

# GUIDE FOR SEALING VIRGINIA CRIMINAL RECORDS PURSUANT TO VA. CODE § 19.2-392.12:1

This guide is only for sealing criminal records pursuant to Virginia Code § 19.2-392.12:1 using court forms CC-1203, CC-1203(A), and CC-1203(B). This guide includes an overview of the process with step-by-step instructions for filling out the necessary court forms and examples of the completed forms. If you have questions about sealing after using this guide, review the additional sealing information listed on page 16 and consult with a lawyer.

## **Step 1: Before Filing with the Court**

- Not all criminal records can be sealed. Check and see if your charge or conviction is eligible for sealing (see Page 16 for a full list of offenses that can be sealed pursuant to § 19.2-392.12:1).
- Eligible offenses can be sealed based upon your full criminal history and whether the required amount of time has passed. See if you meet the other requirements for your records to be sealed before filing with the court (see Page 16 for the list of requirements and information about waiting periods).
- Note: There is no limit on the number of sealing petitions that may be granted pursuant to § 19.2-392.12:1.

## **Step 2: File Your Petition**

- Fill out court form CC-1203, PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1 (and forms CC-1203(A), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A) and CC-1203(B), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B), if applicable) using the instructions in this guide.
- A completed court form CC-1416, COVER SHEET FOR FILING CIVIL ACTIONS, also may be required by the clerk of the court. When choosing the filing type, select “Other” in the Miscellaneous section and write “Sealing” in the blank.
- There is no cost to file the petition. The petition must be filed in the circuit court in the county or city where the case was disposed of, even if the court that entered the final order in your case was a general district court or juvenile and domestic relations district court. You will file your petition in the circuit court clerk’s office.
- The court cannot appoint an attorney to help you fill out the petition. If you would like help from an attorney, you will need to hire one at your own expense. You may be able to find information about your criminal charge or conviction on the Virginia Online Case Information System located on Virginia’s Judicial System Website (<https://www.vacourts.gov/>) or by visiting the clerk’s office.

## **Step 3: Deliver a Copy**

- You must give a copy of your petition to the Commonwealth’s Attorney of the city or county where the petition was filed. You can deliver the copy of the petition by hand or by first-class mail.
- The Commonwealth’s Attorney should file a response with the court stating whether they object to the petition.

## **Step 4: Criminal History**

- You must request that the Central Criminal Records Exchange give a copy of your Virginia and national criminal history record to the circuit court where you filed the petition.
- Virginia State Police has an online portal that allows individuals to request their criminal history record be sent electronically to the circuit court.
- You will need the case number assigned to your sealing petition to make this request with the Virginia State Police. The clerk of court will assign a case number after your petition is filed.

## **Step 5: Hearing**

- The court may have a hearing on your petition, but it is not required.
- If a hearing is scheduled, you will need to come to court. Be prepared to explain to the court why your criminal record should be sealed.

## **Step 6: Order**

- The court will enter an order granting or denying your petition. If your petition is granted, the court will notify the Virginia State Police to seal your criminal record.
- If your petition is denied, you can appeal the decision.

## **INSTRUCTIONS TO COMPLETE COURT FORMS CC-1203, CC-1203(A), AND CC-1203(B)**

**Court Form CC-1203, Petition for Sealing Pursuant to Va. Code § 19.2-392.12:1(A) and/or (B)**

**Court Form CC-1203(A), Addendum to Petition for Sealing Pursuant to Va. Code § 19.2-392.12:1(A)**

**Court Form CC-1203(B), Addendum to Petition for Sealing Pursuant to Va. Code § 19.2-392.12:1(B)**

Use these step-by-step instructions to complete form CC-1203 (and CC-1203(A) and CC-1203(B), if needed). Form CC-1203 is divided into sections, because the form can be filed to request sealing pursuant to Va. Code §§ 19.2-392.12:1(A), 19.2-392.12:1(B), or both. Use this guide to help determine which sections of the form you will need to complete. Each section contains screenshots of the form to serve as examples.

### **Court Information, Your Information, and What You Are Asking to Seal**

- The case number line in the upper right hand corner should be left blank. The clerk will assign your case number after the petition is filed.
- Include the city or county of the circuit court where this petition will be filed. This should be the circuit court of the county or city where the criminal case was disposed of, even if the court that took the last action in your criminal case was a general district court or a juvenile and domestic relations district court.
- Type or print your full name on the line that says "Name of Petitioner."

