



The Clear My Record Missouri Project
www.clearmyrecordmo.org

A light gray outline map of the state of Missouri serves as a background for the title text.

Step by Step Guide: Filing Pro Se for Expungement in Missouri*

For use beginning January 1, 2025

***IMPORTANT: This Guide applies ONLY to state, not federal, offenses**

IMPORTANT INFORMATION
READ BEFORE USING THIS GUIDE

DISCLAIMERS:

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Overview

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Step 2: Fill out the Pro se Expungement Petition Form

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Step 4: Fill out Service Instructions

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Step 6: File in the Appropriate Circuit Court.

Step 7: Complete Service of Process (unless you are granted a Fee-Waiver or you paid the Court to do it for you)

Step 8: Track Your Case

Step 9: Go to your Hearing

Step 10: Verify all Respondents close your record within 30 days.

Step 1:

Determine if you and your offense(s) are eligible for expungement in Missouri.

Step 1: Determine if you and your offense(s) are eligible for expungement in Missouri.

Directions:

Use the flowcharts and the eligibility lists in the following pages of this section to determine if you and your offense(s) are eligible for expungement. Each offense you want to expunge must be eligible before you can file to have it expunged. For each offense you want to expunge, find the appropriate flowchart/list and go through it to determine if the offense is eligible. If you determine all your offenses are eligible you can then move on to filling in your petition.

If you have some offenses that are eligible and others that are not, it is possible to seek expungement of some but not others. In most cases, you likely would not get enough benefit from doing so, unless you have a particular offense or offenses (within the lifetime limits) that are causing you the most problems. This is often true if you are able to expunge all of the felonies you have (maximum allowed is 2) even though you may have misdemeanors or ordinance violations remaining.

Some important things to keep in mind:

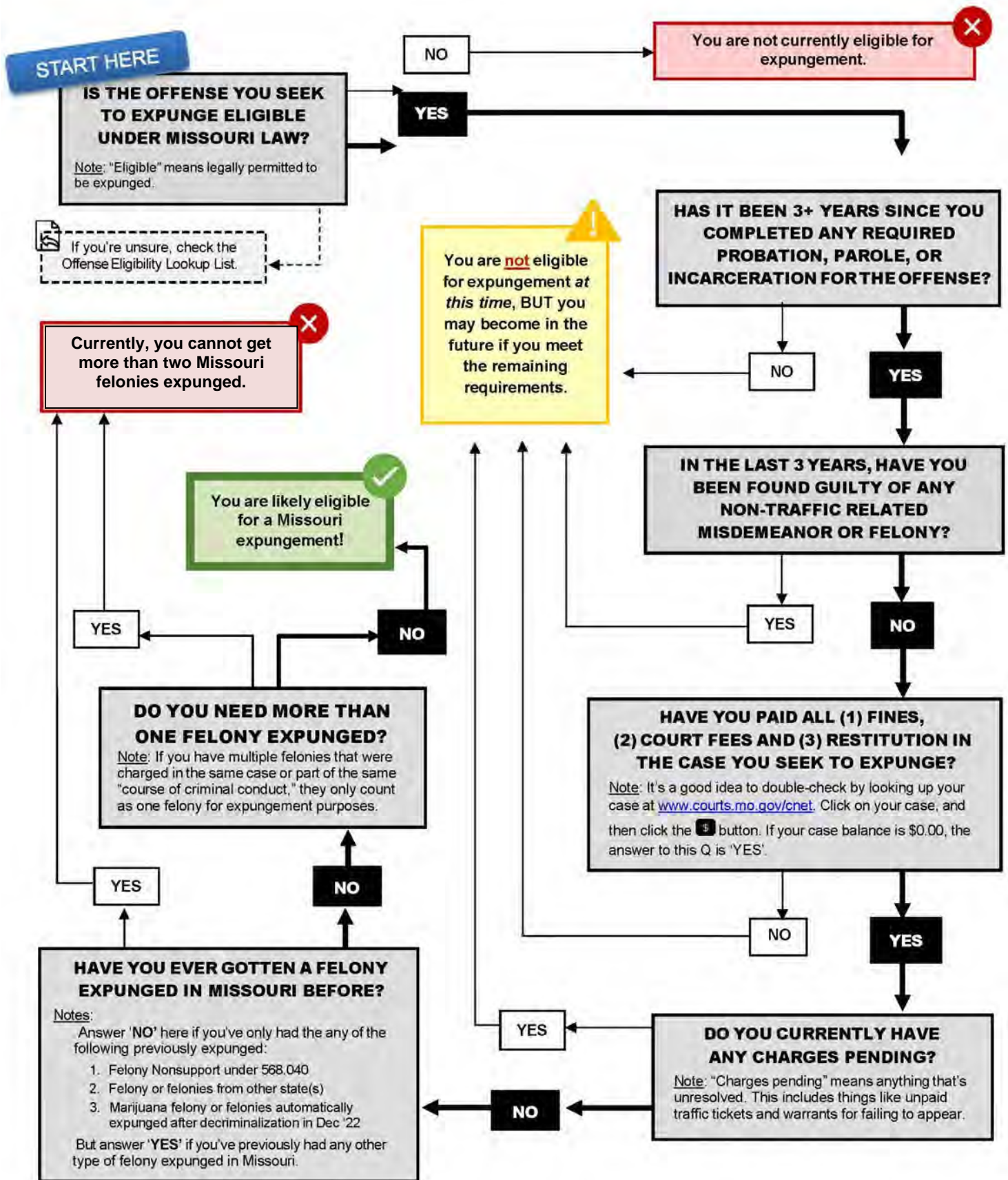
- **NOTE:** Missouri's main expungement law is Law 610.140
- **LIFETIME LIMIT RULE:** You can only get a TOTAL of TWO felony and THREE misdemeanors or ordinance violations with jail time authorized expunged over the course of your lifetime. You can get an unlimited number of infractions expunged.
 - There are some exceptions to the Lifetime Limit Rule and those exceptions are reflected in the flowcharts, but they are also worth briefly mentioning here:
 - **Course of Conduct Exception:** If you can show that the crimes were "committed as part of the same course of criminal conduct," they will only count as ONE offense (the highest level one) for the purpose of counting number of expungements. Unfortunately, there is not a clear definition of what same course of conduct means, but the crimes being in the same case is not enough. A recent Court of Appeals case said that, in determining "same course of criminal conduct," "two offenses, separated in time and alleged to be connected only through non-criminal acts, cannot be part of the 'same course of criminal conduct.'"
 - **Examples:**
 - If a person were charged with multiple offenses based on a single action (for example, both stealing and passing a bad check arising out of one incident), that *should* count as only one felony
 - A common type of case involves two or more sales to the same undercover drug operation in a two-week period. This would not meet the test. Even if those sales are separated by hours, because non-criminal conduct occurs in between (e.g., leaving and then returning for the second sale, it is probable that this would not meet the test.

If you want to try and use this exception to expunge more than two felonies and/or three misdemeanors, it is strongly recommended that you seek the assistance of an experienced attorney.

- **Unique Expungement Exceptions:** The following expungement types do not count towards the overall “Lifetime Limit” number:
 - Misdemeanor DUI expunged under Missouri Law 610.130
 - Marijuana offenses expunged under the Missouri Constitution
 - Felony Nonsupport expunged under Missouri Law 568.040
 - Juvenile Adjudications sealed under 211.321
 - Delivery of Intoxicating Liquor on Correctional Center Premises expunged under Missouri Law 221.111
 - Minor in Possession expunged under Missouri 311.226
 - Prostitution, under 18 or under coercion, expunged under Missouri 610.131
 - Arrest expungements under 610.122
 - Arrest or charges expunged based on Mistaken or Stolen Identity under 610.145
 - Offenses expunged in other states

- **COST:** Unless you qualify for and are granted a Fee-Waiver, the cost of expungement can total around \$160. The cost includes the following fees:
- Local Court Filing Fee – Varies County to County (Jackson County’s is \$112.50)
 - Service Costs – Averages from \$45-\$60, depending on type of service and number of Respondents.

Missouri FELONY Expungement Eligibility



Common FELONY Offense Eligibility Look Up List

A

Abuse or Neglect of a Child - Not Eligible
Armed Criminal Action - Not Eligible
Arson (1st or 2nd Degree)- Not Eligible
Arson (3rd Degree)- Eligible
Assault (Felony or Domestic) - Not Eligible
Assault (Non-Domestic, Non-Felony) - Eligible
Attempted Rape - Not Eligible

B

Burglary (1st Degree) - Not Eligible
Burglary (2nd Degree) - Eligible
Burning or Exploding - Not Eligible

C

Child Abuse or Neglect - Not Eligible
Child Abduction - Not Eligible

D

Defrauding Secured Creditors - Not Eligible
Driving While Revoked/Suspended - Eligible
Driving While Intoxicated (2+ DWI convictions) - Not Eligible
Drug Possession – Eligible
Drug Sale/Distribution/Production/Manufacture - Eligible
Drug Paraphernalia Possession - Eligible
Drug Trafficking (if NOT a Class A Felony) - Eligible

E

Endangering the Welfare of a Child (1st Degree) - Not Eligible
Escape from commitment - Not Eligible

F

Felon in Possession – Not Eligible
Forgery - Not Eligible
Fraudulently Stopping Instrument Payment - Eligible
Fraudulently Procuring Credit/ Debit Card - Eligible

G

Gambling- Eligible

H

Harassment - Eligible

K

Kidnapping - Not Eligible

L

Leaving Scene of Accident – Eligible

M

Manslaughter (Involuntary or Voluntary) - Not Eligible
Minor in Possession – Eligible
Money Laundering - Not Eligible
Murder - Not Eligible

N

Nonsupport (felony) - Eligible

→But utilizes a different process than flowchart; must be first and only felony nonsupport and must have all arrearages paid off.

