

**Petitioner's Instructions for Expungement
(Sealing) of Criminal Records
(Minn. Stat. § 609A.01 - .03)
*Neeg Foob Cov Lus Qhia txog Kev Tshem Tawm
(Kaw Npog) Ntaub Ntawv Teev Kev Txhaum Cai
(Minn. Txoj cai § 609A.01 - .03)***

Please read all instructions before filling out paperwork. You will need to make additional copies if you are seeking to expunge more than one file.

Thov nyeem tag nrho cov lus qhia ua ntej teb cov ntaub ntawv. Koj yuav tau luam muaj ntau daim yog koj xav tshem tawm ntau tshaj ib tshooj ntaub ntawv.

- **A Motion to Expunge is a complicated procedure.**
Txoj Kev Thov Tshem Tawm yog ib cov txheej txheem cov nyom.
- **If you have any questions or are in need of more assistance, you should contact an attorney.**
Yog koj muaj cov lus nug los yog xav tau kev pab, koj yuav tau hu cuag ib tug kws lij choj.
- **The court administrator's office cannot give you legal advice.**
Tus neeg lis dej num hauv tsev hais plaub qhia tsis tau tswv yim kev cai lij choj rau koj.

EXPUNGEMENT OR SEALING OF A RECORD – WHAT IT MEANS
KEV TSHEM TAWM LOS YOG KAW NPOG NTAUB NTAUV – NWS TXHAIS LI CAS

Minn. Stat. § 609A states that the expungement of criminal records is limited to a court order sealing records and prohibiting disclosure of their existence or their opening except under court order or statutory authority. Nothing in the law authorizes destruction of records or their return to you. A judge of the District Court must decide this petition.

Minn. Txoj cai § 609A teev tias txoj kev tshem tawm cov ntaub ntawv txhaum cai yog tswj raws li lub tsev hais plaub ntswj kaw npog cov ntaub ntawv thiab txwv tsis pub qhia tawm tias muaj lawv los yog qhib xyuas tau tshwj tsis yog lub tsev hais plaub tso cai los yog cai lij choj tso kev. Tsis muaj ib qho hauv txoj cai kheev muab cov ntaub ntawv rhuav pov tseg los yog muab rau koj. Tus kws txiav txim plaub ntug hauv Cheeb Tsam Tsev Hais Plaub yuav tsum txiav txim rau tsab ntawv thov no.

Once sealed/expunged, a record will not be available to the general public. However, for orders issued before January 1, 2015, Minn. Stat. § 609A.03, subd. 7, states that law enforcement agencies, prosecution or correctional authorities, may seek an order signed by a judge to re-open a sealed case for the purpose of a criminal investigation, prosecution or sentencing. The records may be opened for the purposes of evaluating a prospective employee of a criminal justice agency, without a court order, pursuant to Minn. Stat. § 609A.03, subd. 7, or for certain social services licensing purposes. For orders issued on or after January 1, 2015, Minn. Stat. § 609A.03, subd. 7a, states the limitations of an expungement order and provides authority for certain agencies to access and share expunged records under certain circumstances.

Thaum twg yog muab kaw npog/tshem tawm lawm, pej xeem huab hwm yuav tsis pom cov ntaub ntawv lawm. Tiam sis, rau cov ntaub ntawv muaj ua ntej lub Ib Hlis Ntuj 1, 2015, Minn. Txoj cai § 609A.03, nqe 7 teev tias cov chaw lis dej num tub ceev xwm, cov neeg muaj cai nplua txim los yog rau txim, thov tau kom tus kws txiav txim plaub ntug rov qhib ib rooj plaub uas twb muab

kaw npog cia rau qhov laj thawj tshawb fawb txog kev ua txhaum cai, kev nplua txim los yog kev phua txim. Yuav qhib tau cov ntaub ntawv rau txoj kev ntsuas ib tug neeg ua hauv lwm hauv lub chaw lis dej num kev cai lij choj, tsis tag muaj tsev hais plaub tso cai, raws li Minn. Txoj cai § 609A.03, nqe 7, los yog rau qee cov laj thawj thov ntawv tso cai muab kev pab pej xeem huab hwm. Rau cov ntaub ntawv muaj tom qab lub Ib Hlis Ntuj 1, 2015, Minn. Txoj cai § 609A.03, nqe 7a teev qhia cov kev txwv txiav ntawm tsab ntawv thov tshem tawm thiab muab cai rau qee cov chaw lis dej num kom muab cuag thiab qhia tau cov ntaub ntawv tshem tawm lawm raws li qee cov zwj ceeb.

YOU MAY QUALIFY FOR AN EXPUNGEMENT UNDER MINNESOTA STATUTE § 609A IF:

TEJ ZAUM KOJ YUAV TSIM NYOG TAU KEV TSHEM TAWM RAWS LI MINNESOTA TXOJ CAI § 609A YOG:

- The charges were dismissed, you were found not guilty, or the case did not otherwise result in a guilty plea or finding, or a conviction.
Muab cov txim tsub tso tseg, pom koj tsis txhaum, los yog sib hais rooj plaub mus tsis muaj kev leej, kev pom los yog kev nplua txhaum cai.
- You successfully completed the terms of a diversion or stay of adjudication, or were convicted of a crime that qualifies for expungement under Minn. Stat. § 609A.02, subd. 3, and the required amount of time has passed.
Koj ua tiav cov lus teev ntawm txoj kev xyeej los yog kev ris txim, los yog koj raug nplua lub txim uas tsim nyog tshem tawm tau raws Minn. Txoj cai § 609A.02, nqe 3 thiab dhau lus sij hawm teem muaj lawm.
- You were charged with a controlled substance offense - the proceedings have been dismissed and discharged.
Koj raug tsub lub txim siv tshuaj yeeb dej caw – tau muab rooj plaub rho tawm thiab thim cov txim tsub.
- You were a juvenile prosecuted as an adult.
Koj yog ib tug me nyuam raug lub txim tam tus neeg laus.
- The Board of Pardons has granted you a pardon extraordinary.
Pab Thawj Zam Txim tau zam txim loj heev rau koj.

