

# Overview: Sealing a Criminal Record in Arkansas

In Arkansas, individuals may petition the court to seal certain criminal arrest and conviction records. Sealing a record means it is removed from public view and should not appear on background checks conducted by private parties, such as for employment, housing, or education.

*However, sealed records remain accessible to:*

- Law enforcement
- Government agencies, when necessary for purposes like determining criminal history or evaluating security clearances

## ➔ Eligibility Requirements for Record Sealing

To qualify for record sealing in Arkansas, the individual must:

- If convicted, complete all terms of parole or probation
- Pay all court-ordered fines, fees, costs, and restitution
- Have a charge or conviction that is eligible under Arkansas law

Not all charges are eligible for sealing. The Legal Resolution Team will review each case to determine eligibility.

## ➔ Key Points to Remember

- No filing fee is required when a participant files a Petition to Seal
- Sealing is not automatic—the court must approve the petition

**Important Note:** Sealing a felony conviction restores the right to vote, but does not restore firearm rights. To regain firearm rights, a pardon must be requested from the Governor.

# Step-by-Step Guide: Petition to Seal Criminal Arrest or Conviction Process

## 1 Add the Legal Resolution Team to the Support Team in HopeHub

Log in to HopeHub and ensure the Legal Resolution Team is added to the individual's Support Team.

## 2 Tag the Legal Resolution Team on the CC Message Board with a Note Requesting Assistance with Criminal Record Sealing

Use the CC Message Board to tag the Legal Resolution Team. Include a brief note explaining that assistance is needed with the record sealing process.

## 3 Submit the Google Form <https://forms.gle/j7na8Z1hvf3nXgXJ8>

Complete and submit the Google Form with the individual seeking record sealing to the best of your ability.

## 4 Legal Review

The Legal Resolution Team will review the case to determine eligibility.

## 5 Drafting the Petition to Seal

If the case is eligible, the Legal Resolution Team will prepare a Petition to Seal for the individual.

## 6 Petition to Seal Provided to Family Advocate

The Legal Resolution Team will provide the drafted Petition to Seal to the Family Advocate, who will share it with the individual.

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## 7 Sign and Notarize the Petition to Seal

The individual must sign the Petition to Seal and have it notarized

## 8 File the Petition to Seal

The notarized Petition to Seal must be filed with the clerk of the appropriate court.

## 9 Serve the Petition to Seal

A copy of the filed Petition to Seal must be served on the prosecuting attorney or city attorney and the arresting agency. The prosecuting attorney or city attorney may request documentation to verify that all terms and conditions of the sentence have been successfully completed.

1. Print two (2) copies of the Certificate of Service.
2. Provide a filed copy of the Petition to Seal to:
  - a. The prosecuting attorney or city attorney's office, and
  - b. The arresting law enforcement agency.
3. Have a representative from each office sign a separate Certificate of Service.
4. File the signed Certificates of Service with the appropriate court.

*Note: The prosecuting attorney or city attorney may request documentation verifying that all terms and conditions of the sentence have been successfully completed.*

## 10 Drafting the Order to Seal

After the Petition to Seal is filed and served, the Legal Resolution Team will draft a proposed Order to Seal. It is helpful to submit the proposed Order to Seal to the court at the time of filing the Petition.

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## 11 Response Period – Misdemeanor: 30 Days | Felony: 90 Days

The prosecuting attorney or city attorney has a specific time period to file a response to the Petition to Seal. For misdemeanors, the response period is 30 days from the date the petition is filed or served, whichever is later. For felonies, the response period is 90 days from the date the petition is filed or served, whichever is later. If no objection is filed and the case is eligible, the court may grant the Petition to Seal without a hearing. If an objection is filed, the individual must contact the court where the petition was filed to request a hearing.

## 12 Court Decision and Order to Seal

If the court approves the petition, the judge will sign an Order to Seal. This Order must then be filed with the court clerk.

## 13 Step 13: Sealing and Record Processing

Once the Order to Seal is filed, it is sent to the Arkansas Crime Information Center (ACIC) for processing. ACIC has 30 days to process the Order. After ACIC processes the order, the sealed record will no longer appear on background checks conducted through the Arkansas State Police for private use.