Non-Violent Offenses, Non-Sexual Offenses (Most) - Eligible

P

Passing Bad Check - Eligible
Perjury - Not Eligible
Promoting Civil Disorder - Not Eligible
Property Damage - Eligible
Public Disorder - Eligible

R

Rape - Not Eligible
Receiving Stolen Property - Eligible
Resisting/Interfering with Arrest - Eligible
Robbery (1st or 2nd degree) - Not Eligible

S

Sex Offenses – Not Eligible
Offense Requiring Sex Offender Registration - Not Eligible
Statutory Rape - Not Eligible
Stealing - Eligible

T

Tampering w/ a Motor Vehicle - Eligible
Terrorist Threats (1st or 2nd Degree) - Not Eligible
Terrorist Threats (3rd Degree) - Eligible
Theft - Eligible
Trespassing - Eligible

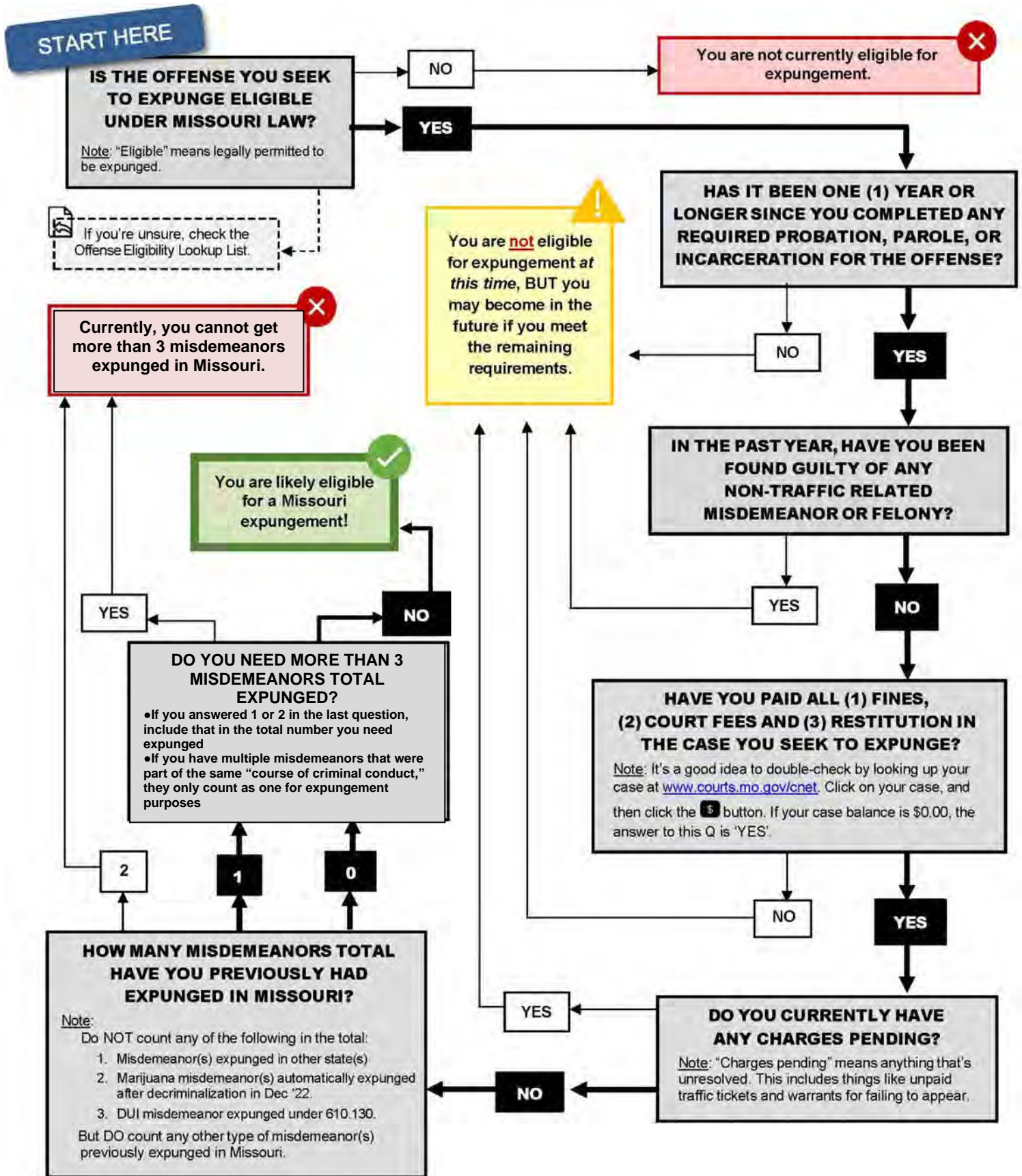
U

Unlawful Possession of a Firearm - Not Eligible
Unlawful Use of a Weapon (UUW) - Depends on Type
▪ **Concealed Carry (if before Jan 1, 2017) - Eligible**
Exhibiting - Eligible
Possession of Weapon with Drugs - Not Eligible
Shot at Motor Vehicle, Person or Building - Not Eligible
All Other Types of UUW- Not Eligible

V

Violent Offenses (Most) - Not Eligible
Violation of a Protective Order - Not Eligible

Missouri MISDEMEANOR Expungement Eligibility



Common MISDEMEANOR Offense Eligibility Look Up List

A

Arson (3rd Degree)- Eligible
Assault (Misdemeanor, Non-Domestic)- Eligible

B

C

D

Defrauding Secured Creditors - Not Eligible
Driving While Revoked/Suspended - Eligible
Driving While Intoxicated – Eligible

- But utilizes a different process than flowchart; must be first and only DUI, a misdemeanor, and 10 years must have passed with no alcohol enforcement contacts

Drug Possession – Eligible
Drug Paraphernalia Possession - Eligible

E

Endangering Welfare of Child (2nd Deg) - Eligible
Escape from commitment - Not Eligible

F

G

Gambling- Eligible

H

Harassment - Eligible

I

Infractions (Most) - Eligible

J

Juvenile Adjudications - Eligible

- But utilize a different process than flowchart

K

Kidnapping (Third Degree) – Not Eligible

L

Leaving Scene of Accident - Eligible

M

Minor in Possession – Eligible

- But utilize a different process than flowchart; must be first and only and can't be a CDL holder.

N

Nonsupport (misdemeanor) - Eligible
Non-Violent Offenses, Non-Sexual Offenses (Most) - Eligible

O

Ordinance Violations (Most) - Eligible

- Ordinance violations that are the *substantial equivalent* of an ineligible offense are NOT Eligible for expungement. For example, a domestic assault ordinance violation is not eligible for expungement.

P

Passing Bad Check - Eligible
Property Damage - Eligible
Public Disorder - Eligible

R

Receiving Stolen Property - Eligible
Resisting/Interfering with Arrest - Eligible

S

Sex Offenses – Not Eligible
Offense Requiring Sex Offender Registration - Not Eligible
Stealing - Eligible

T

Theft - Eligible
Traffic Violations (as long as no CDL) - Eligible
Trespassing - Eligible

U

Unlawful Possession of a Firearm - Not Eligible
Unlawful Use of a Weapon (UUV) - Depends on Type

- **Concealed Carry (if before Jan 1, 2017) - Eligible**
- **Exhibiting - Eligible**
- Possession of Weapon and Drugs - Not Eligible
- Shot at Motor Vehicle, Person or Building - Not Eligible
- All Other Types of UUV- Not Eligible