In the situations listed above, the court can order all records of that criminal case kept in Minnesota to be sealed. If there is no court file (the prosecutor did not file formal charges or the grand jury did not file an indictment) and you have not been convicted of any felony or gross misdemeanor in any state for the preceding 10 years, a petition to the court is not necessary to expunge your arrest record. You should contact the arresting agency and/or the BCA (Minn. Stat. § 299C.11, subd. 1(b)).

Ntawm cov xwm txheej teev muaj saum no, lub tsev hais plaub yeej ntswj tau kom muab kaw npog tag nrho cov ntaub ntawv txhaum cai uas zwm nyob hauv Minnesota. Yog lub tsev hais plaub tsis muaj cov ntaub ntawv (tus kws lij choj foob txim tsis ua cov ntaub ntawv tsub txim los yog pab neeg pej xeem nrog txiav txim tsis zwm tseg txoj kev txiav txim) thiab koj tsis tau ua txhaum txoj cai loj los yog txoj cai nrab hauv ib lub xeev twg mus 10 lub xyoo, tsis tag yuav ua ntawv thov tsev hais plaub kom tshem tawm koj cov ntaub ntawv raug ntes. Koj hu tau rau lub chaw lis kev ntes neeg thiab/los yog lub BCA (Minn. Txoj cai § 299C.11, nqe 1(b)).

If you were convicted in any other situation, your case does not meet the criteria under Minn. Stat. ch. 609A. Expungement of a conviction not meeting the 609A criteria is possible, but rare

and can only be granted for the court's records. Records of your arrest and prosecution held by the police, sheriff's office, prosecutors and the BCA would not be affected by such an expungement order. Certain crimes can be expunged only if you can convince the court that you have made changes in your life that demonstrate you are very unlikely to commit another crime, and that the benefit to you from an expungement outweighs the burden of sealing the records.

Yog koj raug nplua rau lwm cov txim, koj rooj plaub tsis muaj raws li Minn. Txoj cai tshooj. 609A. Yeej muaj kev tshem tawm lub txim nplua uas tsis muaj raws li cov ntsiab lus hauv tshooj 609A, tiam sis muaj tsawg tsawg kawg thiab tsuas yog kheev tshem tau cov ntaub ntawv hauv lub tsev hais plaub nkaus xwb. Txoj kev ntswj kev tshem tawm yuav tsis muaj feem xyuam rau cov ntaub ntawv koj raug ntes thiab raug nplua uas tub ceev xwm, tub ceev xwm nroog, cov kws lij choj foob txim thiab BCA tuav. Tshem tawm tau qee cov kev txhaum cai yog koj ntxias tau lub tsev hais plaub kom ntseeg tias koj hloov koj txoj kev ua neeg lawm thiab qhia tau tias koj yuav tsis ua txhaum ib txoj cai twg ntxiv li lawm thiab txoj kev tshem tawm cov ntaub ntawv yuav zoo rau koj ntau heev dua txoj kev muab cov ntaub ntawv kaw npog cia.

To request expungement of a conviction not meeting the 609A criteria, check the last box of item #9 of the Petition which states "I was convicted of an offense that does not qualify for expungement under Minn. Stat. § 609A.02, subd. 3, but I have rehabilitated myself. The benefit to me outweighs the disadvantage to the public and the burden on the court." An order expunging a conviction under these circumstances may provide only for expungement of the record held by state courts and may not expunge records held by state or local law enforcement and prosecution agencies.

Xav thov kev tshem tawm ib lub txim uas tsis muaj raws li cov lus teev hauv tshooj 609A, kos kem kawg ntawm nqe 9 hauv Tsab Ntawv Thov uas teev tias "kuv raug nplua ib lub txim uas tsis tsim nyog tau kev tshem tawm raws Minn. Txoj cai § 609A.02, nqe 3, tiam sis kuv rov kho kuv tus kheej lawm. Qhov txiaj ntsim zoo rau kuv tshaj qhov tsis zoo rau pej xeem huab hwm thiab lub nras ntawm lub tsev hais plaub." Cov lus ntswj kev tshem tawm ntaub ntawv txhaum cai raws cov zwj ceeb no tsuas yog tshem tawm tau cov ntaub ntawv uas lub xeev cov tsev hais plaub tuav xwb thiab yuav tshem tawm tsis tau cov ntaub ntawv uas lub xeev los yog tub ceev xwm thiab cov chaw foob nplua txim tuav.

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp> . For more information, contact your court administrator or call the Minnesota State Law Library at 651-297-7651.

Muaj cov ncauj lus qhia pab nyob rau hauv koj cheeb nroog lub tsev qiv ntawv lij choj. Xav paub nyob qhov twg, xyuas <http://mn.gov/law-library/research-links/county-law-libraries.jsp> . Xav paub ntxiv, hu cuag tus neeg lis dej num hauv tsev hais plaub los yog hu rau Xeev Minnesota Tsev Qiv Ntawv Lij Choj ntawm 651-297-7651.