<b>PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A) AND/OR (B)</b> (Specific misdemeanor convictions or deferred dismissals and any related ancillary matters; And/or ancillary matters related to previously sealed charges or convictions)		Case Number .....
..... CITY OR COUNTY	Henrico	..... Circuit Court
..... NAME OF PETITIONER	John J. Doe	v. Commonwealth of Virginia

- Check one or both of the boxes that describes what you are requesting to seal.
  - Check the first box if you are asking to seal a conviction or a charge that was deferred and then dismissed under one of the following statutes: §§ 4.1-305, 18.2-96, 18.2-103, 18.2-119, 18.2-120, 18.2-134, 18.2-248.1, 18.2-265.3(A), or 18.2-415. Also check this box if you are asking to seal an ancillary matter that is related to the conviction or the charge that was deferred and then dismissed. If you are checking this box, it means that you are asking the court to seal a criminal record pursuant to Va. Code § 19.2-392.12:1(A).

<p>I am petitioning to seal criminal history record information and court records, including electronic records, for the charges, convictions, or ancillary matters included in this petition. <b>(CHOOSE ONE OR BOTH OF THE FOLLOWING OPTIONS)</b></p> <p>I. <input type="checkbox"/> This petition is being filed pursuant to Va. Code § 19.2-392.12:1(A), because I was convicted of the charge or the charge was deferred and then dismissed under one of the following statutes with an offense date on or after January 1, 1986: §§ 4.1-305, 18.2-96, 18.2-103, 18.2-119, 18.2-120, 18.2-134, 18.2-248.1, 18.2-265.3(A), or 18.2-415. <b>(SECTION A, PART 1 OF THIS FORM.)</b> If applicable, I am also requesting to seal an ancillary matter related to the conviction or the charge that was deferred and then dismissed. <b>(SECTION A, PART 2 OF THIS FORM.)</b></p>
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- Check the second box if you are asking to seal an ancillary matter that is related to a charge or conviction that has already been automatically sealed under Va. Code §§ 19.2-392.6:1, 19.2-392.7, or 19.2-392.11. “Automatically sealed” means that it was sealed and you did not have to file anything with the court requesting that the record be sealed. If you are checking this box, it means that you are asking the court to seal a criminal record pursuant to Va. Code § 19.2-392.12:1(B).

II.  This petition is being filed pursuant to Va. Code § 19.2-392.12:1(B), because I had a charge or conviction automatically sealed under Va. Code §§ 19.2-392.6:1, 19.2-392.7, or 19.2-392.11, and I am requesting that an ancillary matter related to that charge be sealed. (SECTION B OF THIS FORM.)

- Provide your full name, date of birth, sex, race, and social security number in the blanks provided.

**MY INFORMATION**

My full name is: John Joseph Doe

My date of birth is: January 1, 1997 My sex is: Male

My race is: Caucasian My social security number is: 123-45-6789

As explained at the bottom of page 1 of the form (CC-1203), proceed to page 2 of the form to complete Section A for petitions being filed pursuant to Va. Code § 19.2-392.12:1(A). If you are not completing Section A (you did not check the first box on page 1 of the form), proceed to page 4 of the form to complete Section B for petitions being filed pursuant to Va. Code § 19.2-392.12:1(B).

**PROCEED TO PAGE 2 OF THIS FORM TO COMPLETE SECTION A FOR PETITIONS FILED PURSUANT TO § 19.2-392.12:1(A).**

**IF YOU ARE NOT COMPLETING SECTION A, PROCEED TO PAGE 4 OF THIS FORM TO COMPLETE SECTION B FOR PETITIONS FILED PURSUANT TO § 19.2-392.12:1(B).**

**SECTION A, PART 1: Information About the Criminal Record You Want to Seal Pursuant to Va. Code § 19.2-392.12:1(A)**

- If you checked the first box on page 1 of the form, you will need to fill out Section A.
- State whether you are asking to seal a single charge or conviction or more than one charge or conviction. Check the applicable box.
- Use a copy of your charging document to help you complete this section. A charging document is a warrant, summons, or indictment and is usually available at the clerk’s office. You are also required to attach a copy of this document to the petition if it is reasonably available (see page 5 of this guide).

**SECTION A. PART 1: PETITIONS FILED PURSUANT TO § 19.2-392.12:1(A):**

This section is for charges that resulted in a conviction or charges that were deferred and then dismissed under one of the statutes listed below.

I am requesting to seal a single charge or conviction. (List charge or conviction below).

OR

I am requesting to seal more than one charge or conviction. (Identify the first charge or conviction below, and list additional charges or convictions on the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(A), FORM CC-1203(A).)

- Describe what happened in your case. Check the first box if you were convicted of the charge (found guilty). Check the second box if the charge was deferred and then dismissed. Only choose **one** of these options.
- Check the box that describes the criminal charge you want to seal. Only choose **one** of these options. If your charge is not one of these options, then it is not eligible for sealing pursuant to Va. Code § 19.2-392.12:1. (If your charge is not one of these options, it may be eligible for sealing under a different code section. Page 16 of this guide provides information about other sealing code sections.) If you are asking to seal more than one offense, only enter the information for one offense in this section. There will be space later for more offenses to be listed. **NOTE:** The offense you are asking to seal must have an offense date on or after January 1, 1986. If your offense date is before January 1, 1986, then it is not eligible for sealing pursuant to Va. Code § 19.2-392.12:1.

