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# Applying for a Juvenile Diversion Expungement

The following requirements must be met, pursuant to 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](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 (F.S.), in order to obtain a juvenile diversion expungement of a criminal history record. **A juvenile diversion expungement will not prevent you from applying for and obtaining a court-ordered sealing or expungement under Section 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](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)), **F.S.**

Eligibility for a juvenile diversion expungement is conditioned upon the successful completion of a diversion program authorized by Section 985.3065, F.S., in which the applicant's participation 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. You should also be aware that the term "expunction" as used in 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](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, **differs significantly** in operation and effect from the term "expunction" as used in 943.0585 ([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/0943.0585.html](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/0943.0585.html)), **F.S.**

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## Application

- You may obtain an application for the Juvenile Diversion Expungement by downloading the application, or by emailing the FDLE Seal and Expunge Section at [SEinfo@fdle.state.fl.us](mailto:SEinfo@fdle.state.fl.us) (<mailto:SEinfo@fdle.state.fl.us>), and requesting an application be sent to you.
  - **Section A** - Section A of the application must be completed and signed by the applicant and parent/guardian (if under 18 years of age) in the presence of a Notary Public or a Deputy Clerk of the Court.

## Completed Written Certified Statement Page

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

## Disposition

- 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.

## 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.

## 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).

## REASONS A JUVENILE DIVERSION APPLICATION WILL BE DENIED

Pursuant to s. 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](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)), 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 weapons 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.

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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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