PROCEDURES FOR EXPUNGEMENTS

COV TXHEEJ TXHEEM KEV TSHEM TAWM

A. COMPLETELY FILL OUT A SEPARATE PETITION AND ORDER FOR EACH CASE YOU WANT EXPUNGED:

TEB KOM TXHIJ IB TSAB NTAWV THOV THIAB THOV IB ROOJ PLAUB TWG ZUS UAS KOJ XAV TSHEM TAWM:

1. NOTICE OF HEARING AND PETITION FOR EXPUNGEMENT

NTAWV FAJ SEEB TXOG ROOJ SIB HAIS THIAB NTAWV THOV KEV TSHEM TAWM

You must fill out this document completely and sign your name. IT IS MANDATORY that you list all prior and pending criminal charges in this or any other state on this petition as well as any stays of adjudication, continuances for dismissal, or pretrial diversions in any jurisdiction. If you are unsure about your court records, all Minnesota counties have public access terminals where you may look up your case information. The Minnesota Bureau of Criminal Apprehension (BCA) will provide a printed record for a fee. You may contact the BCA at 651-793-2400 for more information.

Koj yuav tsum teb tsab ntawv no kom txhij thiab kos koj lub npe. NWS YOG TXOJ CAI uas koj yuav tsum teev qhia tag nrho rau hauv tsab ntawv thov no cov txim txhaum cai yav dhau los thiab cov tseem tab tom hais nyob rau hauv lub xeev no los yog lwm lub xeev twg hauv tsab ntawv thov no nrog rau cov kev ris txim, kev hais mus kom rho tawm rooj plaub los yog kev sib hais txog kev hloov ua lwm yam ntawm txhua cheeb tsam. Yog koj tsis paub tseeb txog koj cov ntaub ntawv hauv tsev hais plaub, tag nrho Minnesota cov cheeb nroog muaj chaw rau pej xeev huab hwm mus xyuas tau uas koj nrhiav tau xov xwm txog koj cov rooj plaub. Minnesota Chaw Txheeb Txog Kev Kaw Neeg Txhaum Cai (Minnesota Bureau of Criminal Apprehension (BCA)) yuav tsub ib qho nqi luam cov ntaub ntawv. Koj hu cuag tau BCA ntawm 651-793-2400 kom paub meej ntxiv.

Obtain a hearing date from the court administrator's office to be inserted in the notice. This date must be more than 60 days from the date notice is mailed plus 3 days for mailing.

Muab kom tau hnuv teem muaj lub rooj sib hais plaub ntawm tus neeg lis dej num hauv tsev hais plaub kom muab sau tau rau hauv tsab ntawv. Hnuv teem no yuav tsum ntev tshaj 60 hnuv txij hnuv xa tsab ntawv ntxiv rau 3 hnuv xa ntawv.

2. PROPOSED ORDER TO EXPUNGE CRIMINAL RECORDS

You must complete a separate order for each case that you want expunged. There are three types of orders (court form EXP105, court form EXP106, or court form EXP107). Use the one appropriate to your situation, as indicated on the petition (court form EXP102).

COV NTAWV THOV TSHEM TAWM COV NTAUB NTAWV TEEV KEV TXHAUM CAI

Koj yuav tsum ua ib tsab ntawv thov txawv rau ib rooj plaub twg uas koj xav tshem tawm. Muaj peb hom ntawv thov (tsev hais plaub tsab ntawv EXP105, tsev hais plaub tsab ntawv EXP106, los yog tsev hais plaub tsab ntawv EXP107). Siv tsab uas zoo tsim nyog rau koj qhov xwm txheej, raws li qhia ntawm tsab ntawv thov (tsev hais plaub tsab ntawv EXP102).

3. REQUEST FOR WAIVER OF FILING FEE—IN FORMA PAUPERIS (IFP)

If you are not requesting expungement of an action or proceeding that was resolved in your favor, and you will be seeking waiver of the filing fee, additional papers need to be completed. See section D to see if you qualify for fee waiver.

You will need to ask for a waiver form (IFP) specifically. Fee waiver forms are available at www.mncourts.gov/forms. You will have to provide financial information to have the court determine whether you qualify to have the fee waived. The fee or the order waiving the fee must be submitted when the petition is filed.

THOV KEV ZAM NOI ZWM NTAUB NTAWV - ZAM NOI HAIS PLAUB RAU KEV PLUAG (IFP)

Yog koj tsis thov tshem tawm tej yam ntxwv los yog txheej txheem uas zoo rau koj thiab koj xav nrhiav kev zam nqi zwm ntaub ntawv, yuav tau ua ntaub ntawv ntxiv. Xyuas ntu D kom paub seb koj puas tsim nyog tau kev zam nqi. Koj yuav tau hais kom tau tsab ntawv thov zam nqi (IFP) kiag. Muaj cov ntawv thov zam nqi ntawm www.mncourts.gov/forms. Koj yuav tau qhia koj cov nyiaj txiag lub tsev hais plaub thiaj paub ntsuas seb koj puas tsim nyog tau kev zam nqi. Yuav tsum muab qhov nqi los yog tsab ntawv thov zam nqi xa nrog thaum ua tsab ntawv thov.