**INFORMATION ABOUT CHARGE OR CONVICTION TO BE SEALED**

1. I  was convicted  had the charge deferred and then dismissed, for a violation the following offense with an offense date on or after January 1, 1986: **(SELECT ONLY ONE)**

- § 4.1-305, Purchasing or possessing alcoholic beverages
- § 18.2-96, Petit larceny (misdemeanor only)
- § 18.2-103, Concealing or taking possession of merchandise (misdemeanor only)
- § 18.2-119, Trespass
- § 18.2-120, Instigating trespass by others
- § 18.2-134, Trespassing on posted property to hunt, fish or trap
- § 18.2-248.1, Sale, gift distribution or possession with intent to sell, give or distribute marijuana (misdemeanor only)
- § 18.2-265.3(A), Sale or possession with intent to sell drug paraphernalia
- § 18.2-415, Disorderly conduct in public places

- Provide the court case number for the criminal charge. This is typically a combination of letters and numbers (example: CR15M05022-01).
- Provide the date of final disposition or conviction. This is the date that you were convicted (found guilty) or the date your charge was dismissed after being deferred.
- Provide the date that you were arrested and the name of the agency that arrested you. This may be Virginia State Police, law enforcement for a city or county, local Sheriff's Department or other law enforcement agency.
- Provide the document control number (DCN) for the charge if you are able. This is a fingerprint number, and it should be listed on your criminal history. If you do not know the DCN, you may leave this blank. You do not need the DCN to file your petition. Leaving this blank will not affect the merits if your petition.
- If any of this information is not reasonably available to you, check the applicable box and explain why it is not available.
- Provide your full name at the time of your arrest. If your name has never changed, check the box that says "same as above" or write your current name. If you had a different name when you were arrested, write that name (example: this may apply if you legally changed your name due to marriage or divorce).

- Provide the court of final disposition. This is usually the court that took the final action in your case. This will be a city or county General District Court, Juvenile & Domestic Relations District Court, or Circuit Court. Make sure you provide the name of the county or city with the court.
- Provide a copy of the warrant, summons, or indictment if it is reasonably available. This document can be requested from the clerk's office in the court where the charges were filed. If this document is not reasonably available, explain why it is not available. For example, if the document was purged (destroyed) by the clerk's office pursuant to Virginia law then that would be written in this section.

2. Case number for charge or conviction: GC12-000789  
 Date of final disposition of charge or conviction: March 1, 2013  
 Date of arrest: June 1, 2012  
 Name of arresting agency: Virginia State Police  
 Document Control Number (DCN), if available: \_\_\_\_\_  
 Some or all of the above information is not reasonably available because \_\_\_\_\_

3. Full name at time of arrest: John Joseph Doe

4. Court of final disposition: Henrico  
CITY OR COUNTY  
 Circuit Court  General District Court  Juvenile & Domestic Relations District Court

5. A copy of the warrant, summons or indictment is  
 attached.  
 not reasonably available because \_\_\_\_\_

**SECTION A, PART 2: Information About Any Ancillary Matter You Want to Seal Pursuant to Va. Code § 19.2-392.12:1(A)**

- You will only need to fill out this section if you are asking for an ancillary matter to be sealed that is related to the charge or conviction you want to seal (the charge or conviction described in Section A, Part 1 of the form). For example, if you were charged with petit larceny and appealed the bond decision in your case, the petit larceny would be listed in Section A, Part 1 and "Appeal from a bail, bond, or recognizance order" would be chosen in this section.
- If you are not asking for an ancillary matter to be sealed, check the applicable box and continue to Section B of form CC-1203.

**SECTION A, PART 2: PETITIONS FILED PURSUANT TO § 19.2-392.12:1(A):**

This section is for requests to seal ancillary matters related to charges that resulted in a conviction or charges that were deferred and then dismissed under specified statutes.

I am not requesting to seal any ancillary matters related to the charge or conviction to be sealed in Section A, Part 1 of this form.

- If you are asking for an ancillary matter to be sealed, check the applicable box and fill out the rest of Section A, Part 2.

I am requesting to seal an ancillary matter related to the charge or conviction to be sealed in Section A, Part 1 of this form. (Identify the first ancillary matter below and list additional ancillary matters on the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(A), FORM CC-1203(A).)

