

SALINA MUNICIPAL COURT EXPUNGEMENT INFORMATION

The expungement processes followed in Salina Municipal Court are found in K.S.A. 12-4516 and K.S.A. 12-4516a. Court staff cannot provide legal advice about whether you qualify for expungement or any other legal matters. If you have questions about the benefits of expungement or whether you qualify, you may want to consult with a private attorney. The Court will not appoint an attorney to represent you in requesting expungement.

Generally, if a record is expunged, the record is made unavailable. Even if an expungement is granted, there are still limited occasions where you will be required to disclose the original conviction, diversion, and/or arrest. Also, even if an expungement is granted, Salina Municipal Court will be required to disclose the original conviction, diversion and/or arrest in certain situations. For more information on these exceptions, please consult K.S.A. 12-4516, K.S.A. 12-4516a, or your attorney.

There is not a specific form that is required to be used for the Petition for Expungement and the Order for Expungement. However, the statute does list certain information that must be included in a Petition for Expungement. Sample forms are available from Salina Municipal Court, but you may use any Petition you choose. Keep in mind that if the required information is not included in your Petition, your request for an expungement may not be granted and the filing fee will not be refunded to you. Also, if expungement is not granted because you do not meet the qualifications, the filing fee will not be refunded to you.

To request an expungement, you will need to:

1. file a Petition for Expungement with the Court. You will be required to pay the \$75.00 filing fee at the time you submit your Petition.
2. appear for the hearing. Once your Petition is filed, the Court will schedule a hearing.
3. answer any questions about your petition or your qualifications for expungement when you appear for the hearing.
4. bring an Order for Expungement to the hearing with you. If your Petition is granted, the judge will sign the Order at the hearing.