



FLORIDA DEPARTMENT OF LAW ENFORCEMENT
APPLICATION FOR A
JUVENILE DIVERSION EXPUNCTION (s. 943.0582, F.S.)

Last Name		First Name		Middle Name	
Alias Last Name(s)		Alias First Name(s)		Alias Middle Name(s)	
Date of Birth (MM/DD/YYYY)	Race	Sex	Phone ()	Social Security No.(optional)	
Mailing Address			City	State	Zip
Permanent Address			City	State	Zip
Florida Driver's License No.		Email Address			

Arresting Agency: _____

Diversion Program Completion Date: _____

Date(s) of Arrest	Charge(s) Description
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____

I hereby certify that the information contained herein is true and correct to the best of my knowledge.

Applicant's Signature _____	Date _____	Signature of Parent/Legal Guardian _____	Date _____
(Required if applicant is under 18 years of age)			

NOTARY

STATE OF _____, COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by

Signature of Notary Public _____ Print/Type/Stamp Commissioned Name of Notary or Deputy Clerk of the Court _____

Personally Known _____ or Produced Identification _____ Type of Identification Produced: _____

WRITTEN CERTIFIED STATEMENT

EXPUNCTION APPLICATIONS ONLY

Page 1 and 2 of this application must be submitted to the state attorney/statewide prosecutor's office.

Name (Last, First Middle)	DOB (MM/DD/YYYY)	Phone
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The section below must be completed by the state attorney/statewide prosecutor.

State Attorney/Statewide Prosecutor		Reviewing Officer	
County		Circuit	
Charge(s) Description	Statute Violation	Case Number	Action
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

I certify that the person named above has successfully completed a diversion program in the above-named county as authorized by s. 985.3065, that participation in this program was based on an arrest 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; and that, to my knowledge and based on the information available to me, this person has not otherwise been charged with or found to have committed, any criminal offense or comparable ordinance violation. Therefore, pursuant to s. 943.0582, this person is eligible to have his/her criminal history record expunged with the intent of and as limited by s. 943.0582.

Diversion Program Completion Date (Month/Day/Year)

Signature

Date

Title (Prosecuting Authority)

FINGERPRINTS FOR APPLICATION FOR CERTIFICATION OF ELIGIBILITY

Name:
Last _____ **First** _____ **Middle** _____

Alias/AKA Name(s):
Last _____ **First** _____ **Middle** _____

RACE: _____ **SEX:** _____ **DOB:** _____ ***SOC:** _____ **Place of Birth:** _____

Signature of Official Taking Fingerprints: _____ ****ORI:** _____

Signature of Person Fingerprinted: _____ **Date:** _____

1. R.Thumb	2. R.Index	3. R.Middle	4. R.Ring	5. R.Little
6. L.Thumb	7. L.Index	8. L.Middle	9. L.Ring	10. L.Little
Left Four Fingers Taken Simultaneously		L.Thumb	R.Thumb	Right Four Fingers Taken Simultaneously

*Social Security Number: This information is voluntary; however, failure to disclose may delay the processing time of your application.
 **Fingerprints must be taken at a law enforcement entity. Agency stamp can substitute for ORI.

GENERAL INFORMATION

1. **Applicable Law:** Pursuant to Section 943.0582, F.S., and Chapter 11C-7.009, Florida Administrative Code, eligibility for a juvenile diversion expunction requires the successful completion of a diversion program and that the applicant's participation in the program was based on an arrest 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. The term "expunction" as used in s. 943.0582, F.S., differs significantly in operation and the effect from the term "expunction" as used in s. 943.0585, F.S.

This is an application form for juvenile diversion expunction (s. 943.0582, F.S.) which is an administrative process and is completed by the agencies concerned. It does not require filing a petition with the court and does not require or authorize the issuance of a certificate of eligibility by FDLE. Please consult the applicable law or seek legal advice if you are uncertain of the differences between juvenile diversion expunction and court-ordered expunction (s. 943.0585, F.S.), or between juvenile diversion expunction and other forms of expunction for which you may qualify.

2. **Application and Required Documents:** Type or print all information, except signatures. Complete all required portions of the application, and submit all required documents, along with the processing fee. **If your application is submitted without all required information, documentation, or the processing fee, FDLE will reject your application.**

Refer to the Application Checklist & Instruction page in this packet for further information regarding submitting a complete application packet.

