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**MEMORANDUM**

**TO: ALL ATTORNEYS AND DEFENDANTS**

**RE: NEW FORMS FOR PETITIONS AND ORDERS TO SEAL**

Act 1460 of 2013 Amended and Repealed the old Petition and Order to Seal laws effective January 1, 2014. The purpose of this was to "Amend, Consolidate, Clarify, and Simplify the process for sealing a person's Criminal Record under certain circumstances". The new forms are available on the ACIC website [www.acic.org](http://www.acic.org) and are fillable so you can type in the required information and/or check the appropriate boxes and print off a completed form. The new laws are codified at Ark. Code Ann. 16-90-1401 through 1419. There have been many changes to who is eligible and what the requirements are for filing of a petition and order to seal. Please be sure to read over these and make sure you are using the correct form for the circumstances involved in the case you are trying to seal. ACIC will reject them if they are not filled out and filed appropriately. If your Petition to Seal is denied you will have up to 1 year before you can refile the Petition for felonies and certain misdemeanors pursuant to 16-90-1413 (a)(2) and 16-90-1405 (b)(2) and 90 days for other misdemeanors pursuant to 16-90-1405(b)(3). Pursuant to 16-90-1419 (a) the fee for filing a Petition to Seal is \$ 50.00 unless the fee is waived under Rule 72 of Arkansas Rules of Civil Procedure. Each case you are seeking to seal should be on a separate petition/order and each case will require a separate filing fee.

Although the new forms still do not have a place for the address and phone number of the person filing the Petition, we would like to request that it is included on the petition so that we will have a way to notify the filer of any action taken in the case.

My office will do our best to assist you with these new forms, but ultimately it is your responsibility to make sure everything is done correctly. We will provide you with the necessary documents from your file to fill out the forms.

Sincerely,



Rhonda Wharton,  
Faulkner County Circuit Clerk