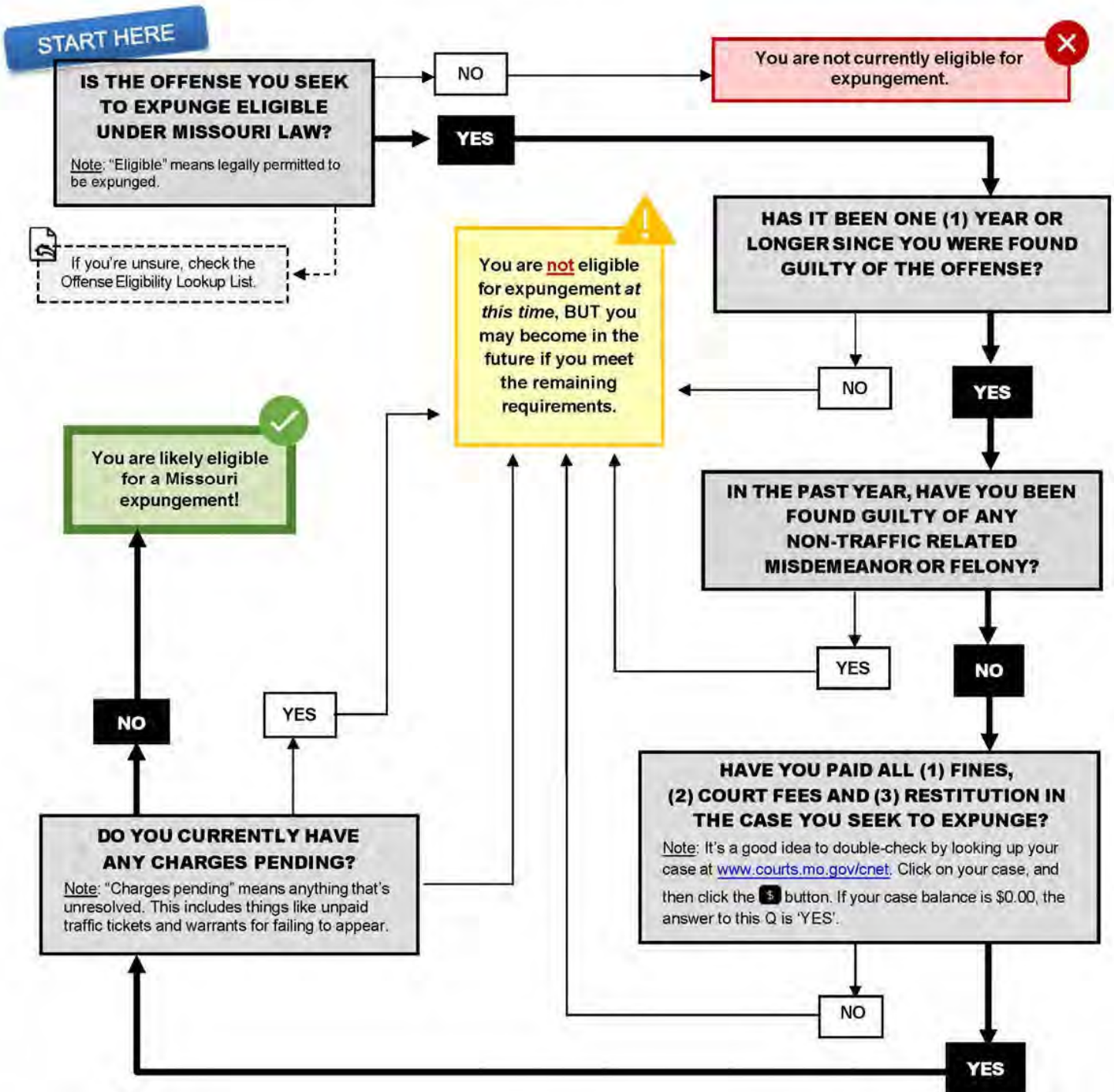
V

Violent Offenses (Most) - Not Eligible
Violation of a Protective Order - Not Eligible

Missouri INFRACTION Expungement Eligibility

Important Notes:

- Ⓢ Infractions are low-level offenses for which one is typically **not** sentenced to probation or incarceration, but rather to a fine. A parking ticket and a seatbelt violation are examples of infractions.
- Ⓢ You can get an **unlimited** number of Missouri infractions expunged.



Common INFRACTION Offense Eligibility Look Up List

A

B

C

D

E

F

G

H

I

Infractions (Most) - Eligible

J

K

L

M

N

Non-Violent Offenses, Non-Sexual Offenses (Most) - Eligible

O

Ordinance Violations (Most) - Eligible

- Ordinance violations that are the *substantial equivalent* of an ineligible offense are NOT Eligible for expungement.

P

R

S

T

Traffic Violations (as long as no CDL) - Eligible, not DUI/DWI

Trespass - Eligible

U

V

Step 2:

Fill Out Your Pro se
Expungement Petition Form


Step 2: Fill out your Pro se Expungement Petition

NOTE: This form can be found at <https://clearmyrecordmo.org/pro-se-information/>

On the first page, at the top, fill in the judicial circuit number and the name of the county where you are filing your petition. You MUST file in the same county that you were originally convicted in. You must file in CIRCUIT court (as opposed to Municipal Court) of that county.

For example, if you were convicted of drug possession in Jackson County (Circuit or Muni), you will file for expungement in the 16th Judicial Circuit of Jackson County.

If you don't know the judicial circuit number of your county, ask the circuit clerk, they will know. If you don't know the difference between circuit and municipal, ask the court clerk, they will know.

	IN THE <u> # </u> JUDICIAL CIRCUIT, <u> County of Conviction </u> COUNTY, MISSOURI
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Next, write in your name where it says Petitioner. Leave Judge or Division and the Case Number BLANK.

Judge or Division Leave blank!	Case Number: Leave blank!	
Petitioner: YOUR NAME HERE		vs. _____ (Date File Stamp)

Next, you will need to identify the Respondents in your case for expungement and check the corresponding boxes. Your Respondents will likely consist of state and local agencies. This is a **CRUCIAL** step, so first let's go over some background information on how a Petition for Expungement exactly works to help you better understand.

Defendant(s): (select or list all of the agencies you believe may have records of each of the convictions you seek to expunge, attach additional sheets as necessary)	
<input type="checkbox"/> Circuit Court Division _____	<input type="checkbox"/> _____ County Sheriff's Dept.
<input type="checkbox"/> Municipal Division, City of _____	<input type="checkbox"/> _____ Municipal Police Dept.
<input type="checkbox"/> Missouri State Highway Patrol (MSHP) Criminal Justice Information Services (CJIS) Division	<input type="checkbox"/> Other (include name and address of agency) _____
<input type="checkbox"/> Prosecuting Attorney(s) / Circuit Attorney(s) (include name of county) County _____	_____
<input type="checkbox"/> Missouri Department of Revenue	_____

A Petition for Expungement is a lawsuit that's directed at the state and local agencies who are holding and reporting official copies of your criminal records you want expunged. The petition essentially seeks to force those agencies to close your records and stop reporting them.

That means in order to get a meaningful expungement, each state or local agency holding an official copy of your record must be ordered by a court to expunge the copy of your record they hold. Those state and local agencies will only expunge your record if they are named as a Respondent (also called a Respondent) in your case for expungement. Therefore, it is better to over-include agencies than under-include when listing your Respondents.

How do you know which agencies have an official copy of record? The state agencies that hold official copies of your criminal record will typically include:

1. Missouri State Highway Patrol Records Repository
 - ALWAYS INCLUDE
 - This agency is the state of Missouri's central place for storing all the state's criminal records.
2. The Arresting/Citing Agency - a.k.a. The Law Enforcement Agency that Arrested or Cited You.
 - ALWAYS INCLUDE
 - If you are unsure which law enforcement agency arrested or cited you, try to remember what city you were arrested/cited in. The Law Enforcement agency is likely to be that city's Police Department or that county's Sheriff's Department.
 - For example, if you were arrested in downtown Kansas City, Missouri, the arresting agency is most likely either the Kansas City Police Department or the Jackson County Sheriff's Office .
3. The Prosecuting Agency - a.k.a. the Prosecutor's Office that Prosecuted You.
 - ALWAYS INCLUDE
 - If you are unsure, try to remember what city you were prosecuted in. Like the arresting agency it will either be the City's prosecutor (if in Municipal Court) or the County's prosecutor (If in Circuit Court, and in some Muni Courts).
 - If the offense was minor, such as an ordinance violation or a traffic violation, it is more likely to be the City's prosecutor.
 - The more serious the offense, the more likely it was the county prosecutor.
 - For example, the offense of Distribution of a Controlled Substance is always going to have the County Prosecutor as a Respondent. On the other hand, minor offenses, like traffic violations, will most often have the city prosecutor as a Respondent.
4. The Convicting Agency - a.k.a. The Court You Were Convicted In.
 - ALWAYS INCLUDE
 - If you are unsure, try to remember what city you were convicted in. Like the arresting agency and the prosecuting agency, the convicting court will either be the city's municipal court or the county's circuit court. Like the prosecuting agency, the more serious the offense, the more likely it was the County's Circuit Court.

- For example, if you were convicted of Distribution of a Controlled Substance in Kansas City, Missouri, you were convicted in the county's Circuit court, which is the Jackson County Circuit Court.
 - But if you were convicted of a minor offense, such as a traffic violation, in Kansas City, Missouri, you were likely convicted in the city's Municipal court, which is the Kansas City Missouri Municipal Court.
5. Missouri Department of Corrections
- USUALLY INCLUDE
 - If you were sentenced to probation or incarceration, the Missouri Department of Corrections is a necessary Respondent.
6. Missouri Department of Revenue
- Only serve this agency if one or more of your offenses involved the operation of a motor vehicle. For example, if you are seeking to expunge a speeding ticket, you will need to include the Missouri Department of Revenue as a Respondent.

