



Downtown
535 North Main
Wichita, Kansas 67203

Office of the District Attorney
18th Judicial District of Kansas

Juvenile
1900 East Morris
Wichita, Kansas 67211

Kansas Law allows for any records or files specified in the juvenile code to be expunged upon application to a judge. The application may be made by a juvenile if 18 years of age or older, or if the juvenile is less than 18 years of age, by the juvenile's parent or next friend (K.S.A. 38-2312 (a)).

The court must expunge the juvenile's records and files if:

1. The juvenile is 23 years of age or older, or two years have elapsed since the final discharge in the case, and,
2. Since the final discharge, the juvenile has not been convicted of a felony or misdemeanor, other than a traffic offense or adjudicated as a juvenile offender and no proceedings are pending seeking such a conviction or adjudication, and,
3. The Court finds that the circumstances and behavior of the petitioner warrant expungement. (K.S.A. 38-2312 (d) (1)).

The following offenses cannot be expunged: rape, indecent liberties with a child, aggravated indecent liberties with a child, aggravated criminal sodomy, aggravated indecent solicitation of a child, indecent solicitation of a child, sexual exploitation, aggravated incest, endangering a child, abuse of a child, capital murder, murder in the first degree, murder in the second degree, voluntary manslaughter, involuntary manslaughter, involuntary manslaughter while driving under the influence, or an attempt to commit any of the above mentioned offenses. (K.S.A. 38-2312 (b)).

The following documents are to be used as a guideline in preparing the expungement pleadings. The guideline forms include a petition, an affidavit, an order of expungement and a personal information sheet. You must complete the petition, affidavit, order and personal information sheet in their entirety.

When you have completed the forms, please submit all forms to the Juvenile District Court Clerk's Office at 1900 E. Morris. The clerk will file your original petition and affidavit and forward copies of those along with the original order to the District Attorney's Office for review. Once the required record check has been completed and the attorney has reviewed the file, a decision will be made whether to approve the expungement. If the District Attorney's Office agrees to the expungement, the attorney will approve the order and submit the order to the court for the courts review. If the judge agrees with the order he will sign and file the order with the clerk's office. A copy will then be mailed to you at your last known address.

If this office decides to object to the expungement, you will be notified by a letter. You can then decide whether you wish to schedule a hearing on the petition.

The expungement process takes approximately 8-12 weeks to complete. Please feel free to contact our office if you have any questions.



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Personal Information Report for Expungement Applicants

Note: all questions must be completed. If not applicable, put N/A in the box

1. First Name	2. Middle Name	3. Last Name
4. Maiden Name/Other Name Used	5. Date of Birth	6. Race/Sex
7. Social Security Number	8. Drivers License Number	9. State of Issuance
10. Present Street Address	11. City	12. State and Zip
10. Phone Number		
13. Who do you live with? Full Name	14. Address	15. Relationship

16. How long have you lived at this address?	
17. Do you stay at other addresses?	

18. List all addresses where you have lived or stayed since your convictions/arrests.
 If your conviction/arrest was more than 10 years ago, you need only list addresses for the last 10 years.

Street Address	City, State and Zip Code	How long did you live there?

19. Have you had any law enforcement contact since your conviction on this case?	<input type="radio"/> YES	<input type="radio"/> NO
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20. If yes, please list each occurrence, date of occurrence and the circumstances of the contact
 Attach additional sheets of paper if necessary.

Law Enforcement Contact and Date	Nature of Contact

21. List the names and addresses of your children or other minor dependents

Name	Address	Age	Relationship

22. Educational and Vocational Training (include high school or highest grade completed, GED if not high school graduate, as well as education beyond high school).

School	Description

23. Present Employment

Employer	Telephone Number	Address
Date of Employment	Occupation	Present Salary

24. Employment History (List employment for the past ten years. Begin with last employer. If you need more space, use blank sheet of paper.)

1. Employer	Address	Dates of Employment
Reason for leaving:		
2. Employer	Address	Dates of Employment
Reason for leaving:		
3. Employer	Address	Dates of Employment
Reason for leaving:		
4. Employer	Address	Dates of Employment
Reason for leaving:		

I swear or affirm that the above and foregoing information in support of my application for expungement is true and correct to the best of my knowledge and belief.

Signature

Date

**IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
JUVENILE DEPARTMENT**

IN THE MATTER OF: _____)

_____,)

Respondent.)

DOB: _____)

Case No. _____)

Pursuant to Chapter 38 of the Kansas Statutes Annotated

PETITION FOR EXPUNGEMENT

COMES NOW the respondent in the above-captioned matter and petitions the Court for an Expungement of his/her juvenile record pursuant to KSA 38-2312. In support of this petition, respondent alleges and states:

1. The respondent's full name is _____;
2. The respondent's full name at the time of his/her adjudication in the above-entitled action was _____;
3. The respondent is a _____ (race/sex), who was born on _____;
4. On _____, in the Eighteenth Judicial District Court of Sedgwick County, Kansas, the respondent was adjudicated a juvenile offender for the following crimes (list crimes, crime classification, and statute numbers):

5. The respondent was given a final discharge for the case on ;
6. Two years have elapsed since the final discharge of the respondent and/or the respondent has reached 23 years of age or older;
7. Since the final discharge, the respondent has not been convicted of a felony or of a misdemeanor other than a traffic offense or has not been adjudicated a juvenile offender under the Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and
8. The circumstances of behavior of the respondent warrant expungement.