B. MAKE COPIES OF THE COMPLETED FORMS YOU WILL NEED FOR SERVICE ON EACH AGENCY AND THEIR ATTORNEYS.

LUAM COV NTAWV SAU TIAV UAS KOJ YUAV TSUM MUAB XA RAU IB LUB CHAW LIS DEJ NUM TWG THIAB LAWV COV KWS LIJ CHOJ

Minn. Stat. §609A.03, subd. 3 requires that a Notice of Hearing and Petition and unsigned proposed expungement order on ALL state and local agencies and their attorneys that might have a record of the offense you want to expunge. Most people need to serve **at least 6 agencies**; for example, the Minnesota Bureau of Criminal Apprehension, the Attorney General’s Office, the local police department, the prosecuting attorney, the sheriff’s department, county attorney, and county department of corrections (probation).

*Minn. Txoj cai §609A.03, nqe 3 txwv kom muab Tsab Ntawv Faj Seeb Txog Rooj Sib Hais thiab Ntawv Thov thiab cov ntawv thov kev tshem tawm uas tsis tau kos npe rau TAG NRHO cov chaw lis dej num hauv lub xeev thiab hauv zos thiab lawv cov kws lij choj uas tej zaum kuj muaj cov ntaub ntawv txog txoj kev ua txhaum uas koj xav kom muab tshem tawm. Feem neeg coob yuav tau xa mus rau **tsawg kawg yog 6 lub chaw lis dej num**; piv txwv, Minnesota Chaw Txheeb Txog Kev Kaw Neeg Txhaum Cai, tus Thawj Kws Lij Choj lub chaw lis dej num, fab tub ceev xwm hauv zos, tus kws lij choj foob plaub ntug, fab tub ceev xwm nroog, cheeb nroog kws lij choj, thiab cheeb nroog fab tswj xyuas kev kaw neeg (kev soj xyuas).*

Items to copy and serve:

Cov ntawv yuav tau luam thiab xa:

1. Notice of Hearing and Petition(with the scheduled hearing date completed)
Tsab Ntawv Faj Seeb Txog Rooj Sib Hais thiab Ntawv Thov (nrog lub sij hawm teem sib hais plaub)
2. The unsigned proposed Order you are seeking to have the judge issue.
Tsab Ntawv Thov uas koj xav kom tus kws txiav txim plaub ntug muab.

IMPORTANT! Get legal advice about serving **OTHER** agencies such as the MN Dept. of Human Services (regulates employment in health care, education, day care, foster care, etc.) or licensing agencies (for teaching, nursing, real estate, etc.) Depending on your situation, serving those agencies may or may not be in your best interest.

TSEEM CEEB! *Nrhiav tswv yim kev cai lij choj txog kev xa ntawv mus rau LWM cov chaw lis dej num xws li MN Tuam Tsev Pab Pej Xeem Huab Hwm (tswj kev ua hauj lwm hauv fab kho kab mob kev nkeeg, kev kawm ntawv, kev zov me nyuam, kev ua niam qhuav txiv qhuav, thiab tej yam li ntawd) los yog cov chaw lis kev muab ntawv tso cai uas yuav zoo los yog tsis zoo pab rau koj.*

C. PROCESS FOR SERVICE

TXHEEJ TXHEEM XA NTAWV

You are responsible to see that service is done properly. Court staff cannot serve the documents for you. Service needs to be done by a disinterested third party (someone not related to the case) who is 18 years or older. That person must mail a copy of all required documents and complete the Proof of Service. Service must be complete at least 63 days before the scheduled hearing date.

Koj muaj tes dej num xyuas kom xa ntawv yog. Neeg ua hauj lwm hauv tsev hais plaub xa tsis tau ntaub ntawv rau koj. Yuav tsum yog muaj lwm tus neeg sab nraud uas tsis muaj kev txaus siab (leej twg uas tsis muaj feem xyuam nrog rooj plaub) uas muaj 18 xyoo los yog laus dua. Tus neeg ntawd yuav tsum xa tag nrho cov ntaub ntawv thiab ua tiav Tsab Ntawv Pov Thawj Xa Ntawv. Yuav tsum xa ua ntej 63 hnub ua ntej hnub teem sib hais plaub.

1. Fill out your part of the *Proof of Service* form.

Teb koj ntu ntawm Tsab Ntawv Pov Thawj Xa Ntawv.

Get a **separate** *Proof of Service* form for **each court case** you want to expunge. **Example:** If you want to expunge 3 different court cases, you must prepare a separate *Proof of Service* form for each case, for a total of 3 service forms.

Ua ib Tsab Ntawv Pov Thawj Xa Ntawv txawv rau ib rooj plaub twg uas koj xav kom tshem tawm. Piv txwv: Yog koj xav tshem tawm 3 rooj plaub sib txawv, oj yuav tsum npaj muaj ib Tsab Ntawv Pov Thawj Xa Ntawv rau ib rooj plaub twg, kom muaj 3 tsab ntawv qhia kev xa ntawv.

YOU must fill in the blanks for the **government agency addresses** on the *Proof of Service* form. Write the County name and the City name where the offense happened (or where you were arrested), and write the address for each local government agency related to that case. If you decide to serve the MN Dept. of Human Services and/or Dept. of Health, check the box next to their address listed on the form. If you are serving other agencies, write their names and addresses in the extra spaces on the form and check those boxes.

