**District Court of Cleburne County**

**922 S 9th St**

**Heber Springs, AR 72543**

**Phone (501) 362-6585**

**Fax (501) 362-4661**

**Website: *www.cleburnecountydistrictcourt.com***

**Lance Wright Tammy Verser**

District Judge District Clerk

To: Person(s) Requesting to Expunge/Seal a misdemeanor arrest or conviction

From: Cleburne County District Court

Re:  *Process for requesting the Court to Seal a Record*

This memo is provided to assist an individual who request to 1 seal an arrest or misdemeanor conviction in Cleburne County. The information provided herein is not legal advice and a party should consult with an attorney regarding questions. You should also refer to applicable Arkansas Law, *A.C.A. 16-90-1401 et. al.*

WHO/WHAT CAN BE SEALED A person is eligible to file a petition (request) to seal his/her misdemeanor conviction sixty (60) days after all the conditions of the Court have been satisfied including completing probation or required good behavior, payment of all fines, and after reinstatement of one’s drivers license if it was suspended due to the offense. If you were charged with Domestic Battery or Driving While Intoxicated you must wait five (5) years from the completion of the sentence to file the request. An individual who held a commercial drivers license at the time of an offense is not eligible to have a traffic or moving violation sealed.

HOW/PROCESS A separate petition must be filed for each case you are sealing and $50.00 filing fee is assessed for each offense. The petition forms are available at the District Court Clerk’s Office. Please know that a Clerk is prohibited from assisting an individual complete the petition or answering questions about the petition’s content because that could be considered providing legal advise subjecting a Clerk to criminal or civil liability.

After filing the petition an individual must provide notice of the petition/request to the Prosecuting Attorney and the agency that filed the offense or violation. Though notice can be provided in many ways, the Court prefers that a copy of the petition be sent to the Prosecuting Attorney and agency by certified mail through the U.S. Post Office. Proof that notice was given (green returned signed service card) should be returned to the District Court Clerk’s Office. At the time proof of notice is provided, the Clerk will give you a date and time to appear in Court. The Court date will be a minimum of 30 days from the date notice was given to the prosecuting attorney and arresting agency to give these agencies an opportunity to present an objection to the request. In some cases when there are no objections your case may be approved without requiring you to appear in Court. The Court Clerk will check the status of your case with the Judge and will advise you of your court date or if the Judge has approved your request without your appearance.

At Court you are not required to present any additional information, but you should appear. The arresting agency, prosecuting attorney or any other interested person can present evidence why a person’s record should not be sealed. If evidence is presented objecting to an individual’s record being sealed, the requesting individual will be given an opportunity to present evidence in response to an objection and additionally to provide evidence why his/her record should be sealed.

Again, please know that sealing a record is the Judge’s decision and is not automatic or guaranteed. You should review applicable Arkansas Law and consult with an attorney if you have questions.

**Mailing Addresses for giving notice:**

Prosecuting Attorney’s Office

P.O. Box 1437

Heber Springs, Arkansas 72543

Law Enforcement Agencies \*These are agencies that regularly have matters in Cleburne County.

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| Cleburne County Sheriff’s Office  914 S 9th St  Heber Springs, AR 72543 | Heber Springs Police Department  Heber Springs City Hall  1001 W Main St  Heber Springs, AR 72543 |
| Greers Ferry Police Department  Greers Ferry City Hall  8739 Edgemont Rd  Greers Ferry, AR 72067 | Quitman Police Department  Quitman City Hall  5 2nd St  Quitman, AR 72131 |
| Arkansas State Police, Troop B  3200 Highway 67N  Newport, Arkansas 72112 | Concord Police Department  Concord City Hall  75 Central Avenue  Concord, AR 72523 |
| Arkansas Highway Police  P.O. Box 2779  Little Rock, AR 72203-2779 | Arkansas Game & Fish  2 Natural Resources Dr  Little Rock, AR 72205 |