For example, if you were seeking the expungement of a Distribution of a Controlled Substance conviction AND a Speeding conviction that both occurred in Kansas City, Missouri and both involved an arrest by the Kansas City Police Department, your Petition's Respondents would likely look something like this:

Defendant(s): (select or list all of the agencies you believe may have records of each of the convictions you seek to expunge, attach additional sheets as necessary)	
<input checked="" type="checkbox"/> Circuit Court Division <u>Jackson County</u>	<input type="checkbox"/> _____ County Sheriff's Dept.
<input checked="" type="checkbox"/> Municipal Division, City of <u>Kansas City, Missouri</u>	<input checked="" type="checkbox"/> <u>Kansas City Missouri</u> Municipal Police Dept
<input checked="" type="checkbox"/> Missouri State Highway Patrol (MSHP) Criminal Justice Information Services (CJIS) Division	<input checked="" type="checkbox"/> Other (include name and address of agency)
<input checked="" type="checkbox"/> Prosecuting Attorney(s) / Circuit Attorney(s) (include name of county) County <u>Jackson County Prosecutor AND Kansas City Prosecutor</u>	<u>Missouri Department of Corrections</u> 2729 Plaza Drive Jefferson City, MO 65101
<input checked="" type="checkbox"/> Missouri Department of Revenue	

Next, read items 1-7 to confirm that you are eligible for expungement and can swear to the state your first

Petition for Expungement – Section 610.140, RSMo.

expu your first
the n , provide

Pursuant to section 610.140, RSMo, I request that the court issue an order to expunge my record of arrest, plea, trial, or conviction(s), for the criminal case(s) identified below.

All of the convictions listed below occurred and were prosecuted within the state of Missouri. I am filing this petition in the county where the conviction(s) was charged or I was found guilty.

I hereby swear:

1. That the appropriate amount of time has lapsed since the arrest and/or completion of the authorized disposition imposed for each offense that I am asking to have expunged; it has been at least three years for any felony offense or at least one year for any misdemeanor, infraction, or ordinance violation;
2. I have not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters 301, 302, 303, 304 and 307, RSMo, during the time period specified for the underlying offense, violation, or infraction in section 610.140.5.1, RSMo;
3. I have satisfied all obligations relating to any such disposition, including the payment of any fines or restitution;
4. I do not have any charges pending;
5. My habits and conduct demonstrate that I am not a threat to the public safety of the state;
6. I have not previously been granted an expungement or I have previously been granted an expungement (list court and case number, _____); and
7. The expungement is consistent with the public welfare and the interests of justice warrant the expungement.

I have reason to believe the agencies named above as defendants may possess records subject to expungement. The court's order of expungement shall not affect any person or entity not named as a defendant in the action. I understand that if I do not meet all the criteria for any of the offenses listed for expungement or knowingly provide false information, the petition will be dismissed by the court and I may not refile another petition until a year has passed since the date of filing this petition.

Next, fill in your personal information. If you do not have a driver's license, put 'N/A'.

Full Name:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Race:	Date of Birth:
Current Address:	Driver License No./Issuing State/Exp. Date:		

Next, on the second page, fill in the required information about the offense(s) you want to have expunged. Remember the Lifetime Limit Rule and its exceptions when filling this part out. The information you will need includes:

1. Your case number
2. The Name of the Convicting Court
3. The approximate date you were charged
4. The county or the municipality of your charge
5. The offense name/description

Please provide the following information for the arrest, plea, trial or conviction(s) to be expunged. Attach additional sheets as necessary.

Case Number	Court Name	Approx. Date of Charge	County/Municipality of Charge	Description of Charge

If you do not know all the specific information about your offense, you may be able to find it by looking up your case information using Missouri Case Net. The following page will show you how to do that.

Step 2.1

To locate information about your Missouri criminal case(s) on Case Net, follow the sub-steps A-F below:

A. Go to www.courts.mo.gov

B. Click 'Search for a Case'



C. Click Litigant Name Search



D. Then enter your last name and your first name and click 'Find'.

- **Tip:** If your search yields too many results, go back, and additionally enter your middle name/initial, the year the case was filed, and/or the convicting court--if known.
- **Tip:** If your case does not appear in the search results, make sure the name you entered is correctly spelled and is the name you had at the time of your conviction. If you have had different names throughout your life, be sure to search all variations of your name.
- **Tip:** Not all cases will appear in the search results. This does not mean your case is gone, nor does it mean your case won't show up on background checks. If your case does not appear in the results, call the convicting court, and request your records.

E. Find the entry for the case you want to expunge.

- **Tip:** Many criminal cases will have two nearly identical case listings/case numbers in the search results; one will often be distinguished by the case number ending in -01. For the purposes of expungement, provide the court only with the case number ending in -01. Put this case number on the second page of your petition. **DO NOT PUT ANYTHING IN THE CASE NUMBER FIELD ON THE FIRST PAGE.**
- **Tip:** If you are unsure if it's the correct case, click the case number. Then click the **Parties & Attorneys** tab to see if the party's address and/or birth year match yours. Also click the **Charges, Judgments & Sentences** tab to confirm it is the case with the offense(s) you want expunged.

F. Once you have found the correct entry for the case you want to expunge, write down the following information to put on the second page of the Pro Se Expungement Petition Form:

- **The Case Number**
If there are two nearly identical numbers, use the one ending in -01.
- **Name of the Convicting Court**
County + 'Circuit Court' **OR**
City + 'Municipal Court'
If your case was a felony or misdemeanor, it was most likely charged in a *County* Circuit Court. If your offense was an infraction or ordinance violation, it was most likely charged in a *City* Municipal Court.
- **The Approximate Date you were Charged**
Use the filing date of the case.
- **The County or Municipality of your Charge**
- **The Offense Name/Description**
Look for under the **Charges, Judgments & Sentences** tab to find the description/name of your offense.

BRADY, MARSHA

Case Type: Criminal/Infract. – see Charges	Circuit: Circuit 16
Case Number: 1234CR12345678	Party Type: Defendant
Address on File: KANSAS CITY MO	Filing Date: 09/09/1999
County: Jackson County	Style of Case: ST V MARSHA BRADY
Location: Kansas City Criminal/Traffic	Ocn:

Case Type: Criminal/Infract. – see Charges	Circuit: Circuit 16
Case Number: 1234CR12345678-01	Party Type: Defendant
Address on File: KANSAS CITY MO	Filing Date: 12/31/1999
County: Jackson County	Style of Case: ST V MARSHA BRADY
Location: Kansas City Criminal/Traffic	Ocn:

1234-CR12345678-01 STATE V. MARSHA BRADY

Case Number	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Case Judgment
Charge/Judgment							
Description: Possession of a Controlled Substance {Felony C RSMo: 579.015}			Dispositi				
Date: 12/31/1999			Code: 01234567890				

Using the information we found on Case Net, lets fill in the petition.

Please provide the following information for the arrest, plea, trial or conviction(s) to be expunged. Attach additional sheets as necessary

Case Number	Court Name	Approx. Date of Charge	County/Municipality of Charge	Description of Charge
1234CR12345678-01	Jackson County Circuit Court –16 th	12/31/1999	Jackson County	Possession of a Controlled Substance

Step 2.2

If your case does not show up, that does **not** mean your record does not exist.

If you cannot locate your case information on Missouri Case Net, try the following:

- Call the clerk of the court you were convicted in and ask if they can send you a copy of your record.
 - For example, the Jackson County Circuit Clerk – KC Office can be called at 816-881-3934.
- Get a Missouri State Highway Patrol Fingerprint Report.
 - Go to www.machs.mo.gov
 - Click blue box to register for ‘Fingerprint Portal’
 - Enter ‘9999’ when asked for 4-digit Registration Number
 - Enter in your personal information and Complete Registration
 - You will be redirected to the Identogo website.
 - Confirm your information and then click the green button on the left that says ‘Register for Digital Fingerprinting Services’
 - Enter your zip code and schedule an appointment.
 - Go to your appointment and get fingerprinted.
 - Wait for your results to be mailed to you.
 - Your results should provide you with the relevant case information you need.

Last but certainly not least, sign your name to the petition. Recognize that by signing your name, you are doing so under the penalty of perjury.

I declare under penalty of perjury that the statements made herein are true and correct to the best of my knowledge, information, and belief.

Your Signature

Petitioner's Signature

Step 3:

Determine if you can pay the filing fees or if you need to apply for a Fee-Waiver

Note: This form can be found in the Pro Se Missouri Expungement Forms Packet at <https://clearmyrecordmo.org/wp-content/uploads/2023/12/Pro-Se-Expungement-Forms-Packet-updated-dec-26-2023.pdf>

Filing for Expungement in Missouri can be expensive. The average cost per expungement is about \$165.

The total amount includes fees for the following:

1. Local Court Filing Fee – Varies County to County
→ In Jackson County, the local filing fee is \$112.50
2. Service Fees ranging up to \$100

AVERAGE TOTAL = ~ \$165

If you cannot afford to pay these fees, you can fill out and submit a Fee-Waiver, a.k.a. a "Motion and Affidavit in Support of Request to Proceed as a Poor Person."



IN THE _____ JUDICIAL CIRCUIT COURT, _____, MISSOURI


Judge or Division:	Case Number:
Petitioner:	Petitioner's Address/Telephone:
vs.	
Respondent:	Respondent's Address/Telephone:

(Date File Stamp)

Motion and Affidavit in Support of Request to Proceed As a Poor Person

Marital Status:	If Married, Spouse's name:	Number of dependents:																																																												
(Include Spouse's Income and Expenses if Married)																																																														
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Assets		Debts																																																												
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Total Assets	\$ _____	Total Debts	\$ _____																																																											
<p>I swear/affirm under penalty of perjury that these facts are true to my best knowledge and belief.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date Your Signature</p>																																																														

First fill out the header of the form just like you did for the Petition. Also include your address and telephone number. In the second row, where it says Respondent, write Missouri State Highway Patrol, et. al. Where it says Respondent Address, write 1510 East Elm, Jefferson City, MO 65101.