KOJ yuav tsum teb rau cov kab tsis muaj dab tsi rau **tsoom fvw chaw lis dej num cov chaw nyob** ntawm Tsab Ntawv Pov Thawj Xa Ntawv. *Sau lub Cheeb Nroog npe thiab lub Zos npe uas qhov kev ua txhaum tshwm simnyob rau (los yog qhov chaw koj raug ntes), thiab sau qhov chaw nyob rau tsoom fvw cov chaw lis dej num twg zus uas muaj feem xyuam rau rooj plaub. Yog koj txiav txim xa mus rau MN Tuam Tsev Pab Pej Xeem Huab Hwm thiab/los yog Tuam Tsev Pab Pej Xeem Kev Noj Qab Haus Huv, kos kem ib*

sab ntawm lawv qhov chaw nyob uas sau muaj rau ntawm tsab ntawv. Yog koj xa mus rau lwm cov chaw lis dej num, sau lawv cov npe thiab chaw nyob rau ntawm cov chaw seem ntawm tsab ntawv thiab kos cov kem rau.

Using the **same court information** from your criminal case, **YOU** must fill in the blanks at the top of the *Proof of Service* form with the County, Judicial District and Court File Number. **STOP!** The person who serves the documents must fill out the other blanks on the form. See #3 below called **“How your ‘server’ must complete the *Proof of Service* form.”**

Siv tib co xov xwm hauv tsev hais plaub ntawm koj cov rooj plaub, KOJ yuav tsum sau rau cov kab seem saum toj rau ntawm Tsab Ntawv Pov Thawj Xa Ntawv nrog Cheeb Nroog, Txhooj Hais Plaub thiab Zauv Cim Rooj Plaub. TSUM! Tus neeg uas xa cov ntaub ntawv yuav tsum sau rau lwm cov seem ntawm tsab ntawv. Xyuas # 3 nram no hu ua “Koj tus neeg xa ntawv yuav tsum sau kom tiav Tsab Ntawv Pov Thawj Xa Ntawv.”

2. Get copies of your expungement papers ready to be served.

Luam npaj kom txhij koj cov ntaub ntawv thov tshem tawm kom txhij.

Your expungement papers can be **served by mail**, but **YOU cannot** be the one who puts the envelopes in a mailbox. Ask a friend or relative who is **18 years old or older** to be your “server.” Copies of the *Proof of Service* do **not** have to be mailed to the government agencies.

*Muab koj cov ntaub ntawv thov tshem tawm xa tau, tiam sis KOJ yog tsis tau tus neeg uas muab cov hnab ntawv pov rau hauv lub thawv sau ntawv xa. Hais kom ib tug phooj ywg los yog txheeb ze uas muaj **18 xyoo los yog laus dua** ua koj “tus neeg xa ntawv.” Tsis tas muab cov Ntawv Pov Thawj Xa Ntawv xa mus rau tsoom fww cov chaw lis dej num.*

STEP 1: Make copies of your completed *Petition* and proposed *Order*.

Make one copy of your completed *Petition* (and any attachments) and proposed *Order* for **each government agency**, and make one copy for yourself. Copies can be double-sided to save on cost. **Example:** If you are serving 8 agencies checked in your *Proof of Service*, you need to make 9 copies of your papers (1 for each agency + 1 for you).

KAUJ RUAM 1: Luam koj Tsab Ntawv Thov thiab Tsab Ntawv Ntswj kom tiav.

Luam koj Tsab Ntawv Thov (thiab lwm cov ntawv rhais) thiab Tsab Ntawv Ntswj rau tsoom fww txhua lub chaw lis dej num, thiab luam ib tsab rau koj tus kheej. Luam tau rau ob sab kom txuag nyiaj. Piv txwv: og koj xa mus rau 8 lub chaw lis dej num uas kos rau ntawm koj Tsab Ntawv Pov Thawj Xa Ntawv, koj yuav tau luam 9 tsab ntawv (1 tsab rau ib lub chaw lis dej num + 1 tsab rau koj).

Do not count your ORIGINALS as a “copy” in the total. **Keep the ORIGINAL *Petition* and proposed *Order*** to file with the court as soon as possible after service of your papers is complete.

Tsis txhob xam koj tsab TSEEM ua ib “tsab luam” ntawm cov ntawv tag nrho. Khaws Tsab Ntawv Thov TSEEM thiab Tsab Ntawv Ntswj mus zwm rau lub tsev hais plaub sai li sai tau tom qab xa tiav koj cov ntaub ntawv.

STEP 2: Address an envelope for each government agency checked on your *Proof of Service* form.

If you want to expunge only one case, a set of copies should fit into a regular business-size envelope. You need larger envelopes to hold expungement papers for two or more cases. Most people need at least **6 envelopes**, or more if they serve a City Attorney and regulatory/licensing agencies. You should write **your return address** on the envelopes.

KAUJ RUAM 2: Ua ib lub hnab ntawv rau tsoom fwm ib lub chaw lis dej num twg uas kos ntawm koj Tsab Ntawv Pov Thawj Xa Ntawv

*Yog koj tsuas xav tshem tawm ib rooj plaub xwb, luam ib tsab kom haum rau lub hnab ntim ntawv. Koj yuav tau muaj lub hnab ntawv loj dua los ntim cov ntaub ntawv thov tshem tawm rau ob los yog peb rooj plaub. Feem neeg coob yuav tsum ntim tsawg kawg li **6 lub hnab ntawv**, los yog ntau dua yog tias lawv xa rau Kws Lij Choj Hauv Xeev thiab cov chaw lis dej num tswj xyuas/muab ntawv tso cai. Koj yuav tau sau **koj qhov chaw nyob** rau cov hnab ntawv.*

NOTE: If you want to expunge more than one case in the **same County**, you can put copies for each case into the same envelope addressed to a government office. **Example:** If you are asking to expunge 5 cases, you can put a set of copies for each case into one large envelope addressed to the BCA; then do the same for the other government agencies. **STOP!** If any of the 5 offenses happened in **different cities** within the County, be sure to serve the correct copy of expungement papers on the correct **local** government agencies (police & prosecutor) where each offense happened.

