Instructions and Forms for Expungement of Arrest or Charge Records

N.J.S.A. 2C:52-6

These forms are **ONLY** provided **upon request and at the time of disposition** to persons seeking the expungement of arrest or charge records relating to a disorderly persons offense, petty disorderly persons offense, or municipal ordinance violation, where those proceedings were dismissed, the person was acquitted, or the person was discharged without a conviction or finding of guilt. **These forms are not to be used to expunge arrest or charge records where the dismissal, acquittal, or discharge resulted from a plea bargaining agreement involving the conviction of other charges.** The process requires the completion of the following three steps.

Step 1: Complete the *Application for Expungement of Arrest or Charge Records*

The Application is used by the Municipal Court to determine whether the Applicant is eligible for an expungement of the arrest(s) or charge(s). The Applicant must complete sections A, B, and C of the form. Section A requires the personal information of the Applicant. Section B requires the identification of the arrest or charges that the Applicant seeks to have expunged. The Applicant must provide the date of the arrest, the statute or ordinance the Applicant was charged with violating, and the complaint number. If the Applicant does not have some or any of this information, the Applicant can obtain a printout of the case disposition from staff of the municipal court where those proceedings were dismissed, the Applicant was acquitted, or the Applicant was discharged without a conviction or finding of guilt. If a printout is obtained, the Applicant should attach it to the Application. The Applicant may alternatively search for the complaint number by accessing the Municipal Court Case Search via the NJMCdirect website, http://www.njmcdirect.com. Section C requires the Applicant to date and sign the request for expungement.

Step 2: Complete the *Order for Expungement of Arrest or Charge Records*

The Order is the official document that will be reviewed and, if granted, signed by the Superior Court Judge. The Instructions for Completion of the Order are listed below. **All questions regarding the completion of the Order should be directed to the _____ County Criminal Division at _____, contact information _____.**

1. At the top left-hand corner, fill in full name and address.
2. Do not fill in the box marked "For Superior Court Use Only." This will be completed by the Criminal Case Management Office.
3. In the box where it states, "In the Matter of the Expungement of the Arrest/Charge Records of _____," print full name.
4. In the first sentence of the Expungement Order, print full name, date of birth and your State Bureau of Identification (SBI) number, if available, where it is indicated.
5. Leave the next three spaces blank where it states "IT IS ORDERED this ___ day of _____, _____." They will be filled in by the court.
6. After "all information relating to," fill in full name.
7. On lines 1-5, provide the date of the arrest or issuance of the complaint, the statute or ordinance charged with violating, and the complaint number. This information should be identical to that contained in Section B of the Application for Expungement of Arrest or Charge Records. If more than five rows are needed, attach a separate sheet of paper with the additional information.
8. Leave the signature line on the next page blank. This is where the judge will sign the order.

Step 3: Submit the *Forms for Expungement of Arrest or Charge Records* to the Municipal Court

Upon completion of the Application and Order, the Applicant must submit the completed Forms via either hand delivery or mail to the municipal court where those proceedings were dismissed, the Applicant was acquitted, or the Applicant was discharged without a conviction or finding of guilt. The Application will then be reviewed by a Municipal Court Judge. If approved, the Municipal Court Judge will sign the Application and forward the signed Application and Order to the Applicant and the County Criminal Division for submission to the Superior Court Judge. In the event the Application is improperly or incompletely filled out, the Applicant will be notified by municipal court staff. After review by a Superior Court Judge, and if granted, a copy of the signed Application and executed Order for Expungement will be forwarded to the appropriate prosecutor and Municipal Court for the expungement of applicable records. A copy of the signed Application and executed Order will also be forwarded to the Applicant.

Application for Expungement of Arrest or Charge Records

N.J.S.A. 2C:52-6

A. Applicant Information

Name: Last	First	Middle

Date of Birth	State Bureau of Identification Number (SBI), if available	Telephone Number

Home Address: Street

City	State	Zip Code

B. Arrest/Charge(s) to be Expunged

(1) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(2) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(3) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(4) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(5) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

☐ If more than five rows are required, please check the box and attach a separate sheet of paper with the additional information.

C. Relief Sought

I am requesting that the Superior Court grant me an Expungement Order as authorized by *N.J.S.A.* 2C:52-6, directing the Municipal Court Administrator, Clerk of the Court, and all relevant criminal/juvenile justice and law enforcement services of the State of New Jersey to expunge from their records all evidence of the arrest or charge, and all proceedings in this matter, and further directing any New Jersey law enforcement agency which sent records of the arrest or charge and proceedings to the Federal Bureau of Investigation or any other law enforcement agency outside of New Jersey to inform the recipient and the agencies designated to retain control of expunged records to take sufficient precautions to ensure that such records and information are not released.