	
IN THE # _____ JUDICIAL CIRCUIT COURT, _____ County Name _____, MISSOURI	
Judge or Division: Leave blank	Case Number: Leave blank
Petitioner: Your Name	Petitioner's Address/Telephone: Your Address and Phone Number
vs.	
Respondent: Missouri State Highway Patrol et al	Respondent's Address/Telephone: 1510 East Elm Street Jefferson City MO 65101
(Date File Stamp) _____	
Motion and Affidavit in Support of Request to Proceed As a Poor Person	

Next describe your current marital status: Single, Married, Divorced, etc. If you are married include your spouse's name in the next box over. Also include the number of dependents you currently have.

Motion and Affidavit in Support of Request to Proceed As a Poor Person		
Marital Status:	If Married, Spouse's name:	Number of dependents:
(Include Spouse's Income and Expenses if Married)		

Next describe your MONTHLY income and expenses. You don't have to be exact down to the cent, but you should be as accurate as possible.

A court might be skeptical of information that doesn't appear "real" and thus might deny the Fee-Waiver.

Monthly Income		Monthly Expenses	
Gross salary (before deductions)	\$ _____	<input type="checkbox"/> Mortgage	<input type="checkbox"/> Rent Payment
Public assistance	\$ _____	Utilities	\$ _____
Retirement/Pension	\$ _____	Food	\$ _____
Social Security	\$ _____	Payment on debts & credit cards	\$ _____
Child Support	\$ _____	Child Support	\$ _____
Maintenance	\$ _____	Maintenance	\$ _____
Other income to be considered	\$ _____	Medical expenses to be considered	\$ _____
_____		_____	
Total Monthly Income	\$ _____	Total Monthly Expenses	\$ _____

In the next section, fill out your assets and debts. Be sure to include all your debts.

Assets		Debts	
Cash on Hand	\$ _____	Home loan balance	\$ _____
Bank Accounts:		Automobile loan(s)	\$ _____
Checking	\$ _____	Credit card balance(s)	\$ _____
Savings	\$ _____	Other debts to be considered	
Approximate value of home	\$ _____		\$ _____
And/or other real estate	\$ _____		\$ _____
Approximate value of automobile(s)	\$ _____		\$ _____
(1) yr/make _____			\$ _____
(2) yr/make _____			\$ _____
Approximate value of personal Possessions (list)			\$ _____
_____	\$ _____		
_____	\$ _____		
_____	\$ _____		
Total Assets	\$ _____	Total Debts	\$ _____

Lastly, sign and date the Fee-Waiver application. Like with your petition, you are signing under the penalty of perjury.

I swear/affirm under penalty of perjury that these facts are true to my best knowledge and belief.	
_____	_____
Date	Your Signature
OSCA (07-15) GN10	Rule 77.03, Section 514.040 RSMo

Whether a court will grant a Fee-Waiver can be hard to predict. Different Courts make different determinations. Most courts likely consult the federal poverty guidelines in making their determination. Individuals who make 100% or less than Poverty Line are likely to qualify for the Fee-Waiver, but it will ultimately depend on the individuals' overall financial situation.

Below is a sample of the federal poverty guidelines for household MONTHLY income. Note that these numbers are based on the total income of everyone in the *household* and also note that these numbers are based on what the household income is on average each *MONTH*.

Combined Household's MONTHLY Income											
House hold/ Family Size											
	50%	75%	100%	125%	130%	133%	135%	138%	150%	175%	200%
1	627.50	941.25	1,255.00	1,568.75	1,631.50	1,669.15	1,694.25	1,731.90	1,882.50	2,196.25	2,510.00
2	851.67	1,277.50	1,703.33	2,129.17	2,214.33	2,265.43	2,299.50	2,350.60	2,555.00	2,980.83	3,406.67
3	1,075.83	1,613.75	2,151.67	2,689.58	2,797.17	2,861.72	2,904.75	2,969.30	3,227.50	3,765.42	4,303.33
4	1,300.00	1,950.00	2,600.00	3,250.00	3,380.00	3,458.00	3,510.00	3,588.00	3,900.00	4,550.00	5,200.00
5	1,524.17	2,286.25	3,048.33	3,810.42	3,962.83	4,054.28	4,115.25	4,206.70	4,572.50	5,334.58	6,096.67
6	1,748.33	2,622.50	3,496.67	4,370.83	4,545.67	4,650.57	4,720.50	4,825.40	5,245.00	6,119.17	6,993.33
7	1,972.50	2,958.75	3,945.00	4,931.25	5,128.50	5,246.85	5,325.75	5,444.10	5,917.50	6,903.75	7,890.00
8	2,196.67	3,295.00	4,393.33	5,491.67	5,711.33	5,843.13	5,931.00	6,062.80	6,590.00	7,688.33	8,786.67
9	2,420.83	3,631.25	4,841.67	6,052.08	6,294.17	6,439.42	6,536.25	6,681.50	7,262.50	8,472.92	9,683.33
10	2,645.00	3,967.50	5,290.00	6,612.50	6,877.00	7,035.70	7,141.50	7,300.20	7,935.00	9,257.50	10,580.00
11	2,869.17	4,303.75	5,738.33	7,172.92	7,459.83	7,631.98	7,746.75	7,918.90	8,607.50	10,042.08	11,476.67
12	3,093.33	4,640.00	6,186.67	7,733.33	8,042.67	8,228.27	8,352.00	8,537.60	9,280.00	10,826.67	12,373.33

To give you a better idea of which Fee-Waiver applications are denied, and which are granted, see these two examples below. All personal information has been removed or anonymized but the numbers and decision to grant/deny are real.

Example of a
GRANTED
Fee Waiver Application



(Date File Stamp)

Motion and Affidavit in Support of Request to Proceed As a Poor Person

Marital Status: Divorced	If Married, Spouse's name:	Number of dependents: 0
(Include Spouse's Income and Expenses if Married)		
Monthly Income		
Gross salary (before deductions)	\$ 0	Monthly Expenses
Public assistance	\$ 1,053	<input type="checkbox"/> Mortgage <input checked="" type="checkbox"/> Rent Payment
Retirement/Pension	\$ 0	Utilities
Social Security	\$ 0	Food
Child Support	\$ 0	Payment on debts & credit cards
Maintenance	\$ 0	Child Support
Other income to be considered	\$ 0	Maintenance
		Medical expenses to be considered
		Life insurance
		Phone & internet
Total Monthly Income	\$ 1,053	Total Monthly Expenses
		\$ 845.00
Assets		
Cash on Hand	\$ 1.90	Debts
Bank Accounts:		Home loan balance
Checking	\$ 1.00	Automobile loan(s)
Savings	\$ 100.00	Credit card balance(s)
Approximate value of home	\$ 5.00	Other debts to be considered
And/or other real estate	\$ 0	
Approximate value of automobile(s)	\$ 0	
(1) yr/make	NONE	
(2) yr/make	NONE	
Approximate value of personal Possessions (list)		
NONE	\$ 0	
NONE	\$ 0	
NONE	\$ 0	
Total Assets	\$ 107.90	Total Debts
		\$ 0

Example of a **DENIED**
Fee Waiver Application



(Date File Stamp)

Motion and Affidavit in Support of Request to Proceed As a Poor Person

Marital Status: Married	If Married, Spouse's name: James Glass	Number of dependents: 3
(Include Spouse's Income and Expenses if Married) → Spouse unable to work due to disability		
Monthly Income		
Gross salary (before deductions)	\$ 2300	Monthly Expenses
Public assistance	\$ 0	<input type="checkbox"/> Mortgage <input checked="" type="checkbox"/> Rent Payment
Retirement/Pension	\$ 0	Utilities
Social Security	\$ 0	Food → SNAP
Child Support	\$ 500	Payment on debts & credit cards
Maintenance	\$ 0	Child Support
Other income to be considered	\$ 0	Maintenance
		Medical expenses to be considered
		Medications
Total Monthly Income	\$ 2800	Total Monthly Expenses
		\$ 2820
Assets		
Cash on Hand	\$ 0	Debts
Bank Accounts:		Home loan balance
Checking	\$ 0	Automobile loan(s)
Savings	\$ 0	Credit card balance(s)
Approximate value of home	\$ 0	Other debts to be considered
And/or other real estate	\$ 0	Student loans
Approximate value of automobile(s)	\$ 0	
(1) yr/make		
(2) yr/make		
Approximate value of personal Possessions (list)		
	\$ 0	
	\$ 0	
	\$ 0	
Total Assets	\$ 0	Total Debts
		\$ 57,300

Understand that in some situations these same numbers might be handled differently. Each Judge has their own unique way of making the determination. Using the numbers from the example of a granted application in no way guarantees that the judge in your case will similarly grant the waiver. The most important thing is to be honest and give the court a fair and accurate overview of your finances.