- An ancillary matter is any of the following that relate to an arrest, charge, or conviction:
  - Violation or alleged violation of a suspended sentence, probation, or parole;
  - Violation or alleged violation of contempt of court;
  - Charge or conviction for failure to appear; or
  - Appeal from a bail, bond, or recognizance order.
- You can only choose **one** of these options to describe your ancillary matter. These are the only options for sealing ancillary matters. If you wish to seal another type of case that is not listed in this section, then it is not an ancillary matter.
- Provide the court case number for the ancillary matter. This is typically a combination of letters and numbers (example: CR15M05022-01).
- Provide the date of final disposition for the ancillary matter. This may be the date the court made a decision regarding your bond appeal or found you in violation of a suspended sentence, probation or parole.
- Provide the date you were arrested and the name of the agency that arrested you, if applicable. This may be Virginia State Police, law enforcement for a city or county, local Sheriff's Department or other law enforcement agency. If you were not arrested on the ancillary matter, leave this blank or write "not applicable" (example: if your ancillary matter is a bond appeal, this will not apply).
- Provide the document control number (DCN) for the charge if you are able. This is a fingerprint number, and it should be listed on your criminal history. If you do not know the DCN, you may leave this blank. You do not need the DCN to file your petition. Also, not all ancillary matters will have a DCN.
- Provide your full name at the time of your ancillary matter. If your name has never changed, write your current name here. If you had a different name when you were arrested, write that name (example: this may apply if you legally changed your name due to marriage or divorce).
- Provide the court of final disposition. This is the name of the court that took the final action in your ancillary matter. This will be a city or county General District Court, Juvenile & Domestic Relations District Court, or Circuit Court. Make sure you provide the name of the county or city with the court.
- Provide a copy of the warrant, summons, or indictment if it is reasonably available. This document can be requested from the clerk's office in the court where the charges were filed. If this document is not reasonably available, explain why it is not available. For example, if the document was purged (destroyed) by the clerk's office pursuant to Virginia law then that would be written in this section. If you were not arrested on the ancillary matter, leave this blank or write "not applicable", because it does not apply (example: if your ancillary matter is a bond appeal, this will not apply).

2. Case number for ancillary matter identified above: GC12-000789-01.....  
 Date of final disposition for ancillary matter: March 1, 2013.....  
 Date of arrest for ancillary matter (if applicable): Not applicable.....  
 Name of arresting agency for ancillary matter (if applicable): Not applicable.....  
 Document Control Number (DCN), if available (if applicable): Not applicable.....  
 Some or all of the above information is not reasonably available because .....

3. Full name at time of ancillary matter: John Joseph Doe.....

4. Court of final disposition for ancillary matter: Henrico.....  
CITY OR COUNTY  
 Circuit Court  General District Court  Juvenile & Domestic Relations District Court

5. A copy of the charging document for the ancillary matter (if applicable) is  
 attached.  
 not reasonably available because Not applicable.....

As explained at the bottom of page 3 of form CC-1203, proceed to page 4 of the form to complete Section B for petitions being filed pursuant to Va. Code § 19.2-392.12:1(B). If you are not completing Section B (you did not check the second box on page 1 of the form), proceed to page 5 of the form to complete the Acknowledgements section (page 9 of this guide).

**PROCEED TO THE NEXT PAGE TO COMPLETE SECTION B FOR PETITIONS FILED PURSUANT TO § 19.2-392.12:1(B). IF YOU ARE NOT COMPLETING SECTION B, PROCEED TO PAGE 5 OF THIS FORM.**

**SECTION B: Information About the Ancillary Matter You Want to Seal Pursuant to Va. Code § 19.2-392.12:1(B)**

- You will only need to fill out this section if you are asking for an ancillary matter to be sealed that is related to an offense or conviction that was previously ordered sealed. For example, if you were convicted of petit larceny and it was sealed pursuant to § 19.2-392.7, you could request to seal an ancillary matter related to the petit larceny.

**SECTION B: PETITIONS FILED PURSUANT TO § 19.2-392.12:1(B):**

This section is for ancillary matters related to charges or convictions that have previously been automatically sealed under Va. Code §§ 19.2-392.6:1, 19.2-392.7, or 19.2-392.11.

I am asking to seal an ancillary matter related to **(CHOOSE ONE OR BOTH OPTIONS):**

- conviction(s) or offense(s) automatically sealed pursuant to §§ 19.2-392.7 or 19.2-392.11, with an offense date on or after January 1, 1986.
- an offense sealed pursuant to § 19.2-392.6:1 where a criminal or civil offense concluded with any final disposition as a charge or conviction of former § 18.2-250.1 (possession of marijuana).

- Provide a description of the offense that was previously ordered sealed, and the case number for that offense, if possible.
- An ancillary matter is any of the following that relate to an arrest, charge, or conviction:
  - Violation or alleged violation of a suspended sentence, probation, or parole;
  - Violation or alleged violation of contempt of court;
  - Charge or conviction for failure to appear; or
  - Appeal from a bail, bond, or recognizance order.

