

Sealing Your Criminal Records

In Colorado, when a criminal record is sealed, that record is no longer available to the public to see, and you are legally allowed to say that it doesn't exist. The records that can be sealed include the police contact, arrest record, indictment or summons and complaint and any court file, and any other record held by a criminal justice agency regarding the incident. Under Colorado law, the only criminal records that can be sealed are those where you have not been charged with a crime, you were acquitted (found not guilty) of all charges, or the charges have been dismissed. If you were convicted or pled guilty to any crime as a result of an arrest, that record cannot be sealed.

How do you get a criminal record sealed?

To seal your records, you must file a petition in the district court of the district in which the record is located. [Click here](#) for a copy of Instructions and for the forms you will need to petition for a seal of your criminal records from the Colorado Judicial Branch website. You must file a separate petition for each case or incident you want sealed. There is a fee of \$224 for each petition. However, if you are low income, the filing fee might possibly be waived if you file the correct form requesting that the fee be waived. [Click here](#) for a copy of the instructions and form you can use to request your filing fee be waived.

To fill out the Petition to Seal your Criminal Records completely, you may have to get some of the information needed from your original arrest or criminal records. You can get these records from the police that arrested you, from the court where your case was filed, and from the Colorado Bureau of Investigation (CBI).

Fill out the Petition completely, except for the case number, which the clerk will fill in. Be sure to name every criminal justice agency that has a copy of your record(s). Sign the Petition in front of a notary, or in front of the clerk of the court. Take the completed Petition, a blank Order (see the instructions from the Colorado Judicial Branch to determine which Order) and your Motion to Waive Filing Fee to the District Court Clerk in the county where the record is located to file them with the court.

The clerk will set a court date for hearing on your Petition. The court will mail a copy of your Petition and notice of hearing to each agency that you name on your Petition. If an agency files an objection, you will get a copy of it. On the hearing date, the court will grant or deny your request. If it is granted, the court will automatically seal your record. However, it is your responsibility to notify the CBI and every agency listed on the order by mailing each agency a copy of the signed order. You do not have to mail a copy to the district or county court clerk. Actually sealing the record takes about 30 days.

Once the records are sealed, only the court and law enforcement agencies have access to it. The public does not have access, and both you and the agency may represent that they do not exist.

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If you need advice on this or any other legal problem, consult an attorney of your own choosing. If you cannot afford an attorney, talk to Colorado Legal Services, 303.837.1321.