_____ Date

_____ Signature

If a printout of the complaint disposition has not been attached by the Applicant, all dispositions referenced above must be printed and attached by municipal court staff prior to review by the Municipal Court Judge.

For Municipal Court Use Only

The offense(s) listed in the above Application was/were dismissed, acquitted, or discharged without a conviction or a finding of guilt and was/were not the result of a plea bargaining agreement involving the conviction of other charges.

_____ Date

_____ Municipal Court Judge's Signature

Order for Expungement of Arrest or Charge Records

(your name) _____
(your address) _____
(city, state, zip code) _____

Appearing Pro Se

In the Matter of the Expungement of the Arrest/Charge Records of

_____
(your name)

For Superior Court Use Only
Superior Court of New Jersey
Law Division
County _____
Expungement
Reference Number: _____
Calendar Date: _____

Civil Action
Expungement Order

This matter having been opened to the Court upon the above Application of (your name) _____ whose date of birth is (date) _____, and State Bureau of Identification (SBI) number, if available, is (SBI number, if available) _____, and it appearing that the requirements for Expungement under *N.J.S.A.* 2C:52-6 have been satisfied;

It Is Ordered this _____ day of _____, _____, that the

The Attorney General of New Jersey,

The Superintendent of the New Jersey State Police, Expungement Unit,

The County Prosecutor,

The Municipal Court Administrator,

Chief(s) of the Police Department(s),

The Warden of the Jail,

The Superintendent of Juvenile Detention Facility, and

The Deputy Clerk of the Superior Court of New Jersey, Criminal Division, receiving this Order must remove from their records all information relating to

_____'s

(1) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(2) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(3) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(4) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

(5) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____.

and remove all records concerning the subsequent proceedings regarding such charge(s), and place such information in the control of a person within the office designated to retain control over expunged records;

IT IS FURTHER ORDERED that any of the recipient officers or agencies which sent fingerprints and/or any records of the above arrest(s)/charge(s) and proceedings to the Federal Bureau of Investigation or any other office or agency shall notify same of this Order and that the agencies designated to retain such records take sufficient precautions to insure that such records and information are not released;

IT IS FURTHER ORDERED that any records, or the information therein, shall not be released except as provided under the provision of *N.J.S.A.* 2C:52-1, et seq. and that the persons designated to retain control over expunged records take sufficient precautions to insure that such records and information are not released;

IT IS FURTHER ORDERED that in response to requests for information or records, the court office or law enforcement agency shall reply with respect to the arrest/charge, which is the subject of this Order, that there is no record;

IT IS FURTHER ORDERED that the arrest/charge, which is the subject of this Order, shall be deemed not to have occurred, and the person subject to this order may answer accordingly any question relating to this occurrence pursuant to *N.J.S.A.* 2C:52-27;

IT IS FURTHER ORDERED that this Order does not expunge the records contained in the Controlled Dangerous Substance Registry created pursuant to *P.L.* 1970, c. 227 (C.26:2G-17 et seq.) or the registry created by the Administrative Office of the Courts pursuant to *N.J.S.A.* 2C:43-21.

IT IS FURTHER ORDERED that a copy of this Application and Order shall be forwarded to the appropriate court and prosecutor; and

IT IS FURTHER ORDERED that the **receiving prosecutor shall promptly identify and distribute copies of this Order** to appropriate clerks of courts, law enforcement agencies, and correctional institutions who have custody and control of the records, including those identified in this Order, so that they may comply with this Order and the requirements of *N.J.S.A* 2C:52-15.

_____ Date

_____ Judge, Superior Court of New Jersey

Copy of Application
and Order only to:
Municipal Court
County Prosecutor
Person subject to this
Order

Instructions and Forms for Expungement of Arrest or Charge Records

N.J.S.A. 2C:52-6

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1. At the top left-hand corner, fill in full name and address.
2. Do not fill in the box marked "For Superior Court Use Only." This will be completed by the Criminal Case Management Office.
3. In the box where it states, "In the Matter of the Expungement of the Arrest/Charge Records of _____," print full name.
4. In the first sentence of the Expungement Order, print full name, date of birth and your State Bureau of Identification (SBI) number, if available, where it is indicated.
5. Leave the next three spaces blank where it states "IT IS ORDERED this ___ day of _____, _____." They will be filled in by the court.
6. After "all information relating to," fill in full name.
7. On lines 1-5, provide the date of the arrest or issuance of the complaint, the statute or ordinance charged with violating, and the complaint number. This information should be identical to that contained in Section B of the Application for Expungement of Arrest or Charge Records. If more than five rows are needed, attach a separate sheet of paper with the additional information.
8. Leave the signature line on the next page blank. This is where the judge will sign the order.