**INFORMATION ABOUT ANCILLARY MATTER TO BE SEALED**

Identify the offense or conviction that was previously sealed pursuant to §§ 19.2-392.6:1, 19.2-392.7 or 19.2-392.11: Petit larceny, CR15-000145

CASE NUMBER (IF AVAILABLE) AND DESCRIPTION OF OFFENSE

1. Ancillary Matter

Specific ancillary matter requested to be sealed is

- a violation or alleged violation of the terms and conditions of a suspended sentence, probation or parole;
- a violation or alleged violation of contempt of court;
- a charge or conviction for failure to appear; OR
- an appeal from a bail, bond, or recognizance order.

- You can only choose **one** of these options to describe your ancillary matter. These are the only options for sealing ancillary matters. If you wish to seal another type of case that is not listed in this section, then it is not an ancillary matter.
- Provide the court case number for the ancillary matter. This is typically a combination of letters and numbers (example: CR15M05022-01).
- Provide the date of final disposition for the ancillary matter. This may be the date the court made a decision regarding your bond appeal, found you in violation of a suspended sentence, probation or parole, or found you guilty of failure to appear.
- Provide the name of the agency that arrested you, if applicable. This may be Virginia State Police, law enforcement for a city or county, local Sheriff's Department or other law enforcement agency. If you were not arrested on the ancillary matter, leave this blank or write "not applicable" (example: if your ancillary matter is a bond appeal, this will not apply).
- Provide the document control number (DCN) for the charge if you are able. This is a fingerprint number, and it should be listed on your criminal history. If you do not know the DCN, you may leave this blank. You do not need the DCN to file your petition. Also, not all ancillary matters will have a DCN.
- Provide your full name at the time of your ancillary matter. If your name has never changed, write your current name here. If you had a different name when you were arrested, write that name (example: this may apply if you legally changed your name due to marriage or divorce).
- Provide the court of final disposition. This is the name of the court that took the final action in your ancillary matter. This will be a city or county General District Court, Juvenile & Domestic Relations District Court, or Circuit Court. Make sure you provide the name of the county or city with the court.
- Provide a copy of the warrant, summons, or indictment if it is reasonably available. This document can be requested from the clerk's office in the court where the charges were filed. If this document is not reasonably available, explain why it is not available. For example, if the document was purged (destroyed) by the clerk's office pursuant to Virginia law then that would be written in this section. If you were not arrested on the ancillary matter, leave this blank or write "not applicable", because it does not apply (example: if your ancillary matter is a bond appeal, this will not apply).

2. Case number for ancillary matter identified above: CG15-000145-01  
 Date of final disposition for ancillary matter: July 1, 2015  
 Date of arrest for ancillary matter (if applicable): June 10, 2015  
 Name of arresting agency for ancillary matter (if applicable): Henrico County Sheriff's Office  
 Document Control Number (DCN), if available (if applicable): .....  
 Some or all of the above information is not reasonably available because .....

3. Full name at time of ancillary matter: John Joseph Doe

4. Court of final disposition for ancillary matter: Henrico  
CITY OR COUNTY  
 Circuit Court  General District Court  Juvenile & Domestic Relations District Court

5. A copy of the charging document for the ancillary matter (if applicable) is  
 attached.  
 not reasonably available because .....

- If you are asking the court to seal another ancillary matter, check the applicable box on page 4 of form CC-1203.

I am requesting to seal more than one ancillary matter related to the offense or conviction that was previously sealed. (List the second ancillary matter below and list additional ancillary matters on the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(B), FORM CC-1203(B).)

- Use the additional space on page 5 of form CC-1203 to request sealing of a second ancillary matter relating to a charge or conviction that was previously ordered sealed pursuant to §§ 19.2-392.6:1, 19.2-392.7, or 19.2-392.11. Follow the same instructions as those used for your first ancillary matter. Both sections are identical.

**INFORMATION ABOUT SECOND ANCILLARY MATTER TO BE SEALED**

Identify the offense or conviction that was previously sealed pursuant to §§ 19.2-392.6:1, 19.2-392.7 or 19.2-392.11:.....

CASE NUMBER (IF AVAILABLE) AND DESCRIPTION OF OFFENSE

1. Ancillary Matter  
 Specific ancillary matter requested to be sealed is  
 a violation or alleged violation of the terms and conditions of a suspended sentence, probation or parole;  
 a violation or alleged violation of contempt of court;  
 a charge or conviction for failure to appear; OR  
 an appeal from a bail, bond, or recognizance order.
2. Case number for ancillary matter identified above: .....  
 Date of final disposition for ancillary matter: .....  
 Date of arrest for ancillary matter (if applicable): .....  
 Name of arresting agency for ancillary matter (if applicable): .....  
 Document Control Number (DCN), if available (if applicable): .....  
 Some or all of the above information is not reasonably available because .....
3. Full name at time of ancillary matter: .....
4. Court of final disposition for ancillary matter: .....  