Step 4:

Fill out your Service Instructions
Form

Important Background Information on What Service is and Why It's Required:

What is 'Service of Process' in an Expungement Case?

Service of process in a case for expungement is how you, the Petitioner, give the required notice to the Respondents (sometimes called Respondents) in your case for an expungement. Service of process essentially forces the Respondents in your case to respond if they have an objection to your record being expunged.

What is a Respondent in an Expungement Case?

A Respondent is a defendant to a lawsuit. A Petition for Expungement is a lawsuit that's directed at the entities holding and reporting copies of your criminal record. It seeks to force those entities to close your record and stop reporting it.

Who are the Respondents in My Case for Expungement?

The state agencies that hold official copies of your criminal record. These agencies typically include:

1. The Missouri State Highway Patrol Records Repository
2. Missouri Department of Corrections
3. Missouri Department of Revenue
4. Arresting or Citing Law Enforcement Agency
5. Prosecuting Agency
6. Convicting Court

This How To Guide will further explain how to properly identify your Respondents in the next section.

Why do I need to serve State Agencies to get my record expunged?

In order to get a meaningful expungement, each state agency holding an official copy of your record must be ordered by a court to expunge the copy of your record they hold. That means those state agencies will *only* expunge your record if they are named as a Respondent in your case for expungement. Therefore, you must serve *each* agency holding a copy of your record.

What Do I Need to Serve the Respondents With?

1. A copy of your file-stamped expungement petition
 - Once you file your petition, the clerk will stamp it.
2. Summons directed to that Respondent

What are Summons?

Summons = court order to the Respondents to respond to your case for expungement within 30 days or judgment may be entered against them, meaning they may be ordered to expunge the record they are holding.

How Do Respondents Typically "Respond" to Summons?

A Respondent will formally object only if they have good reason to believe that you are not in fact eligible for expungement. A judge will give great weight to such an objection, so it's important to verify that you are in fact eligible before filing a case for expungement.

If you are eligible and you file a case for expungement, often the Respondents will respond and "waive" their appearance in the case. This means the agency is not objecting to the expungement. If after 30 days a Respondent does not respond, that also means they are not objecting.

Step 4.1: Identify Your Respondents

As explained above, you need to identify all the state agencies that hold official copies of your record. You already did this when filling out your petition but you need to do it again on your Service Instructions Form. Additionally, you need to provide each Respondent's Address.

Like with your petition, identify each Respondent by checking the box next to their name and filling in any further required information, such as the Agency's Name and the Agency's Address.

For someone who is filing in Jackson County, who had one Distribution of Drugs conviction and one Speeding conviction, both from Kansas City, both arrested by KCPD, they would input the following information into their Service Instructions Form.

Service Instructions In re Petition to Expunge Criminal Records

Dear Clerk,

I, _____, am filing a prose petition for expungement pursuant to § 610.140 RSMo. Below I have identified the following agencies as Respondents in my case for expungement. On the second page of these instructions, I have indicated how I have elected for service to be made.

Missouri State Highway Patrol (required)
CJIS Division – Records Repository
1510 East Elm Street
Jefferson City, MO 65101

Missouri Department of Corrections
2729 Plaza Drive
Jefferson City, MO 65101

Missouri Department of Revenue
301 West High Street
Room 670
Jefferson City, MO 65101

**Arresting/Citing
Law Enforcement Agency** (required)

Agency Name: _____
Address Line 1: _____
Address Line 2: _____
City: _____ State: MO Zip Code: _____

Prosecuting Agency (required)

Agency Name: _____
Address Line 1: _____
Address Line 2: _____
City: _____ State: MO Zip Code: _____

Convicting Court (required)

Agency Name: _____
Address Line 1: _____
Address Line 2: _____
City: _____ State: MO Zip Code: _____

Additional Agency (optional)

Agency Name: _____
Address Line 1: _____
Address Line 2: _____
City: _____ State: _____ Zip Code: _____

Additional Agency (optional)

Agency Name: _____
Address Line 1: _____
Address Line 2: _____
City: _____ State: _____ Zip Code: _____

The Respondents in cases for expungement are typically as follows:

1. Missouri State Highway Patrol Records Repository
2. Missouri Department of Corrections
3. Missouri Department of Revenue (if case involves a traffic offense)
4. The Arresting/Citing Agency - a.k.a. The law enforcement agency that arrested or cited you.
 - o **Note:** If KCPD is your arresting agency, it is important to direct service to “KC Board of Police Commissioners” as a Respondent in your case.
5. The Prosecuting Agency - a.k.a. the Prosecutor’s Office that Prosecuted You.
6. The Convicting Agency - a.k.a. the Court you were convicted in.

For a complete list of Missouri Arresting Agencies and their Service Addresses, visit the following link and click on the letter that your Agency’s name starts with:

<https://ago.mo.gov/other-resources/police-and-sheriffs-contacts>

Step 4.2: Select a Delivery Method for Service of Process

As explained above, you must serve a copy of your petition and summons on each of the Respondents in your case for expungement. Your options for delivering the service of process include the following:

1. **By Certified Mail – Sent by Court - Fee Paid**
2. **By Certified Mail – Sent by Court - Fee Waived.**
3. **By First-Class Mail – Sent by You, the Petitioner.**
4. **By Certified Mail – Sent by You, the Petitioner.**

For more details on what each type of service requires, see Step 7.

I elect for service to be completed on all identified Respondents in the manner indicated below:

By Certified Mail – Sent by Court - Fee Paid

- o I agree to pay \$10.00 for each respondent I checked off. I checked off _____ (#) Respondents and therefore I agree to pay a total of \$_____ (\$10 x #) for service of process by certified mail.
- o Please prepare copies of the petition and summons and send to each of the identified respondents by certified mail.

By Certified Mail – Sent by Court - Fee Waived.

- o I have requested a waiver of fees under § 514.040.1 RSMo., as I am unable to prosecute this suit and pay all or any portion of the costs and expenses thereof, including the cost of service of process.
- o Please prepare copies of the petition and summons and send to each of the identified respondents by certified mail, costs to be paid by the court.

By First-Class Mail – Sent by Me, the Petitioner.

- o Please prepare a copy of the petition and summons for each of the identified Respondents above and notify me when I can pick up the documents. I will then personally mail a copy of the petition and summons to each of the identified Respondents. I agree to promptly file the return receipts with the Court.

By Certified Mail – Sent by Me, the Petitioner.

- o Please prepare a copy of the petition and summons for service by certified mail for each of the identified Respondents above and notify me when I can pick up the documents. I will then personally mail a copy of the petition and summons to each of the identified Respondents. I agree to promptly file the return receipts with the Court.

Your decision will depend on how much you are able or willing to pay.

Service by Certified Mail costs \$10 per Respondent in Jackson County, and likely costs similar amounts in other counties that will do the service. Service by Certified Mail is a more reliable way to serve a Respondent because it requires that a Respondent *sign* for the service and because a return receipt is sent back to you verifying that the intended recipient received the service. Because an expungement is only effective against Respondents properly served, opting to do service by Certified Mail allows you to verify that your Respondents did in fact receive service, which can bring a great deal of peace of mind.

If you submit a Request to Proceed as a Poor Person, and it's granted, the cost of service by certified mail will be covered by the court.

Sending service by first-class mail is cheaper, but it doesn't require the Respondents to sign when they receive service. Therefore, service by first class mail runs a greater risk of a Respondent not being properly served. If a Respondent is not properly served, any order of expungement entered will not be effective against them because they weren't given a chance to respond.

Step 4.3: Provide your contact information

If the court has any questions about your service instructions, it's important that they be able to reach you. Provide a phone number and/or email address that you can easily be reached at.

Step 4.4: Signature

Sign and print your name and write the date.

Step 5:

**Fill out your Confidential Case Filing
Information Sheets**

The state form (FI-50) can be found here: <https://www.courts.mo.gov/file.jsp?id=161314>

If you are filing in Jackson County, you must use the 16th Circuit Civil Case Information Sheet. It requires essentially the same information, just laid out differently. You can find it here: https://www.16thcircuit.org/Data/Sites/1/media/Civil_Records/Civil_Records_Misc_Forms/civil-case-information-sheet.pdf.

You will also have to fill out a separate Confidential Redacted Information Filing Sheet: <https://www.courts.mo.gov/page.jsp?id=384> (go down the page to Form FI-35).

Some counties will fill these sheets out for you. If your county requires you to fill it out, you will largely use the same information that you included in your service instructions for your Respondents.

These are the Instructions for filling it out. We will provide more details in the pages that follow.

Case Number (For Court Use Only) _____

Instructions

- ✓ Complete this form for all parties known at the time of filing. Provide the most appropriate Case Type and Party Type codes and descriptions. (Found on the Case Types List and Party Types List at www.courts.mo.gov on the Court Forms/Filing Information page.)
- ✓ If additional space is needed, complete additional Confidential Case Filing Information Sheets.

NOTE: If known, the **full** Social Security Number (SSN) is **required** pursuant to Missouri Supreme Court Operating Rule 4.07 **if the party is a person and is reasonably available**. This is a confidential document. This information is needed to open a case in the court's case management system. While cases deemed public under Missouri statutes can be accessed through Case.net, the day and month of birth, SSN, and confidential addresses are NOT provided to the public through Case.net.

