

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



CLERK OF COURTS

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311

610-278-3346
FAX: 610-292-2153
WWW.MONTCOPA.ORG

LORI SCHREIBER
CLERK OF COURTS

JIMMY DIPLACIDO
FIRST DEPUTY

NADINE DEANGELIS
ASSISTANT DEPUTY

MELISSA JENKINS
ASSISTANT DEPUTY

Docket No. _____

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

Checklist for mandatory Requirements for Proposed Order for Expungement:

- Defendant's name (and any alias) and address
- Defendant's date of birth
- Defendant's FULL social security number
- OTN (Offense Tracking Number)
- Court of Common Pleas Docket Number
- Name and address of the Common Pleas Judge
- Specific charges as they appear on the charging documents to be expunged
 - This includes: statutes, description, grades, and disposition of charges
- Arrest Date
- Name of the affiant (means police officer), arresting agency and their address
- Disposition of charges
- All Fines, Costs and Restitution have been paid in full (must be stated in the Order)
- Reason why the defendant is filing for the Expungement
- List the Criminal Justice Agencies to be served with Certified Copies of the Order
- Copy of Pennsylvania State Police Criminal History Report performed within the past 60 days is required, except ARD cases
- If confirmation from the agencies is desired, please include self-addressed stamped envelopes (SASE) for each Certified Copy
- A Filing Fee of \$161.75
- Payment for Certified Copies to be sent to the Agencies @ \$13.00 each
- Other: _____

- All payments must be made by Cash or Credit if in person or Attorney check or money order only. **NO** personal checks.
- **Please Note:** The Clerk of Courts Office will serve the Certified Copies to the agencies you listed. However, if you do not include self-addressed stamped envelopes 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, the Office will process the Petition. Once a court hearing is set (by the defendant or attorney with court administration), or signed Joinder is filed from the District Attorney's office with the Clerk of Courts office, the proposed order will be sent to the Court.
 - If a PA State Police background check is required, please visit <https://epatch.state.pa.us>.
- Brief Instructions for the 791 Petition Expungement Order:
 - 791 Petition and Order for Expungement: can handwrite or type the necessary information or go online to <http://coc.montcopa.org/>
 - Click "Departments" → Click "Judicial" → Click "Clerk of Courts"
 - Click "Forms & Information" → Scroll down to when you see "Expungement Pursuant to Pa.R.Crim.P 791"
 - There will be a link to print out the entire expungement packet.
 - When filing, 4 copies are necessary for filing – One (1) original copy with an original signature plus three (3) copies. (if a Joinder is filed you only need an original and one copy)
 - 1 copy is for the District Attorney
 - 1 copy is for Court Administration for a Court Hearing
 - 1 copy is for the Petitioner for their records
 - The Petitioner is responsible for serving the District Attorney and Court Administration a copy for a court hearing.

- Note to Filer: If you wish to receive confirmation of the Expungement from the Agencies, you need to provide self-addressed, stamped envelopes 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 need to pay for those in addition to providing a self-addressed stamped envelope for these Certified Copies to be mailed to you.

- Any questions please call: Expungement Clerk – 610-278-5956

Legal Questions?

Legal Aid
625 Swede Street
Norristown, PA 19401
610-275-5400

Lawyer Referral
610-279-9660

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Expungement Certified Packets

	Certified Copies	Copies	Subtotal	Expungement Fee	Expungement Act 5	Total
1 Packet	\$ 11.00	\$ 2.00	\$ 13.00	\$ 29.75	\$ 132.00	\$ 174.75
2 Packets	\$ 22.00	\$ 4.00	\$ 26.00	\$ 29.75	\$ 132.00	\$ 187.75
3 Packets	\$ 33.00	\$ 6.00	\$ 39.00	\$ 29.75	\$ 132.00	\$ 200.75
4 Packets	\$ 44.00	\$ 8.00	\$ 52.00	\$ 29.75	\$ 132.00	\$ 213.75
4 Packets	\$ 55.00	\$ 10.00	\$ 65.00	\$ 29.75	\$ 132.00	\$ 226.75
6 Packets	\$ 66.00	\$ 12.00	\$ 78.00	\$ 29.75	\$ 132.00	\$ 239.75
7 Packets	\$ 77.00	\$ 14.00	\$ 91.00	\$ 29.75	\$ 132.00	\$ 252.75
8 Packets	\$ 88.00	\$ 16.00	\$ 104.00	\$ 29.75	\$ 132.00	\$ 265.75
9 Packets	\$ 99.00	\$ 18.00	\$ 117.00	\$ 29.75	\$ 132.00	\$ 278.75
10 Packets	\$ 110.00	\$ 20.00	\$ 130.00	\$ 29.75	\$ 132.00	\$ 291.75
11 Packets	\$ 121.00	\$ 22.00	\$ 143.00	\$ 29.75	\$ 132.00	\$ 304.75
12 Packets	\$ 132.00	\$ 24.00	\$ 156.00	\$ 29.75	\$ 132.00	\$ 317.75
13 Packets	\$ 143.00	\$ 26.00	\$ 169.00	\$ 29.75	\$ 132.00	\$ 330.75
14 Packets	\$ 154.00	\$ 28.00	\$ 182.00	\$ 29.75	\$ 132.00	\$ 343.75
15 Packets	\$ 165.00	\$ 30.00	\$ 195.00	\$ 29.75	\$ 132.00	\$ 356.75

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AGENCIES WHICH MAY HAVE RECORDS

- **Adult Probation & Parole Department** – Attn: Chief Probation Officer, 408 Cherry Street, Norristown, PA 19401
- **District Attorney of Montgomery County** - Attn: Chief Clerk, Court House,, 4th Floor, PO 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, 408 Cherry Street, Norristown, PA 19401
- **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, PO 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, 1st Floor, P O Box 311, Norristown, PA 19404-0311

Please Note: This sheet cannot be used as part of your petition. If you need more space to write out the agencies on the order that you wish to serve, you can attach a separate sheet of paper to attach to your filing.

The Clerk of Courts Office cannot tell you or help you in anyway of who you should serve the order of expungement to.

- To insure a response from each agency, please enclose self-addressed stamped envelopes.

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 restitution, and/or the fee authorized to carry out limited access, whether these amounts have 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 includes restitution and/or the fee authorized to carry out limited access, have these amounts 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