CITY OR COUNTY

 Circuit Court    General District Court    Juvenile & Domestic Relations District Court
5. A copy of the charging document for the ancillary matter (if applicable) is  
 attached.  
 not reasonably available because .....

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### Acknowledgments

- All filers using form CC-1203 must complete this section.
- Read the seven notices under this section starting with “I understand”. You must check each box.
- You must provide a copy of your petition to the attorney for the Commonwealth of the county or city where the petition is filed. This copy can be delivered by hand or by first-class mail. The attorney for the Commonwealth should file a response to your petition stating whether they object to your request to seal criminal records.
- You must request that the Central Criminal Records Exchange electronically send a copy of your Virginia and national criminal history record to the circuit court where the petition is filed. You will need the case number assigned to your sealing petition to request your criminal history. The circuit court clerk’s office can provide you with the case number for your sealing case. If you received a receipt when filing your petition, it may contain your case number.

**COMPLETE THIS SECTION FOR ALL PETITIONS FILED PURSUANT TO VA. CODE § 19.2-392.12:1.**

**Acknowledgments. Check each box to acknowledge that you have read and understand each statement below.**

- I.  I understand that I am required to provide a copy of this petition by delivery or by first-class mail, postage prepaid, to the Commonwealth's Attorney for the county or city where the petition is filed.
- II.  I understand that after this petition is filed, I am required to request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of my Virginia and national criminal history record to the circuit court where the petition is filed. (*Instructions on how to request your criminal history record information are available through the Virginia Department of State Police.*)

- You cannot request to seal a charge, conviction, or ancillary matter that was finalized on the same date as a conviction or charge that was deferred and then dismissed that is not eligible for sealing pursuant to § 19.2-392.12:1. For example: The court cannot grant your request to seal a trespassing conviction (§ 18.2-119) if you were also convicted of arson on the same date.
- If your charges are not eligible for sealing, the court will deny your petition.
- Filing this petition will not restore your civil rights or firearm rights. Restoration of those rights is a separate process.
- If your petition is granted and your charges are sealed, you are still required to pay any fines, costs, restitution, forfeitures, or penalties that you owe that are related to any offense that is ordered sealed.

- III.  I understand that I cannot request to seal a charge, conviction or ancillary matter that was finalized on the same date as a conviction or charge that was deferred and then dismissed that is not eligible for sealing pursuant to § 19.2-392.12:1.
- IV.  I understand that I can only request to seal multiple charges, convictions or ancillary matters on the same petition if all such charges, convictions, and ancillary matters are eligible for sealing pursuant to § 19.2-392.12:1.
- V.  I understand that my petition may be denied, with or without a hearing, if the charge(s), conviction(s), or ancillary matter(s) listed in this petition are not eligible for sealing.
- VI.  I understand that if my petition for sealing is granted, it will not restore my civil rights or firearm rights.
- VII.  I understand that if my petition for sealing is granted, I will still be required to pay any outstanding fines, costs, restitution, forfeitures, or penalties for charge(s) or conviction(s) that are ordered to be sealed.

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**ADDENDUMS: Court Forms CC-1203(A) and CC-1203(B)**

- If you are asking to seal another charge, conviction, or ancillary matter that will not fit on the petition, you will need to fill out court form CC-1203(A), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A) and/or CC-1203(B), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B). Those forms ask for the same information as the CC-1203, and the same instructions can be used for all three forms.
- Check the box on form CC-1203 and insert the number of addendums attached if you are asking to seal additional cases. If you are not asking to seal additional charges, convictions, or ancillary matters, do not check this box, and you do not need the addendums.

**ADDENDUM.** I am requesting to seal multiple charges, convictions or ancillary matters, and I have attached the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(A), FORM CC-1203(A) and/or the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(B), FORM CC-1203(B). 2 addendums are attached to this petition and are incorporated herein.  
NUMBER

- You may file as many addendums as you need to list all of the charges and ancillary matters you are asking to seal on the same petition.

### Your Signature and Your Contact Information

- Sign and date the petition. Print your name on the line provided. Provide your address, telephone number, and email address. If you are filling out this petition for yourself, check the boxes that say "Petitioner" underneath each item.
- If you are an attorney filling out this petition for your client, check the boxes that say "Attorney for Petitioner" underneath each item and include your Virginia State Bar number in the blank provided.

