant
- Date of Birth of Defendant
- Social Security Number of Defendant
- OTN
- Court of Common Pleas Docket Number
- Name and Address of the Common Pleas Judge
- Specific Charges to be expunged as they appear on the charging document
- Arrest Date
- Affiant, Arresting Agency and Address
- Disposition
- All Fines, Costs and Restitution have been paid in full (must be stated in the Order)
- Reason for Expungement
- Criminal Justice Agencies to be served with Certified Copies of the Order
- A Filing Fee of \$160.25
- Payment for Certified Copies to be sent to Agencies @ \$12.50 each
- If confirmation from agencies is desired, please include a self-addressed-stamped envelope (SASE) for each Certified Copy.
- Copy of PA State Police criminal history report performed within the past 60 days
- Other: \_\_\_\_\_

**All payments must be made by Cash, Credit or Attorney Check Only.**

**Please Note:** The Clerk of Courts Office will serve the Certified Copies to the agencies. However, if you do not include a self-addressed stamped envelope for the notification from the agencies, the Petitioner and/or Attorney will need to follow up with the agencies.

**Please refer to PA Rule of Criminal Procedure 791, Contents for Order of Expungement.**

Upon receipt of a proposed Order containing the information indicated above and required by Rule 791, this Office will process the Petition and forward it to the Court.

If Pa. State Police background check is required please visit <https://epatch.state.pa.us>.

**Brief Instructions for the 791 Petition and the 791 Expungement Order:**

**791 Petition for Expungement:** can handwrite or type the necessary information or go online to <http://coc.montcopa.org/> → “Forms and Information” → “Petition for Expungement Pursuant to Pa.R.Crim.P. 791”. The Form 791 has tab fields and can be filled out by typing in the information and then printing the 4 copies necessary for filing. One (1) original plus three (3) copies at the time of filing.

**Blank Expungement Order 791:** can handwrite or type the necessary information or go online to <http://coc.montcopa.org/> → “Forms and Information” → “Blank Expungement Order 791”. The Order 791 has tab fields and can be filled out by typing in the information and then printing.

**Note to the Filer:** If you wish to receive confirmation of the Expungement from the Agencies, you need to provide a self-addressed, stamped envelope for each Certified Copy you have noted for the Clerk of Courts Office to serve. If you would like any additional Certified Copies to be sent to you, you would also need to provide an additional self-addressed, stamped envelope for these Certified Copies.



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### AGENCIES WHICH MAY HAVE RECORDS

**Adult Probation & Parole Department** – Attn: Chief Probation Officer, 100 Ross Road, Suite 120, King of Prussia, PA 19406.

**District Attorney of Montgomery County** – Attn: Chief Clerk, Court House, 4th Floor, P.O. Box 311, Norristown, PA 19404-0311.

*Please Note:* Since the **Montgomery County Detectives Bureau** is part of the **District Attorney's Office**, the **District Attorney's Office** has custody of their files and there is no need to separately serve both entities.

**DUI Administration** – Attn: Executive Director, 100 Ross Road, Suite 110, King of Prussia, PA 19046.

**Magisterial District Justice** – Address is found on the Docket Transcript. A copy of the Docket Transcript must be included.

**Montgomery County Correctional Facility** – Attn: Warden, 60 Eagleville Road, Eagleville, PA 19403 (if defendant was ever incarcerated for this case).

**Montgomery County Sheriff's Department** – Attn: Sheriff, Court House, 1st Floor, P O Box 311, Norristown, PA 19404-0311

**PA State Records & Identification Division** – 1800 Elmerton Ave., Harrisburg, PA 17109.

**Local Police Department** – Address is found on the Docket Transcript. A copy of the Docket Transcript must be included.

**Prothonotary** – Prothonotary's Office, Montgomery County Court House, 1<sup>st</sup> Floor, P.O. 311, Norristown, PA 19404-0311

To insure a response from each agency, please enclose a Self-Addressed Stamped Envelope.



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EXPUNGEMENT CERTIFIED PACKETS (790)

	Certification	Copies	Expungement Fee	Expungement Act 5	Total
1 Packet	\$10.50	\$2.00	\$28.25	\$132.00	\$172.75
2 Packets	\$21.00	\$4.00	\$28.25	\$132.00	\$185.25
3 Packets	\$31.50	\$6.00	\$28.25	\$132.00	\$197.75
4 Packets	\$42.00	\$8.00	\$28.25	\$132.00	\$210.25
5 Packets	\$52.50	\$10.00	\$28.25	\$132.00	\$222.75
6 Packets	\$63.00	\$12.00	\$28.25	\$132.00	\$235.25
7 Packets	\$73.50	\$14.00	\$28.25	\$132.00	\$247.75
8 Packets	\$84.00	\$16.00	\$28.25	\$132.00	\$260.25
9 Packets	\$94.50	\$18.00	\$28.25	\$132.00	\$272.75
10 Packets	\$105.00	\$20.00	\$28.25	\$132.00	\$285.25
11 Packets	\$115.50	\$22.00	\$28.25	\$132.00	\$297.75
12 Packets	\$126.00	\$24.00	\$28.25	\$132.00	\$310.25
13 Packets	\$136.50	\$26.00	\$28.25	\$132.00	\$322.75
14 Packets	\$147.00	\$28.00	\$28.25	\$132.00	\$335.25
15 Packets	\$157.50	\$30.00	\$28.25	\$132.00	\$347.75