FAJ SEEB: *Yog koj xav tshem tawm tshaj ib rooj plaub hauv **tib lub Cheeb Nroog**, koj luam cov ntawv ntim rau tib lub hnab ntawv xa rau tsoom fwm lub chaw lis dej num. Piv txwv:* Yog koj thov kom tshem tawm 5 rooj plaub, koj yuav tau luam tau cov rooj plaub ntim rau ib lub hnab ntawv loj sau rau BCA; ces ua tib yam li ntawd rau lwm cov tsoom fwm cov chaw lis dej num. **TSUM!** *Yog cov kev txhaum no tshwm sim rau hauv **cov zos sib txawv** nyob hauv tib lub Cheeb Nroog, nco ntsoov xa cov ntawv thov tshem tawm kom yog rau tsoom fwm cov chaw lis dej num **hauv zos** (tub ceev xwm & kws lij choj foob txim) uas qhov kev txhaum tshwm sim nyob rau kom yog.*

STEP 3: Add enough postage to each envelope to send by 1st class U.S. Mail.

KAUJ RUAM 3: Lo nqi xa kom txaus rau ib lub hnab ntawv twg uas xa raws Teb Chaws Asmeskas Kev Xa Ntawv Qib 1.

The amount of postage you need depends on the number of pages in each envelope. It's a good idea to weigh your envelopes at a Post Office, and buy the correct postage. You **do not** need to use "certified" or "return receipt" mail. **STOP! Do not** let a Post Office employee put the envelopes in the mailbox!

*Qhov nqi xa ntawv uas koj yuav tau them yog nyob ntawm muaj pes tsawg nplooj ntawv hauv ib lub hnab ntawv twg. Nws yog ib lub tswv yim zoo uas koj muab koj cov hnab ntawv ntsuas hauv Tsev Xa Ntawv, thiab muas qhov nqi xa kom yog. Koj **tsis tag** yuav siv kev xa raws "ntawv tseem ceeb" los yog "ntawv pov thawj kev xa." **TSUM! Tsis txhob** cia lub Tsev Xa Ntawv tus neeg ua hauj lwm muab cov hnab ntawv tso rau hauv lub thawv sau ntawv xa!*

STEP 4: Ask a friend or family member to be your "server."

KAUJ RUAM 4: Thov ib tug phooj ywg los yog ib tug neeg hauv tsev kom ua koj tus "neeg xa ntawv."

YOU cannot be the one who puts the envelopes in a mailbox. Ask someone **over age 18** to be your server. Show your expungement documents to your server and then put them in stamped envelopes. Give the envelopes to your server along with the *Proof of Service*

form. The server puts your envelopes in a U.S. mailbox and must follow the instructions below to complete the *Proof of Service* form.

KOJ yog **tsis** tau tus neeg muab cov hnab ntawv tso rau hauv lub thawv sau ntawv xa. Thov leej twg muaj **hnuv nyoog tshaj 18** xyoo los ua koj tus neeg xa ntawv. Muab koj cov ntaub ntawv thov tshem tawm qhia rau koj tus neeg xa ntawv ces muab ntim rau hauv cov hnab ntawv lo nqi xa. Muab cov hnab ntawv rau koj tus neeg xa ntawv nrog rau Tsab Ntawv Pov Thawj Xa Ntawv. Tus neeg xa ntawv muab koj cov hnab ntawv pov rau hauv Teb Chaws Asmeskas lub thawv sau ntawv xa thiab yuav tsum ua raws cov lus qhia nram no sau Tsab Ntawv Pov Thawj Xa Ntawv.

STEP 5: After mailing, your server must complete the *Proof of Service* form.

KAUJ RUAM 5: Tom qab xa tag, tus neeg xa ntawv yuav tsum ua kom tiav Tsab Ntawv Pov Thawj Xa Ntawv.

When the form is completed, your server gives it back to you to file with the court. Thaum twg sau tsab ntawv tiav, koj tus neeg xa ntawv muab rov qab rau koj kom zwm cia tau rau hauv tsev hais plaub.

3. How your “server” must complete the *Proof of Service* form.

Txoj kev koj “tus neeg xa ntawv” yuav ua kom tiav Tsab Ntawv Pov Thawj Xa Ntawv.