Submitted by _____ Bar ID (required if attorney): _____

Address (if not shown above): _____

City: _____ State: _____ Zip: _____

Phone: _____ Email Address: _____

IMPORTANT: It is the parties' responsibility to keep the court informed of any change of address or employment.

Step 5.1 – Header Information

How to Fill Out the Header portion:

- Leave the case number blank
- Filing Date = Day you take your documents to the Court to have them filed.
- County/City of St. Louis: The County you are filing your case in (City of St. Louis is an independent city and, in many respects, operates as a county).

- Style of Case = Your Name + Name of Your First-Listed Respondent + Other Respondents
 - Example: Wiley J Coyote vs. Missouri State Highway Patrol, et al.
- Case Type Code = X5
- Case Type Description = Expungement of Criminal Records (610.140 RSMo)

Step 5.2 – Party Information

How to Fill Out the Party Portions:

- You will list yourself first.
 - Party Type Code = PETP
 - Party Type Description = Petitioner
 - Fill in your Name, Address, City, State, Zip, Contact Number, E-mail, DOB, Gender, and SSN. Check the appropriate Race and Ethnicity box. Then check how you know the race/ethnicity, if you do.
 - Since you are proceeding pro se, you don't fill out the attorney section.
- Next list your Respondents
 - Party Type Code = RES
 - Party Type Description = Respondent
 - Note: As noted, a respondent is essentially the same as a defendant.
 - Leave the Name blank
 - Fill in the Organization line with the name of your Respondent
 - List their address, city, state, and zip.
 - Leave the rest blank
- Fill in an entry for **each** of your Respondents. Since you will have more than four parties (you and 4+ Respondents), check the box on page 3 that says "Check if more than 4 parties and attach additional sheet(s)."

An example of how pages 1-2 might look filled in begins on next page.

Case Number (For Court Use Only) _____

****FOR COURT USE ONLY****



**Confidential Case Filing Information Sheet
Probate and Non-Domestic Relations**

Filing Date: 1/1/25 County/City of St. Louis: Jackson

Style of Case: Wiley J. Coyote v. Missouri State Highway Patrol, et al.
(e.g., In the Estate of; In the Matter of; Petitioner v. Respondent.)

Case Type Code: X5 Case Type Description: Expungement of Criminal Records (610.140)

Party Type Code: PETP Party Type Description: PETITIONER

Name (if a person): (Last) Coyote

(First) Wiley (Middle) J (Suffix) _____

Organization (if non-person): _____

Address: 4619 Dynamite Rd.

City: Kansas City State: MO Zip: 64193

Contact Telephone Number: 555-555-1234

Email Address: wileyjcoyote78@gmail.com

Date of Birth: 01/01/1911 Date of Death: _____

Sex: Male Female SSN: 123-45-6789

Race and Ethnicity: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Hispanic or Latino Middle Eastern or North African (MENA) Other Unknown

Race & Ethnicity Source: (Select one) Petitioner Court Law Enforcement Jail
 Department of Corrections/Probation and Parole Another State Agency
 Driver's License Unknown

Race & Ethnicity is self-identified observed/perceived. (Select one)

Attorney Name (if represented by counsel): _____

Bar ID: _____ Party Type Code: _____

Party Type Code: RES Party Type Description: RESPONDENT

Name (if a person): (Last) _____

(First) _____ (Middle) _____ (Suffix) _____

Organization (if non-person): Missouri State Highway Patrol

Case Number (For Court Use Only) _____

Address: 1510 East Elm St.

City: Jefferson City State: MO Zip: 65101

Contact Telephone Number: _____

Email Address: _____

Date of Birth: _____ Date of Death: _____

Sex: Male Female SSN: _____

Race and Ethnicity: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Hispanic or Latino Middle Eastern or North African (MENA) Other Unknown

Race & Ethnicity Source: (Select one) Petitioner Court Law Enforcement Jail
 Department of Corrections/Probation and Parole Another State Agency
 Driver's License Unknown

Race & Ethnicity is observed/perceived.

Attorney Name (if represented by counsel): _____

Bar ID: _____ Party Type Code: _____

Party Type Code: RES Party Type Description: RESPONDENT

Name (if a person): (Last) _____

(First) _____ (Middle) _____ (Suffix) _____

Organization (if non-person): Missouri Department of Corrections

Address: 2729 Plaza Drive

City: Jefferson City State: MO Zip: 65101 Contact Telephone Number: _____

Email Address: _____

Date of Birth: _____ Date of Death: _____

Sex: Male Female SSN: _____

Race and Ethnicity: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Hispanic or Latino Middle Eastern or North African (MENA) Other Unknown

Race & Ethnicity Source: (Select one) Petitioner Court Law Enforcement Jail
 Department of Corrections/Probation and Parole Another State Agency
 Driver's License Unknown

Race & Ethnicity is observed/perceived.

Be sure to fill in an entry for EACH of your Respondents/Respondents. Use as many sheets as necessary.

Step 5.3 – Redacted Information

As of July 2023, many court filings are available to the PUBLIC once they are filed.

In some counties this includes expungement petitions.

If your petition contains personal identifying information, such as your date of birth, address, or driver's license number, you should redact it (black it out so it can't be read).

There are several apps available online that can help you do redaction. Many have free trials that you can use one time or for a week. It is not recommended to do the redaction with a black marker as the information can often still be deciphered.

If you redact any portion of your expungement petition, you will also need to fill out a Confidential Redacted Information Filing Sheet (Court form FI-35, sometimes called CRIFS). It can be found at <https://www.courts.mo.gov/file.jsp?id=195254>.

Doing this allows the court and your Respondents to know what your personal information is (which they need to know to properly identify your record), without it being broadcast to the public at large.

There are two options with this form.

- You can make a copy of your unredacted petition and then prepare a redacted petition. You check the box on the CRIFS form that says "The unredacted document is attached to the filing sheet in place of listing the redacted information identifier's below."
 - If you choose this option, you submit the CRIFS filled out on the top, check the box, and submit both a redacted petition and an unredacted one. The unredacted version is confidential, as is the CRIFS.
- You can decide not to submit a copy of the unredacted version. Instead, you list the redacted material on the CRIFS with information identifying what it is. You do this as follows:
 - Under the Redacted Information Identifier column, put the title of the box containing your personal identifying information (e.g., birth date).
 - In the Redacted Information column, put your personal identifying information – enter your birth date.
 - Note that this document will NOT be available to the public – only to the Court and the Respondents in your case.

On the next page is an example of how to fill out this form.



Confidential Redacted Information Filing Sheet

Party Name: Wiley J. Coyote	Case Number:
Address: 4618 Dynamite Road, Apt. 2B Kansas City, MO 64193	Case Type: Expungement of Criminal Records (610.140)
	Style of Case: Wiley J. Coyote v. Missouri State Highway P
Email Address: wileycoyote78@gmail.com	<input type="checkbox"/> The unredacted document is attached to this filing sheet in place of listing the redacted information identifiers below.
Filing Date:	
Document Filed: Petition for Expungement	

(Date File Stamp)

REDACTED INFORMATION:

Redacted Information Identifier	Redacted Information
Address	4618 Dynamite Road, Apt. 2B Kansas City, MO 64193
Date of Birth	01/01/1911
Driver's License Number	P12398725

Submitted by: Wiley J. Coyote Bar ID (required if attorney): _____
 Address: 4618 Dynamite Road, Apt. 2B
 City: Kansas City State: MO Zip: 64193
 Phone: 555-555-1234 Email Address: wileycoyote78@gmail.com

Step 6:

File in the Appropriate Circuit Court

You will file your documents with the **Circuit Clerk in the Missouri County** where you were found guilty or convicted of the offense(s) you seek to have expunged.

If you are expunging offenses from multiple counties, you will have to separately file for expungement in each county.

Make sure you bring the following:

1. Redacted Petition
2. Service Instructions
3. Application for a Fee Waiver (aka "Motion and Affidavit in Support of a Request to Proceed As a Poor Person") (if applicable)
4. Confidential Case Information Filing Sheets
5. Payment (if applicable)

Ask the clerk for copies of your file-stamped petition and summonses for each of the agencies you list as Respondents/Respondents in your case. You may not come back to pick these up.

Step 7:

Complete Service of Process

Depending on what service method you chose in step 2, different steps may be required.

- **If you elected to have Service by Certified Mail to be Sent by the Court, but you were not granted a fee waiver**, you will be required to pay the court a fee for service. Many counties do not offer this option. It's a good idea to call the Circuit Clerk in the circuit you will be filing in to ask if they do service by certified mail for a fee and if so, how much do they charge and how payment is made.

In Jackson County, it costs \$10 per Respondent and payment can be made by check made out to the Jackson County Circuit Court. For example, if you were filing to have one single felony drug possession conviction expunged from your criminal record in Jackson County and you were arrested by KCPD, your Respondents would be Missouri State Highway Patrol, Missouri Department of Corrections, the Kansas City Board of Police Commissioners (KCPD has a special rule that all service goes to their Commissioners), Jackson County Circuit Court, and the Jackson County Prosecutor's Office. So, you would have five total Respondents. At \$10 each, service by certified mail would cost you \$50 total. This \$50 is in addition to the required filing fee of \$112.50, making the grand total \$162.50.