November 1, 2026 DATE	<u>John J. Doe</u> SIGNATURE OF <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER (VSB No. ....)
John J. Doe PRINTED NAME OF <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER	123 Main Street ADDRESS OF <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER
(123) 456-7890 TELEPHONE NUMBER OF <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER	Henrico, Va 12345 CITY, STATE, ZIP OF <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER
johndoe@gmail.com EMAIL ADDRESS OF <input checked="" type="checkbox"/> PETITIONER <input type="checkbox"/> ATTORNEY FOR PETITIONER	

**NOTE:** If you are completing court form CC-1203(A) or CC-1203(B), continue to the next page of these instructions for additional guidance. If you are not completing court form CC-1203(A) or CC-1203(B), you have reached the end of the step-by-step instructions for form CC-1203. Proceed to page 16 for additional information about sealing.

**FORM CC-1203(A): ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A)**

This form is only necessary if you are asking to seal another charge, conviction, or ancillary matter pursuant to § 19.2-392.12(A) that will not fit on the petition (form CC-1203). If you are not asking to seal another charge, conviction or ancillary matter that will not fit on the petition, do not use form CC-1203(A).

**Case Information and Information About What you are Requesting to Seal**

- The case number in the upper right hand corner should be left blank. The clerk will assign your case number after the petition and addendum is filed. Your addendum and your petition will have the same case number.
- Include the city or county of the circuit court where the addendum will be filed. This should be the same city or county that is listed in Section A of your petition for sealing (form CC-1203).
- Type or print your name on the “Name of Petitioner” line. This should be the same name that is listed in Section A of your petition for sealing (form CC-1203).

<b>ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A)</b> (Specific misdemeanor convictions or deferrals/dismissals and any related ancillary matters)		Case Number.....
..... CITY OR COUNTY	Henrico	..... Circuit Court
..... NAME OF PETITIONER	John J. Doe	v. Commonwealth of Virginia

- Describe what you are asking the court to seal by choosing any of the three options. You can choose as many options as necessary.

**In addition to the conviction or deferred dismissal listed on my PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A), FORM CC-1203, I am also requesting to seal the following:  
(CHECK ALL THAT APPLY)**

- Check the first box if you are asking the court to seal another charge or conviction pursuant to § 19.2-392.12:1(A). You will need to complete Section A of the form if you have checked this box. This section is not for ancillary matters (see Section B below).

**[ ] another conviction or deferred dismissal under one of the specified statutes listed in § 19.2-392.12.1(A). (Complete section A of this form. For additional offenses, attach as many pages as necessary.)**

- Check the second box if you are asking the court to seal an ancillary matter related to the charge or conviction that is listed on your petition for sealing (form CC-1203). For example: If your petition is asking the court to seal a conviction of petit larceny, then you may ask the court to seal an ancillary matter related to that charge that did not fit on your petition. The ancillary matter must be (i) a violation or alleged violation of the terms and conditions of a suspended sentence, probation, or parole; (ii) a violation or alleged violation of contempt of court; (iii) a charge or conviction for failure to appear; or (iv) an appeal from a bail, bond, or recognizance order. Complete Section B of the form if you have checked this box. You may also complete Sections C and D if you need additional space to list ancillary matters.

an ancillary matter related to the conviction or deferred dismissal listed on page 1 of my petition. (Complete Section B of this form. For additional ancillary matters related to this conviction or deferred dismissal, complete Sections C and D of this form. Attach as many pages as necessary.)

- Check the third box if you are asking the court to seal an ancillary matter that is related to the charge or conviction that is listed on your addendum (form CC-1203(A)). Complete Section B of the form if you have checked this box. You may also complete Sections C and D if you need additional space to list ancillary matters.

an ancillary matter related to the conviction or deferred dismissal listed in Section A of this addendum. (Complete Section B of this form. For additional ancillary matters related to this conviction or deferred dismissal, complete Sections C and D of this form. Attach as many pages as necessary.)

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### SECTION A: Information About the Charge or Conviction You Want to Seal

- If you checked the first box on page 1 (another conviction or deferred dismissal), you will need to complete Section A of the form. If you did not check the first box on page 1, you can skip this section and proceed to Section B.
- Provide the requested information for the specific charge or conviction. Follow the same instructions from Section A, Part 1 of your petition (beginning on page 4 this guide) to complete this section. Both sections are identical. You can file as many addendums as you need to list all of the charges and convictions you are asking to seal on the same petition. List the number of addendums that you will be filing with your petition on page 6 of your petition (form CC-1203).