AFTER your server places your envelopes in a U.S. mailbox, **he or she** must fill out the blanks on the *Proof of Service* form as follows:

TOM QAB koj tus neeg xa ntawv muab koj cov hnab ntawv pov rau hauv Teb Chaws Asmeskas lub thawv sau ntawv xa, **nws** yuav tsum teb cov seem ntawm Tsab Ntawv Pov Thawj Xa Ntawv raws li nram no:

- write in the name of the **County** where the *Proof of Service* form is **signed** (can be different from where case is filed);
sau lub **Cheeb Nroog** npe rau ntawm Tsab Ntawv Pov Thawj Xa Ntawv uas **kos npe** tag rau (yuav txawv ntawm qhov chaw zwm ntaub ntawv);
- write **their name** in the blank for the person who mailed the envelopes;
sau lawv cov npe rau ntawm qhov seem rau tus neeg uas xa cov hnab;
- write the **date** they mailed the envelopes. This date must be **at least 63 days BEFORE** the hearing date;
sau hnuv uas xa cov hnab ntawv. Hnuv no yuav tsum yog **luv kawg li 63 hnuv UA NTEJ** hnuv sib hais.
- write in the name of the **City** where they mailed the envelopes; and
sau lub **Zos** npe uas lawv xa cov hnab ntawv; thiab
- **sign** the *Proof of Service*.
Kos npe rau Tsab Ntawv Pov Thawj Xa Ntawv

After completing these steps, your server gives the signed *Proof of Service* form **back to YOU**.

Tom qab ua txhij cov kauj ruam no, koj tus neeg xa ntawv muab Tsab Ntawv Pov Thawj Xa Ntawv kos npe txhij **rov rau KOJ**.

D. FILING THE PAPERWORK WITH DISTRICT COURT

ZWM COV NTAUB NTAUV RAU HAUV CHEEB TSAM TSEV HAIS PLAUB

After copies of the documents have been served on all required agencies and their attorneys, the Notice of Hearing and Petition for Expungement, the proposed order along with written proof (Proof of Service) that all agencies have been served must be filed with the court administrator's office. File your documents as soon as you have completed the service process.

Tom qab muab cov ntaub ntawv xa tag rau cov chaw lis dej num thiab lawv cov kws lij choj, zwm tseg Tsab Ntawv Faj Seeb txog Rooj Sib Hais thiab Ntawv Thov Tshem Tawm, tsab ntawv thov ntswj nrog ntawv sau pov thawj (Pov Thawj Xa Ntawv) tias tag nrho cov chaw lis dej num tau txais rau hauv tus neeg lis dej num hauv tsev hais plaub. Zwm tseg koj cov ntaub ntawv sai npaum li koj lis tiav cov txheej txheem xa ntawv.

- A filing fee is not required for cases that were “resolved in your favor.” This means no filing fee is required if you were not convicted, were not found guilty, and did not plead guilty in the case, or you were exonerated under Minn. Stat. § 590.11. If the case was “resolved in your favor,” inform court personnel that the filing fee is waived by statute.

Tsis muaj nqi zwm ntaub ntawv rau cov rooj plaub uas “daws zoo rau koj.” Qhov no txhais tau tias tsis muaj nqi zwm ntaub ntawv yog koj tsis raug nplua, pom tsis txhaum cai thiab tsis tau lees txhaum cai hauv rooj plaub, los yog koj tsis muaj txim raws li Minn. Txoj cai § 590.11. Yog rooj plaub “daws zoo rau koj,” faj seeb qhia rau tus neeg ua hauj lwm hauv tsev hais plaub kom paub tias txoj cai zam qhov nqi zwm tawm.

- A filing fee is required for cases in which you were convicted or where you were found guilty by the court or entered a guilty plea, even if you were not convicted or the conviction was later vacated.

Yuav tsum them qhov nqi zwm cov rooj plaub uas koj raug txim rau los yog pom koj txhaum los ntawm lub tsev hais plaub los yog koj lees txhaum, txawm tias koj tsis raug txim los yog muab lub txim tshem tawm tom qab ntev mus.

Check with the court administrator in the county where you are filing for the correct filing fee amount. If you do not qualify for fee waiver under statute, you may ask the court to waive the filing fee by completing a form called “Affidavit for Proceeding In Forma Pauperis” and following the instructions given to you by court personnel.

Yuav tsum muaj nqi zwm ntaub ntawv rau cov rooj plaub uas koj raug nplua los yog lub tsev hais plaub pom koj txhaum, los yog lees txhaum, txawm koj tsis raug nplua los yog muab kev nplua tshem tom qab ntawd. Nug tus neeg lis dej num hauv tsev hais plaub hauv lub cheeb nroog uas koj zwm ntaub ntawv kom paub tus nqi zwm ntaub ntawv meej. Yog koj tsis tsim nyog tau qhov nqi zam raws li txoj cai, koj yuav tau hais kom lub tsev hais plaub zam qhov nqi zwm ntawv uas yog ua kom tiav “Tsab Ntawv Pov Thawj Lis Kev Zam Nqi Hais Plaub Rau Kev Pluag” thiab ua raws cov lus qhia uas tus neeg ua hauj lwm hauv tsev hais plaub muab rau koj.



Write the **court date and time** on your calendar! The court may not send you a reminder. If you don't go to your hearing, you might have to start over from the beginning.

*Sau **hnub yuav sib hais plaub thiab lub sij hawm** rau hauv koj daim teej cim nyeej! Lub tsev hais plaub yuav tsis xa ntawv tuaj qhia kom koj nco. Yog koj tsis tshwm hauv koj lub rooj sib hais, koj yuav tau rov pib cov txheej txheem dua.*

E. AGENCY OPPORTUNITY TO OBJECT

Each agency that you serve with the petition and proposed order has an opportunity to provide information to the court for its consideration of your request. If an agency chooses to provide information to the court, it must send you a copy of what it submits and will use the address you list in the petition.