Effective 11/04/16

Legal Questions

Legal Aid

610.275.5400

625 Swede St.

Norristown, PA 19401

Lawyer Referral

610.279.9660

Commonwealth of Pennsylvania

v.

In the Court of Common Pleas

County of \_\_\_\_\_

\_\_\_\_\_ Judicial District

**CRIMINAL DIVISION**

Docket No \_\_\_\_\_

## ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, after consideration of the Petition for Limited Access pursuant to Pa.R.Crim.P. 791 and 18 Pa.C.S. § 9122.1 presented by \_\_\_\_\_ it is ORDERED that the petition is \_\_\_\_\_

The defendant's criminal history record information that is subject to limited access shall not be disseminated to an individual, a noncriminal justice agency or an internet website and that dissemination of the defendant's criminal history be limited only to criminal justice agency or government agency as provided in 18 Pa.C.S. § 9122.1.

This case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122(b) are applicable.

The information required under Pa.R.Crim.P. 791 appears on the attached page(s) which is hereby incorporated into this ORDER by reference.

**BY THE COURT:**

\_\_\_\_\_

1. Petitioner's Name:
2. Alias(es):
3. Petitioner's Address:
  
4. Petitioner's Date of Birth: \_\_\_\_\_
5. Petitioner's Social Security Number: \_\_\_\_\_
6. Name and address of the Court of Common Pleas, Magisterial District or Philadelphia Municipal Court Judge who accepted the guilty plea or heard the case:
  
7. Name and address of the affiant as shown on the complaint, if available:
  
  
8. Magisterial District Court or Philadelphia Municipal Court Number:
9. The Court of Common Pleas docket number:
10. Offense Tracking Number (OTN):
11. The date on complaint, or the date of arrest, and if available, the criminal justice agency that made the arrest:
12. The specific charges, as they appear on the charging document, to be subject to limited access and applicable dispositions (attach additional sheets if needed):
  
  
13. If the sentence includes a fine, costs, or restitution, whether the amount due has been paid:
  
14. This case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122.1(b) are applicable.
15. The reason(s) for this order for limited access:
  
  
16. The criminal justice agencies upon which certified copies of the order shall be served:

In the Court of Common Pleas  
 County of \_\_\_\_\_  
 \_\_\_\_\_ Judicial District



Commonwealth of Pennsylvania  
 v  
 \_\_\_\_\_

Docket No \_\_\_\_\_

**Petition for Order for Limited Access Pursuant to Pa.R.Crim.P. 791**

AND NOW, the petitioner avers the following and requests that this petition for order for limited access pursuant to Pa.R.Crim.P. 791 be granted for the reasons set forth below.

PETITIONER INFORMATION						
Full Name:		DOB:		Social Security Number:		
Address:		Alias(es):				
CASE INFORMATION						
List the name and address of the Court of Common Pleas, Magisterial District or Philadelphia Municipal Court Judge who accepted the guilty plea or heard the case:				List name and mailing address of the affiant as shown on the complaint, if available:		
Judge:				Name of Affiant:		
Address:				Address:		
Court of Common Pleas, Philadelphia Municipal Court or Magisterial District Docket Number:						
Date of Arrest or Complaint:		Name of Arresting Agency:			OTN:	
List specific charges, as they appear on the charging document, to be subject to limited access and the disposition of each charge (please attach additional sheet(s) of paper if necessary):						
PA Statute (Title)	Section	Subsection	Statute Description	Counts	Grade	Disposition
If the sentence imposed included a fine, costs or restitution, has the amount due been paid? <input type="checkbox"/> Yes <input type="checkbox"/> No						
List the reason(s) for the order for limited access (please attach additional sheet(s) of paper if necessary):						
<input type="checkbox"/> I have attached a copy of my Pennsylvania State Police Criminal History Report obtained within 60 days before filing this petition.						
<input type="checkbox"/> I have not attached a copy of my Pennsylvania State Police Criminal History Report because the attorney for the Commonwealth waives this requirement.						

I, the undersigned petitioner, aver that above case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122.1(b) are applicable.

I, the undersigned petitioner, aver that the facts set forth in this petition are true and correct to the best of my personal knowledge or information and belief, and are made subject to the penalties of unsworn falsification to authorities under 18 Pa.C.S § 4904.

\_\_\_\_\_  
**Signature of Petitioner**

\_\_\_\_\_  
**Date**