

Checklist for Victim's Statement in Petition to Expunge Adult Criminal Records

- Keep a copy of all documents for your records.
- Attend all court hearings.
- Contact the Self-Help Center if you need more help:
<http://www.utcourts.gov/selfhelp/contact/>.

Victim's Statement

If a person's criminal record is expunged, it means that the records are sealed and that the agency that has those records will respond to an inquiry as though that arrest or conviction did not occur. A person who has had criminal records expunged may respond to an inquiry as though that arrest or conviction did not occur.

When a person petitions the court to expunge records, they serve the petition on the prosecuting attorney's office that prosecuted the case. If you, the victim of the crime, notified the prosecuting attorney that you wanted to be notified if the person filed a Petition to Expunge Records, the prosecuting attorney will mail to you:

- a copy of the petition and certificate of eligibility issued by the Bureau of Criminal Identification
- the statutes and rules that apply to expungements;
- a statement that you have a right to file an objection or recommendation with the court; and
- instructions for filing an objection or recommendation.
- You have up to 35 days after receiving the notice to file a victim's statement.

If you choose to file a statement, follow these steps:

- Print your name and contact information at the top of the first page. Check whether you are the victim or the attorney for the victim.
- Complete the heading exactly as it appears in the Petition. Check the box next to "Victim's Statement."
- Paragraph (1): Check this box **only** if you want to waive (give up) your right to file a statement.
- Paragraph (2): If you object to the court expunging the petitioner's records, check this box and explain why you object.
- Paragraph (3): If you want to recommend something to the judge, check the box(es) that best describe your recommendation.

- Do not include any private or protected information on this form. When filed, this form is a public record. [Rule 4-202.09\(9\)](#) requires that you omit from a public record any information that is not itself public information. For a list of records, data and information classified as public, private, and protected, see [Rule 4-202.02](#).
- Attach any required documents and forms.
- Date and sign the form.
- Complete the Certificate of Service.
- Serve the form on the petitioner and the prosecuting attorney.
- File the original form and certificate of service with the court.