CHAW LIS DEJ NUM LUB CAIJ NYOOG TISIS POM ZOO

Txhua lub chaw lis dej num uas koj xa tsab ntawv thov thiab tsab ntawv ntswj rau muaj lub caij nyoog muab xov xwm rau lub tsev hais plaub txog nws txoj kev xav txog koj cov kev thov. Yog ib lub chaw lis dej num xav muab xov xwm mus rau lub tsev hais plaub, nws yuav tsum luam tsab xov xwm ntawd xa rau koj thiab yuav siv qhov chaw nyob uas koj teev rau hauv tsab ntawv thov.

F. THE COURT HEARING

ROOJ SIB HAIS HAUV TSEV HAIS PLAUB

You must appear at the hearing. Bring your copies of the documents along with you to court for your own reference. The original documents should already be in the court file.

Koj yuav tsum tshwm hauv lub rooj sib hais. Nqa koj cov ntaub ntawv nrog koj mus pab koj hauv tsev hais plaub. Cov ntaub ntawv tseem yeej nyob hauv tsev hais plaub lawm.

At the hearing, the Judge will review your petition and any attachments you have submitted. The Judge will also consider any information presented by the prosecutor, any of the various government agencies and any victim. A victim has the right to submit an oral or written statement to the court. You may be required to testify and be cross examined by attorneys for any agency or office that opposes your request.

Hauv lub rooj sib hais, Tus Kws Txiaiv Txim Plaub Ntug yuav muab koj tsab ntawv thov thiab lwm cov ntaub ntawv rhais nrog uas koj tau muab xa koj los xyuas. Tus Kws Txiaiv Txim Plaub Ntug yuav xam txog tej xov xwm uas tau muab los ntawm tus kws lij choj foob txim, tsoom fwm qee cov chaw lis dej num thiab tej neeg raug kev phem. Tus neeg raug kev phem muaj cai hais los yog sau nws cov lus tuaj rau hauv lub tsev hais plaub. Koj yuav tau tham qhia thiab raug nug los ntawm cov kws lij choj hauv tej chaw lis dej num los yog chaw ua hauj lwm uas tawm tsam koj.

The Judge may not make a decision at the time of the hearing, and may or may not grant the expungement. The Judge may sign the proposed order that you have provided (granting or denying your request), or may prepare his or her own order. The Judge may deny expungement if your request does not meet the necessary qualifications even if no one objects.

Tus Kws Txiaiv Txim Plaub Ntug yuav txiaiv txim siab thaum muaj lub rooj sib hais thiab yuav pom zoo los sis tsis pom txoj kev tshem tawm ntaub ntawv. Tus Kws Txiaiv Txim Plaub Ntug yuav kos npe rau tsab ntawv ntswj uas koj tau muab (pom zoo los yog tsis pom zoo li koj thov), los yog npaj nws li kev ntswj. Tej zaum Tus Kws Txiaiv Txim Plaub Ntug yuav tsis pom txoj kev tshem tawm ntaub ntawv yog tias koj cov lus thov tsis muaj raws li cov quag tsim nyog txawm tias tsis muaj lwm leej lwm tus tsis pom.

When the order is signed, the court administrator's office will send a copy of the order to all the agencies named in the order to receive notice. If your request was granted, these agencies have 60 days to appeal the order. Your record remains public during this period, while any appeal is pending, and while any financial obligation owed on the case remains unpaid. Any party whose records will be affected by the order may file an appeal to the

Minnesota Court of Appeals. If an appeal is filed, you will be responsible for representing yourself or retaining an attorney to represent you. If no appeal is filed, and you do not owe any financial obligation, the record will be sealed 60 days after the filing of the order. It is a good idea to obtain a certified copy of this order for your own records. A certified copy fee will be charged unless you have an in forma pauperis (IFP) order.

Thaum twg kos npe txhij rau tsab ntawv ntswj lawm, tus neeg lis dej num hauv tsev hais plaub yuav luam xa ib tsab mus rau tag nrho cov chaw lis dej num uas muaj npe hauv tsab ntawv ntswj kom tau txais ntawv faj seeb. Yog pom raws li koj thov lawm, cov chaw lis dej num no muaj 60 hnuv tuaj tawm tsam tsab ntawv ntswj. Koj cov ntaub ntawv yuav qhib twj ywm rau pej xeeb thaum lub caij nyoog no, thaum tseem tos yuav rov mus txiav txim dua, thiab thaum rooj plaub tseem tiv nqi tsis tau them txhij. Txhua tus neeg uas tsab ntawv ntswj yuav cuam tshuam rau thov tau Minnesota Tsev Hais Plaub Rov Txiav Txim Dua kom rov muab los txiav txim dua. Yog zwm muaj kev thov kom rov txiav txim dua, koj yuav tau sawv cev rau koj tus kheej los yog ntiav ib tug kws lij choj los sawv cev rau koj. Yog tsis muaj tus thov kom rov txiav txim dua, thiab koj tsis tiv nqi dab tsi, yuav muab cov ntaub ntawv kaw npog cia 60 hnuv tom qab zwm tseg tsab ntawv ntswj tag. Nws yog ib lub tswv yim zoo rau koj hais kom tau tsab ntawv ntswj no ntaus thwj ua pov thawj rau koj khaws cia. Yuav tsub tus nqi luam ntaus thwj tshwj tsis yog koj muaj tsab Zam Nqi Hais Plaub Rau Kev Pluag (IFP)

**REMINDER: CONTACT AN ATTORNEY IF YOU NEED MORE ASSISTANCE.
HAIS KOM NCO: HU RAU IB TUG KWS KHO MOB YOG KOJ XAV TAU KEV PAB
NTXIV.**