3. **Mailing Instructions:** Mail your completed application packet and fee to:

**Florida Department of Law Enforcement
ATTN: Seal & Expunge Section
P.O. Box 1489
Tallahassee, FL 32302-1489**

REASONS AN APPLICATION WILL BE DENIED

Pursuant to s. 943.0582, F.S., the non-judicial arrest record of a minor cannot be expunged under any of the following circumstances:

1. The Florida criminal history record reflects you did not successfully complete a diversion program.
2. The arrest to which the application pertains is for a forcible felony offense defined in s. 776.08 or for 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.
3. You have been charged by the state attorney with, or found guilty/adjudicated delinquent of, a criminal offense or comparable ordinance violation stemming from the arrest to which the application pertains.
4. You have been charged by the state attorney with, or found guilty/adjudicated delinquent of, a criminal offense or comparable ordinance violation prior to the application being received by FDLE.

FULL PARDONS: The Florida Supreme Court held in R.J.L. v. State, 887 So. 2d 1268 (Fla. 2004) held that an individual who has received a full pardon is not entitled to a certificate of eligibility because a pardon does not have the effect of eliminating guilt or the fact of a conviction.

Application Checklist & Instructions

*****All documentation submitted must be originals. Copies will not be accepted.*****

☐ **Completed Application Page**

- The application page must be filled out in full including last name, first name, date of birth, race, sex, mailing address, permanent address, arresting agency, date of arrest, and charge(s).
- If you were given a Notice to Appear and not physically arrested, indicate the date of the Notice to Appear in place of the date of arrest.
- Applicant must sign the application in the presence of a notary public or a deputy clerk of the court.

☐ **Completed Written Certified Statement Page (Expunction Applications Only)**

- For all expunction applications (including juveniles), the written certified statement page completed by the appropriate state attorney or statewide prosecutor is required.

☐ **Certified Disposition**

- The applicant must provide a certified disposition of each case/criminal charge(s) listed on the application. This may be obtained from the clerk of court in the county where the case/charge(s) originated.
- If placed on probation, provide documentation showing termination of probation.
- For pre-trial intervention cases and other diversion programs, the applicant must provide a copy of the pretrial completion certificate or a letter of successful completion which may substitute for a certified disposition.

☐ **Completed Fingerprint Form/Card**

- The applicant must be fingerprinted by an authorized member of law enforcement or by a vendor engaged in the business of electronic fingerprint submissions which has an agreement in place with FDLE pursuant to Section 943.053(13), F.S.
- Although FDLE will accept fingerprints taken by a vendor who has agreement in place with FDLE pursuant to Section 943.053(13), F.S., such fingerprints must be submitted in physical paper form. FDLE will not accept electronically submitted fingerprints.
- The fingerprint form/card must include the applicant's name, date of birth, signature, and date.
- The fingerprint form/card must include the signature of the official taking the fingerprints and the agency's ORI/stamp.

☐ **Processing Fee**

- A NONREFUNDABLE money order, cashier's check, or personal check in the amount of \$75.00 made payable to FDLE must accompany the application. FDLE does not accept cash, gift cards, or temporary personal checks.
- Make sure to completely fill out and sign the check/money order.
- EXCEPTION: This fee is not required for juvenile diversion expunction applications.

☐ **Attorney Letterhead (if applicable)**

- If you are represented by an attorney, a letter of representation from the attorney on letterhead must be submitted with the application. If an attorney letter is not received, FDLE will only correspond with the applicant.
- Make sure the appropriate mailing address is clearly indicated on this letter.

SPECIAL NOTE: It is **highly recommended** that you obtain and keep a copy of all pertinent documents (arrest report, certified disposition, order to seal/expunge, etc.) for your records before you secure the sealing or expunction of your criminal history record(s). Once a record(s) has been expunged under s. 943.0585, F.S., it is no longer available to be disseminated to anyone (including the subject of the record), under any circumstances, without a court order so authorizing. FDLE, as well as any other state or local agency, is statutorily prohibited from releasing copies of court-ordered expunged records. FDLE may **only** release a copy of an expunged record upon receipt of a court order.