- **If you elected to have Service by Certified Mail to be Sent by the Court and were granted a fee-waiver**, you don't owe any fees for service, the Court will cover those for you.

- **If you chose to do Service by First-Class mail to be Sent by yourself**, you will need to pick up copies of your FILE-STAMPED petition and summons for each Respondent. The clerk will provide these to you. Next, make copies of the file-stamped petition for each of your Respondents. For each Respondent, place the appropriate summons and a copy of the stamped petition in an envelope and address the envelope to the address listed on the summons.

Next, take these to USPS and mail each envelope to the appropriate Respondent by First Class Mail. This will cost about \$0.60 per envelope/Respondent. You will be given a tracking number, which will allow you to determine when your mail is delivered.

Once you can see online on the USPS site that your mail has arrived at its destination, print the verification for each Respondent and deliver them to the court. This is an important step, as it allows the Court to be certain that your Respondents were properly served. That means even if a Respondent doesn't appear in your case, if an Order of Expungement is granted, it will be effective against them.

- **If you chose to do Service by Certified Mail (with return receipt requested) yourself**, you will need to pick up copies of your FILE-STAMPED petition and summons for each Respondent. The clerk will provide these to you. Next, make copies of the file-stamped petition for *each* of your Respondents. For each Respondent, place the appropriate summons and a copy of the petition in an envelope and then address the envelope to the address listed on the summons.

Next, take these to USPS. Fill out Certified Tracking Mail Receipts and a Green Card for each of your Respondents. Make sure to put your address on the back of the green card so you will get it back and be able to prove delivery. Peel the 20-digit number sticker on the left side of the Certified Mail Receipt and stick it on the corresponding Green Card in the box that reads “2. Article Number (transfer from service label)”. Attach the Certified Mail Receipt to the front of the envelope just to the right of the return address. On the back of the envelope attach the Green Card. Do this for each of your Respondents’ envelopes.

Note: If you’ve never done certified mail with return receipt requested before, this can sound very confusing. There are several YouTube videos showing how to do it. A very helpful video is at https://www.youtube.com/watch?v=Lfw_GbzXqOc.

Once you are done, take your envelopes to the counter. The post office clerk will scan the Certified Mail Receipt and enter into their system the addresses for each envelope. When they are done, they will return to you the stamped portions of the Certified Mail Receipts. The 20-digit codes on the receipts can be used to track the envelopes. We recommend making copies of these receipts and then taking the originals to the court for the clerk to file as proof you sent service.

This will cost about \$10.00 per envelope/Respondent.

After 1-2 weeks, you should receive the Green Cards in the mail. Be sure to file these with the clerk as they prove service was properly completed and to ensure even if a Respondent doesn’t appear in your case, if an Order of Expungement is granted, it will be effective against them.

Sometimes it takes longer to get your Green Cards back and sometimes they get lost in the mail. If you don’t ever receive a Green Card, use the appropriate 20-digit code to verify on the USPS website whether your envelope has been delivered. Print this verification out and deliver it to the court – it will usually suffice as proof that service was properly completed.

Step 8:

Track Your Case

Step 8.1: Sign up for Case Updates

- Your file stamped petition will be stamped with a Case Number provided by the Court.
 - Note: This number usually will start with the two digits of the current year. For example, if you filed in the year 2025, your case number might look like this 2516-CV00124
- Look up the case number at <https://www.courts.mo.gov/cnet/>
- Click on the Case.
- On the case header page, you should see three boxes that look like this:



- Click Track This Case. If you get an information screen, click “Continue.”
- Enter your email and/or phone number and again click Track This Case
- Now you will get an email or a text any time something happens in your case.
 - This could be something like the Court setting a hearing date or one of your Respondent’s entering the case and responding to your petition.

Step 8.2: Get a Hearing Date (if the Court didn’t automatically set one for you)

Some counties will automatically set your hearing date for you. Other counties will require you to ask for one.

If your county did not automatically set your hearing date within a few days after you filed your petition, you will need to call the Circuit Clerk to inquire.

Wait to call until 30 days pass from the date your last respondents agency receives service. By law, your Respondent’s are entitled to time to respond to your petition before a hearing can be set.

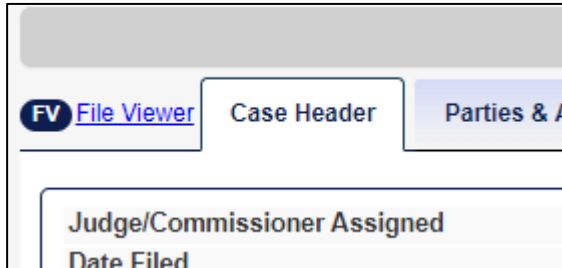
When you call, provide your case number to the clerk and ask when you can have a hearing on your expungement. The clerk should provide you with a date and time.

Note that many counties require you to appear in person for your hearing. However, many counties will also allow you to appear virtually (by Webex). It’s best to ask the clerk when you call about your hearing what your options are.

You may need to file a Notice of/Request for a Hearing, confirming that you want your case heard on that day. To do this, simply write a letter to the clerk with your case number, case name, the judge or division your case is assigned to, and the date and time provided by the clerk.

To find your assigned judge or division, you can look up your expungement case at <https://www.courts.mo.gov/cnet>

Click on your case. Look directly below the Case Header tab where it says “Judge/Commissioner Assigned.” To the right of that should be your assigned judge’s name.



Below is an example of what a Notice of a Hearing letter might look like.

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

Wiley J Coyote vs. Missouri State Highway Patrol, et al.
Case No. 2316-CV00124

NOTICE OF HEARING

Please take notice that I, Wiley J. Coyote, will call up for hearing my Petition for Expungement on *[date provided by clerk]* at *[time provided by clerk]* before Judge Road Runner.

Thank you,

Wiley J. Coyote,
Pro Se Petitioner

Step 9:

Go to your Hearing

When you go to court for the hearing, get there early and dress nice (it conveys respect to the court, which can only help your chances of being granted an expungement). Be prepared to wait a while until your case is called.

If the court allows you to appear virtually by Webex, make sure you have a good internet connection and that your camera frame is steady and not distracting. We recommend turning off your camera until your case is called, but if the court instructs you to leave it on while you wait, do that.

When your case is called, the court may start by asking you or the other parties in the case questions.

Be prepared to testify and answer questions about whether you meet the requirements for expungement (Listed as items #1-7 on the Petition for Expungement form). This may include questions about changes you have made in your life since the offense, why you need an expungement, and what you plan to do if the expungement is granted.

The court also might expect you to plead your case. If the court does, start by introducing yourself and noting that you are a pro se petitioner. Tell the court you believe you meet the law's requirements to have your case expunged and ask the court to grant your expungement. Also, respond to any objections if any have been filed and explain to the court why you think your case nonetheless meets the legal requirements to be expunged. You may consider also telling the court about why you deserve the expungement – for example, how you have changed since the offense and how you are now an upstanding, law-abiding citizen.

Be prepared to specify any of the details you listed in your petition, including the original criminal case number for the offense you seek to have expunged.

The court will likely decide whether to grant your expungement in court. If the court grants it, ask the clerk's office outside the courtroom when you can pick up a copy of the signed expungement order. You will want this for your records.

If the court denies your expungement, you still may be able to get an expungement in the future. After court, review your case and assess why the judge denied it.

If the reason was related to a requirement that might change in the future (i.e. the waiting period requirement becoming met, paying off all case-related debt, resolving pending charges) you should consider filing again in the future when you become eligible. However, it is important to know by law you must wait at least **one year** before you can file again even if you become eligible before that time.

If the reason your expungement was denied was related to your offense's eligibility or the number of the offenses you sought to get expunged, filing another petition would likely be a waste of money, unless Missouri's expungement law itself changes to allow new offenses or more offenses to be expunged.

Step 10:

Verify all Respondents
close your record within 30
days.

The court and your respondents by law have 30 days to seal your record. Remember in Missouri under its main expungement statute 610.140 RSMo, an expungement is not complete destruction, but rather a sealing or closing of the records you have expunged so that they can't be seen by members of the public.

Sometimes mistakes happen and things get overlooked. After 30 days, you should attempt to verify your record has indeed been closed by the court.

You can check whether the court has sealed your case by searching for it at <https://www.courts.mo.gov/cnet>. The court should close **both** your original criminal case and your expungement case.

You can also call the court clerk to confirm.

You can check with Missouri State Highway Patrol by purchasing a name report. However, those cost \$15, but if it's important to you to confirm, it is an option.

You can also try calling or emailing your respondents. However, it might be difficult to find the exact person who is responsible for closing records, but Google might be able to help.

If you run into issues along the way, you can also try asking a question on Missouri Free Legal Answers, a website run by the American Bar Association. The website is missourifreelegalanswers.org. There is an Expungement Category, and a licensed Missouri lawyer who has signed up to help will likely take your question and answer it. You can exchange additional messages with the lawyer until you feel that you have gotten the information that you need. There is some income qualification at the beginning, but if you are confused about something, it's worth a shot.

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