Respondent

VERIFICATION

STATE OF KANSAS)
)
SEDGWICK COUNTY) ss:

, of lawful age, being first duly sworn upon his/her oath, states:
I am the Petitioner in the above and foregoing action, I have read the foregoing Petition for Expungement, and the statements contained therein are true and correct.

Respondent

SUBSCRIBED AND SWORN to before me, a Notary Public, on this _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Petition for Expungement was delivered or mailed, postage prepaid and properly addressed, this _____ day of _____, 20____, to _____, Assistant District Attorney, Juvenile Division, 1900 East Morris, Wichita, Kansas 67211.

Respondent

**IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
JUVENILE DEPARTMENT**

IN THE MATTER OF:)

_____))

DOB: _____))

Respondent.)

Case No. _____))

_____))
Pursuant to Chapter 38 of the Kansas Statutes Annotated

AFFIDAVIT

STATE OF KANSAS)

) ss:

COUNTY OF SEDGWICK)

_____)

, of lawful age, being first duly sworn an oath, alleges and states:

1. That he/she is the respondent in the above-captioned matter and is making this Affidavit in support of his/her Petition for Expungement;
2. That he/she is at least eighteen years of age, having been born on _____;
3. That, since final discharge, he/she has not been convicted of a felony or of a misdemeanor other than a traffic offense or has been adjudicated a juvenile offender under the Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication;
4. That he/she is _____, _____, and has been since _____];
5. That he/she is _____ and the parent of _____ children; and
6. The circumstances and behavior of the respondent warrant expungement.

FURTHER AFFIANT SAITH NOT.

Affiant

ACKNOWLEDGMENT

BE IT REMEMBERED, that on this _____ day of _____, 20____, before me, a Notary Public, in and for the County and state aforesaid, came , who is personally known to me to be the same person who executed the foregoing Affidavit and he/she duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year above written.

Notary Public

My Commission Expires: _____

**IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
JUVENILE DEPARTMENT**

IN THE MATTER OF:)

,

Respondent.)

DOB:)

Case No.

Pursuant to Chapter 38 of the Kansas Statutes Annotated

ORDER OF EXPUNGEMENT

NOW on this _____ day of _____, 20____, this matter comes on for hearing upon the respondent's Petition for Expungement. The State of Kansas appears by _____, Assistant District Attorney. The respondent appears pro se. There are no other appearances.

WHEREUPON, the Court, after hearing evidence, reviewing the files, hearing statements of counsel, and becoming knowledgeable in the premises, finds as follows:

1. The respondent's full name is ;
2. The respondent's full name at the time of his/her adjudication in the above-entitled action was ;
3. The respondent is a (race/sex), who was born on ;
4. On , in the Eighteenth Judicial District Court of Sedgwick County, Kansas, the respondent was adjudicated a juvenile offender for the following crimes (list crimes, crime classification, and statute numbers):

5. The respondent was given a final discharge for the case on ;
6. Two years have elapsed since the final discharge of the respondent and/or the respondent has reached 23 years of age;
7. Since the final discharge, the respondent has not been convicted of a felony or of a misdemeanor other than a traffic offense or has not been adjudicated a juvenile offender under the Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and
8. The circumstances and behavior of the respondent warrant expungement.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the offense which the records or files concern shall be treated as if it never occurred, except that upon conviction of a crime or adjudication in a subsequent action under the juvenile code the offense may be considered in determining the sentence to be imposed. The respondent, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the respondent. Inspection of the expunged files or records may hereafter be permitted by order of the court upon petition by the respondent. The inspection shall be limited to inspection by the respondent or those persons designated by the respondent.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon entry of this Order of Expungement, the custodian of the records or files of adjudication relating to the expunged offense shall not disclose the existence of such records or files, except when requested by:

1. The person whose record was expunged;
2. A private detective agency or a private patrol operator, and the request is

accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

3. A court, upon a showing of a subsequent conviction of the person whose record has been expunged;
4. The secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in KSA 76-12a01 and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;
5. A person entitled to such information pursuant to the terms of the expungement order;
6. The Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
7. The governor or the Kansas racing commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission; or
8. The Kansas sentencing commission.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of the Order of Expungement to each public officer and agency in the county having possession of any records or files ordered to be expunged.

Nothing in this order shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the offender.

Nothing in this order shall be construed to permit or require expungement of files or records related to a child support order registered pursuant to the Kansas juvenile justice code.

IT IS SO ORDERED

Judge of the District Court
Eighteenth Judicial District

APPROVED:

Assistant District Attorney

Respondent