

IN THE MOUNT VERNON MUNICIPAL COURT
MOUNT VERNON, OHIO

FILED

In Re: Sealing of criminal Records

FEB 26 2015

JOURNAL ENTRY

MT. VERNON MUNICIPAL COURT
KATHY SAVAGE
CLERK

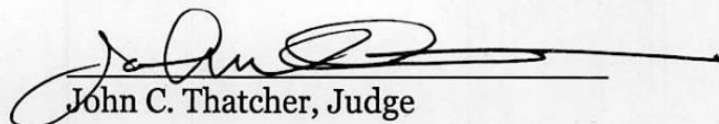
A person who has been charged with a criminal offense may apply to have the records sealed pursuant to either R.C. 2953.32 "Sealing of conviction record or bail forfeiture record" or R.C. 2953.52 "Sealing of records after not guilty finding, dismissal of proceedings or no bill by grand jury". The application shall contain all of the information required by statute and shall be in a form as provided by the Court.

Upon the filing of an application to seal the records, whether pursuant to R.C.2953.32 or R.C. 2953.52, together with the filing fee, the Clerk shall forward the application to the Probation Department for an investigation as to whether or not the Applicant is entitled to have his/her record sealed. The Clerk shall set the matter for an **oral hearing** not less than thirty days but no more than ninety days from the date the application is filed.¹ The Clerk shall notify the Applicant and the Mount Vernon City Law Director's Office of the date and time of the hearing. The Clerk shall notify the Applicant and the Mount Vernon City Law Director's Office that neither party is required to attend the **oral hearing**, if no written objections to the application are filed. The Court will make a decision on the application on the date of the **oral hearing** or within ten calendar days thereafter.

The Probation Department shall complete the investigation and make a recommendation to the Court at least ten calendar days before the scheduled **oral hearing**. A copy of the investigation and recommendation shall be served upon the Law Director at least ten days before the **oral hearing**. The Law Director, or anyone else with standing, may file objections to the application at any time prior to the **oral hearing**.

If the Probation Department's investigation indicates that the Applicant is ineligible to have his/her records sealed, the Applicant (or his/her Counsel) will be informed of that determination prior to the **oral hearing**. The Applicant (or his/her Counsel) will be given an opportunity to object to the ineligibility finding at the **oral hearing**. The Court will make a final ruling on the application based on the evidence produced at the **oral hearing**.

Effective: February 26, 2015


John C. Thatcher, Judge

Sealing of Criminal Records Feb 2015/Administrative Matters/My Documents 2015

¹ *State ex rel. Cincinnati Enquirer v. Lyons*, 140 Ohio St. 3d 7; 2014-Ohio-2354; 14 N.E.3d 989; 2014 Ohio LEXIS 1362; 42 Media L. Rep. 2093 (June 5, 2014).