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Application for Expungement of Arrest or Charge Records

N.J.S.A. 2C:52-6

A. Applicant Information

Name: Last	First	Middle

Date of Birth	State Bureau of Identification Number (SBI), if available	Telephone Number

Home Address: Street

City	State	Zip Code

B. Arrest/Charge(s) to be Expunged

(1) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(2) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(3) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(4) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(5) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

☐ If more than five rows are required, please check the box and attach a separate sheet of paper with the additional information.

C. Relief Sought

I am requesting that the Superior Court grant me an Expungement Order as authorized by *N.J.S.A.* 2C:52-6, directing the Municipal Court Administrator, Clerk of the Court, and all relevant criminal/juvenile justice and law enforcement services of the State of New Jersey to expunge from their records all evidence of the arrest or charge, and all proceedings in this matter, and further directing any New Jersey law enforcement agency which sent records of the arrest or charge and proceedings to the Federal Bureau of Investigation or any other law enforcement agency outside of New Jersey to inform the recipient and the agencies designated to retain control of expunged records to take sufficient precautions to ensure that such records and information are not released.

_____ Date

_____ Signature

If a printout of the complaint disposition has not been attached by the Applicant, all dispositions referenced above must be printed and attached by municipal court staff prior to review by the Municipal Court Judge.

For Municipal Court Use Only

The offense(s) listed in the above Application was/were dismissed, acquitted, or discharged without a conviction or a finding of guilt and was/were not the result of a plea bargaining agreement involving the conviction of other charges.

_____ Date

_____ Municipal Court Judge's Signature

Order for Expungement of Arrest or Charge Records

(your name) _____
(your address) _____
(city, state, zip code) _____

Appearing Pro Se

In the Matter of the Expungement of the Arrest/Charge Records of

_____
(your name)

For Superior Court Use Only
Superior Court of New Jersey
Law Division
County _____
Expungement
Reference Number: _____
Calendar Date: _____

Civil Action
Expungement Order

This matter having been opened to the Court upon the above Application of (your name) _____ whose date of birth is (date) _____, and State Bureau of Identification (SBI) number, if available, is (SBI number, if available) _____, and it appearing that the requirements for Expungement under *N.J.S.A.* 2C:52-6 have been satisfied;

It Is Ordered this _____ day of _____, _____, that the

The Attorney General of New Jersey,

The Superintendent of the New Jersey State Police, Expungement Unit,

The County Prosecutor,

The Municipal Court Administrator,

Chief(s) of the Police Department(s),

The Warden of the Jail,

The Superintendent of Juvenile Detention Facility, and

The Deputy Clerk of the Superior Court of New Jersey, Criminal Division, receiving this Order must remove from their records all information relating to

_____'s

(1) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(2) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(3) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(4) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

(5) (date) _____ arrest on/issuance of (complaint number) _____ on the charge of violating *N.J.S.A.*/Ordinance _____;

and remove all records concerning the subsequent proceedings regarding such charge(s), and place such information in the control of a person within the office designated to retain control over expunged records;

IT IS FURTHER ORDERED that any of the recipient officers or agencies which sent fingerprints and/or any records of the above arrest(s)/charge(s) and proceedings to the Federal Bureau of Investigation or any other office or agency shall notify same of this Order and that the agencies designated to retain such records take sufficient precautions to insure that such records and information are not released;

IT IS FURTHER ORDERED that any records, or the information therein, shall not be released except as provided under the provision of *N.J.S.A.* 2C:52-1, et seq. and that the persons designated to retain control over expunged records take sufficient precautions to insure that such records and information are not released;

IT IS FURTHER ORDERED that in response to requests for information or records, the court office or law enforcement agency shall reply with respect to the arrest/charge, which is the subject of this Order, that there is no record;

IT IS FURTHER ORDERED that the arrest/charge, which is the subject of this Order, shall be deemed not to have occurred, and the person subject to this order may answer accordingly any question relating to this occurrence pursuant to *N.J.S.A.* 2C:52-27;

IT IS FURTHER ORDERED that this Order does not expunge the records contained in the Controlled Dangerous Substance Registry created pursuant to *P.L.* 1970, c. 227 (C.26:2G-17 et seq.) or the registry created by the Administrative Office of the Courts pursuant to *N.J.S.A.* 2C:43-21.

IT IS FURTHER ORDERED that a copy of this Application and Order shall be forwarded to the appropriate court and prosecutor; and

IT IS FURTHER ORDERED that the **receiving prosecutor shall promptly identify and distribute copies of this Order** to appropriate clerks of courts, law enforcement agencies, and correctional institutions who have custody and control of the records, including those identified in this Order, so that they may comply with this Order and the requirements of *N.J.S.A* 2C:52-15.

_____ _____

Date Judge, Superior Court of New Jersey

Copy of Application
and Order only to:
Municipal Court
County Prosecutor
Person subject to this
Order