Updated 08/20/2024

Indigent Expungement Applicant Instructions - Please Read ALL Instructions Below

Step 1 — Apply for a certificate of eligibility through BCI

- Expungement application forms can be found at: bci.utah.gov/expungement-forms-and-applications/, or can be requested in person at BCI
- BCI will conduct research to determine which incident(s) are eligible for expungement. To see what date Expungements is processing can be found at: bci.utah.gov/expungements/
- BCI will send you a **letter, Certificate List, & Fee Waiver** that will have all eligible certificate information needed to petition the court.
- You will take this list to the court that is listed for that case and give them the certificate number with the petition.

******PLEASE BE ADVISED. A certificate of eligibility does not guarantee a court will order your case expunged or grant your fee waiver. It is your responsibility to understand applicable laws and procedures. Prosecutors or victims may object for various reasons. BCI will not refund any fees based solely on an objection or denial of the petition or fee waiver.******

Move to Step 2 as soon as possible

You have **180** Days (including weekends and holidays) from the date listed on the letter of Expungement Eligibility to petition the court(s) for a fee waiver and an expungement order. If you do not get the **CERTIFICATE LIST** to the court and petition before the **180** days are up, the certificates will expire and you will need to reapply.

Step 2 — File the petition with the court and serve the Prosecutor

File a Cover Sheet, Petition to Expunge and Order on Petition to Expunge with the appropriate court

- Find forms and detailed instructions online at: utcourts.gov/exp or use the QR code below
- **Forms are found near the bottom of the link.**
- **Call the Utah State Courts' Self-Help Center at 888-683-0009 if you need help**
- Mail or email the prosecutor copies of what you file

Step 3 - Respond to any possible objections and attend any court hearings.

The prosecutor or victim in your case could object

- You can file a Reply to Victim's or Prosecutor's Statement - find this form at utcourts.gov/exp
- If the court schedules a hearing, be sure to attend

If the court grants your request, your records will be expunged.

Step 4 — Distribution of Expungement Order(s) and Fee Waiver to Complete Expungement

Once the court has expunged your case, the court will send BCI an electronic Order to Expunge. If you were granted a fee waiver that will also be sent to BCI. BCI will inform all available agencies listed in the case of the expungement. NOTE: You are still able to send a copy of the Order to Expunge to the agencies listed as well.

*****IF THE FEE WAIVER IS NOT GRANTED OR YOU DO NOT FILE THE FEE WAIVER YOU WILL BE RESPONSIBLE FOR PAYMENT OF ALL CERTIFICATES. A COLLECTION LETTER WILL BE SENT INDICATING WE WILL NOT PROCESS THE ORDER UNTIL PAYMENT IS MADE OR FEE WAIVER IS RECEIVED. *****

- BCI will expunge from the Utah Criminal History database and notify the FBI to expunge their record(s).
- A letter will be sent to you via mail indicating the removal of BCI records and notification to the FBI to remove their records.

KEEP A CERTIFIED COPY OF EXPUNGEMENT ORDER(S) AND FEE WAIVER FOR YOUR PERSONAL RECORDS