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Seal and Expunge Process

Questions regarding the seal and expunge process or application status can be directed to SEinfo@fdle.state.fl.us (<mailto:SEinfo@fdle.state.fl.us>). If requesting status information, remember to include a copy of your government issued photo identification.

The processing time to determine eligibility is typically 12 weeks from the date a completed application packet is received. Extensive research is required to determine eligibility and several factors contribute to the processing time of an application packet. Application packets are researched in the order received. FDLE does not expedite application packets.

The submission of an application for a Certificate of Eligibility is the first step in sealing or expunging a criminal history record. A record does not receive relief until a certified court order has been received by FDLE from the court of proper jurisdiction. For more information related to this process, please visit the frequently asked questions page.

Several types of relief to seal or expunge criminal history records are available. The types of sealing or expungement processes authorized by statute are listed below:

Administrative Expungement – an arrest (adult or juvenile) made contrary to law or by mistake may be expunged by applying to FDLE, in one of the ways provided in statute and rule.

(Per Section 943.0581 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0581&URL=0900-0999/0943/Sections/0943.0581.html), Florida Statutes, and Rule 11C-7.008, Florida Administrative Code)

Court-Ordered Sealing or Expungement (/Seal-and-Expunge-Process/Certificate-of-Eligibility-Instructions.aspx) – a person may apply to FDLE for a Certificate of Eligibility to Seal or Expunge his/her criminal history record. This is the required first step toward obtaining the court-ordered sealing or expungement of that record. Before issuing a Certificate of Eligibility, FDLE determines if the applicant is statutorily eligible to petition the court to have his/her Florida criminal history record sealed or expunged.

(Per Sections 943.059 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.059&URL=0900-0999/0943/Sections/0943.059.html), and 943.0585 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0585&URL=0900-0999/0943/Sections/0943.0585.html), Florida Statutes, and Rules 11C-7.006 and 11C-7.007, Florida Administrative Code)

Juvenile Diversion Expungement (/Seal-and-Expunge-Process/Juvenile-Diversion-Expunction.aspx) – a person who has completed an authorized juvenile diversion program for a misdemeanor offense or for a felony offense other than a forcible felony as defined in s. 776.08, or a felony involving the manufacture, sale, purchase, transport, possession, or use of a firearm or weapon as those terms are defined in s. 790.001; may apply for a juvenile diversion expungement, as defined.

(Per Section 943.0582 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0582&URL=0900-0999/0943/Sections/0943.0582.html), Florida Statutes, and Rule 11C-7.009, Florida Administrative Code)

Lawful Self-Defense Expungement (/Seal-and-Expunge-Process/Lawful-Self-Defense-Expungement.aspx) – a person may apply for a Lawful Self-Defense Certificate of Eligibility if the appropriate state attorney or statewide prosecutor certifies that the subject acted in lawful self-defense pursuant to the provisions related to justifiable use of force in Chapter 776, Florida Statutes, and the charge(s) were not filed on, or were dismissed by the state attorney or the court.

(Per Section 943.0578 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0578&URL=0900-0999/0943/Sections/0943.0578.html), Florida Statutes)

Human Trafficking Expungement (/Seal-and-Expunge-Process/Human-Trafficking-Expungement.aspx) – a person who is a victim of human trafficking (as defined in Sections 943.0583(1)(c) and 787.06, Florida Statutes) may petition for the expungement of a criminal history record resulting from the arrest or filing of charges for an offense committed or reported to have been committed as a part of the human trafficking scheme of which he/she was a victim.

(Per Section 943.0583 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0583&URL=0900-0999/0943/Sections/0943.0583.html), Florida Statutes)

Automatic Juvenile Expungement - the criminal history record of a minor maintained by FDLE will automatically be expunged (by operation of law) at the age of 21, or (if the minor was committed to a juvenile correctional facility or juvenile prison) age 26, provided certain conditions are satisfied (i.e., not having been charged with or convicted of a forcible felony as an adult or when treated as an adult). A list of charges designated as forcible felonies can be found in Section 776.08 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=776.08&URL=0700-0799/0776/Sections/0776.08.html), Florida Statutes.

(Per Section 943.0515 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0515&URL=0900-0999/0943/Sections/0943.0515.html), Florida Statutes)

Early Juvenile Expungement (/Seal-and-Expunge-Process/Early-Juvenile-Expungement.aspx) - a person between the ages of 18 and 21 may, under certain conditions, apply to have their juvenile criminal history record expunged by FDLE. A person may apply to the appropriate prosecuting attorney to approve the expungement of his/her FDLE juvenile criminal history record if the subject has not been charged with or found to have committed any criminal offense (including the one that you are seeking to expunge) within the preceding 5 years.

(Per Section 943.0515(1)(b)2 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0515&URL=0900-0999/0943/Sections/0943.0515.html), Florida Statutes)

Automatic Sealing – the criminal history record maintained by FDLE will automatically be sealed (by operation of law) when the Clerk of the Court submits a qualifying certified disposition to FDLE, via electronic means. A list of qualifying dispositions can be found in Section 943.0595 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0515&URL=0900-0999/0943/Sections/0943.0595.html), Florida Statutes. A list of disqualifying offenses can be found in Section 943.0595(2)(a) (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0595&URL=0900-0999/0943/Sections/0943.0595.html), Florida Statutes.

*Note- this process *does not* seal records at the local level.

(Per Section 943.0595 (http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=943.0515&URL=0900-0999/0943/Sections/0943.0595.html), Florida Statutes)

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Florida Department of Law Enforcement Priorities

FDLE is composed of five areas: Executive Direction and Business Support, Criminal Investigations and Forensic Science, Criminal Justice Information, Criminal Justice Professionalism and Florida Capitol Police. FDLE's duties, responsibilities and procedures are mandated through Chapter 943 (/cjstc/publications/florida-statute-943), FS, and Chapter 11 (/cjstc/publications/cjstc-fac-rules), FAC. To learn more about these areas, read our Statement of Agency Organization and Operation (/getContentAsset/a06eae6f-eb33-405c-a039-e5ee66d5fb11/73aabf56-e6e5-4330-95a3-5f2a270a1d2b/StatementofAgencyOrg_October2021_Final.pdf?language=en) or visit our Open Government page (/open-government/open-government).

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