

## Request to Shield Records from Public Disclosure (Clean Slate Act)

If you have eligible criminal records in Idaho and it has been at least 5 years since the completion of your sentence, including all ordered probation, parole, fines, and restitution, you can file a request with the court to shield your records from public disclosure. Only one offense, or offenses arising from a single incident or transaction, may be shielded. Shielding records does not result in the destruction of records but instead prevents them from being publicly accessible.

### Step 1. Review your Idaho Criminal History

#### **Locate the following information:**

1. The **case number** for the records you want to have shielded.
2. The **exact criminal charges**, including the statute(s) you were charged under and whether an offense was a misdemeanor or a felony.
3. If applicable, the **date** that you were no longer under the supervision of probation or parole.
4. The **date** your sentence and all conditions were completed, including any fines and restitution paid.

Obtain the case number from the court, or the iCourt Portal at: <https://mycourts.idaho.gov/>. If you cannot locate your case information or have any questions about your court record, contact the court where the case was filed.

#### **What offenses may be eligible for shielding?**

Only non-violent, non-assaultive offenses are included in the Clean Slate Act for shielding records from public disclosure. You can review eligibility under the Clean Slate Act in [Idaho Code section 67-3004\(11\)\(a\)-\(c\)](#).

If you are unsure whether you meet the conditions for shielding your record from public disclosure, you should consult with an attorney. Please note, you can only have one Clean Slate Act shielding petition granted in your lifetime. You may want to seek legal advice for help determining the timing and offense eligibility before filing.

## Step 2. Complete the *Petition* Form

Fill out the *Petition to Shield Records from Public Disclosure*.

- Type or fill out the *Petition* in **black ink**.
- Fill in your contact information at the top of the *Petition*. Fill in the district, county, case number, and your name as the Petitioner/Defendant. You can obtain this information from the court if you do not have it.
- Mark the checkbox that applies to your situation.

John Doe <small>Full Name of Party Filing Document</small>		SAMPLE FORM
12345 Main St. <small>Mailing Address (Street or Post Office Box)</small>		
Anycity, ID 83111 <small>City, State and Zip Code</small>		
111-111-1111 <small>Telephone</small>		
myemail@address.com <small>Email Address (if any)</small>		
IN THE DISTRICT COURT OF THE <u>FOURTH</u> JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF <u>ADA</u>		
STATE OF IDAHO, Plaintiff,	v.	Case No. <u>CRXX-XX-XXXXX</u>
John Doe Petitioner / Defendant.		Petition to Shield Records from Public Disclosure I.C. § 67-3004(11)

## Step 3. File your *Petition* with the Court

Sign and date your *Petition* and make a copy for your records. To file, take your original document and copy and file it at the county court where the underlying criminal case was filed. Ask the court clerk to date stamp your copy. Or file your form online by creating an iCourt account at <https://idaho.tylertech.cloud/OfsWeb> . There is no filing fee to file your *Petition*.

## Step 4. Attend the Hearing on your *Petition*

Once your *Petition* is filed, the court will set a hearing date and notify you and the prosecuting attorney of the hearing date. You will receive a *Notice of Hearing* from the court. You can monitor the status of your case on the iCourt Portal.

**Talk to an attorney.** These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. We always recommend you talk with an attorney before filing paperwork.