**ADDENDUM.** I am requesting to seal multiple charges, convictions or ancillary matters, and I have attached the **ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(A), FORM CC-1203(A) and/or the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(B), FORM CC-1203(B).** ..... 2 ..... addendums are attached to this petition and are incorporated herein.  
NUMBER

- If you are not asking the court to seal any other matters, you do not need to complete any other sections on the addendum.
- Once your addendum is complete, you can file it in the circuit court with your petition for sealing (form CC-1203).
- If you are asking the court to seal an ancillary matter related to a charge or conviction to be sealed, proceed to Section B.

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### SECTION B: Information About the Ancillary Matter Related to the Charge or Conviction to be Sealed

- If you checked the second or third box on page 1, you will need to complete section B of the form. If you did not check the second box on page 1, you can skip this section.
- To complete Section B, check the box that describes what you are asking the court to seal. Explain whether this ancillary matter is related to the charge or conviction (i) listed on page 1 of this addendum in Section A above, or (ii) listed on page 1 of your petition (form CC-1203).
- An ancillary matter is any of the following that relate to an arrest, charge, or conviction:
  - Violation or alleged violation of a suspended sentence, probation, or parole;
  - Violation or alleged violation of contempt of court;
  - Charge or conviction for failure to appear; or
  - Appeal from a bail, bond, or recognizance order.

- Follow the same instructions from Section A, Part 2 of your petition (beginning on page 6 of this guide) to complete this section. Both sections are identical. You can file as many addendums as you need to list all of the charges and ancillary matters you are asking to seal on the same petition. List the number of addendums that you will be filing with your petition on page 6 of your petition (form CC-1203).

**ADDENDUM.** I am requesting to seal multiple charges, convictions or ancillary matters, and I have attached the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(A), FORM CC-1203(A) and/or the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(B), FORM CC-1203(B). 2 addendums are attached to this petition and are incorporated herein.  
NUMBER

- If you are not asking the court to seal any other matters, you do not need to complete any other sections on the addendum.
- Once your addendum is complete, you can file it in the circuit court with your petition for sealing (form CC-1203).

### **SECTION C: Information About the Additional Ancillary Matter to be Sealed**

- If you checked the second or third box on page 1, you will need to complete section B of the form. If you need additional space to request the sealing of more ancillary matters, you will need to complete Section C of the form. Follow the same instructions for Section B to complete Section C. Both sections are identical.
- Once your addendum is complete, you can file it in the circuit court with your petition for sealing (form CC-1203).
- If you did not check the second or third box on page 1 and are not asking the court to seal any other ancillary matters, you can skip this section.

### **SECTION D: Information About the Additional Ancillary Matter to be Sealed**

- If you complete Section C and still need more space to list ancillary matters, you will need to complete Section D of the form. Follow the same instructions for Section C to complete Section D. Both sections are identical.
- If you did not check the second or third box on page 1 and are not asking the court to seal any other matters, you can skip this section.
- Once your addendum is complete, you can file it in the circuit court with your petition for sealing (form CC-1203).

You have reached the end of the step-by-step instructions for form CC-1203(A), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A). Proceed below for instructions to complete form CC-1203(B), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B). Proceed to page 16 for additional sealing information.

### **FORM CC-1203(B): ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B)**

This form is only necessary if you are asking to seal another ancillary matter that is related to a charge or conviction that was previously automatically sealed that will not fit on the petition (form CC-1203). If you are not asking to seal another ancillary matter that will not fit on the petition, do not use form CC-1203(B).

#### **Case Information and Information About What You are Requesting to Seal**

- The case number in the upper right-hand corner should be left blank. The clerk will assign your case number after the petition and addendum is filed. Your addendum and your petition will have the same case number.
- Include the city or county of the circuit court where the addendum will be filed. This should be the same city or county that is listed in Section A of your petition for sealing (CC-1203).

- Type or print your name on the “Name of Petitioner” line. This should be the same name that is listed in Section A of your petition for sealing (CC-1203).

<p><b>ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B)</b> (Ancillary matters related to charges or convictions that have already been sealed)</p>	<p>Case Number.....</p>
<p>..... Henrico CITY OR COUNTY</p>	<p>Circuit Court</p>
<p>..... John J. Doe NAME OF PETITIONER</p>	<p>v. Commonwealth of Virginia</p>
<p>In addition to the ancillary matters listed on my PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B), Form CC-1203, I am also requesting to seal the ancillary matters listed below. (Complete Section A of this form. For additional ancillary matters related to a charge or conviction that was previously automatically sealed, complete Section B of this form. Attach as many pages as necessary.)</p>	

**SECTION A: Information About the Ancillary Matter to be Sealed**

- Provide a description of the offense that was previously ordered sealed, and the case number for that offense, if possible.
- An ancillary matter is any of the following that relate to an arrest, charge, or conviction:
  - Violation or alleged violation of a suspended sentence, probation, or parole;
  - Violation or alleged violation of contempt of court;
  - Charge or conviction for failure to appear; or
  - Appeal from a bail, bond, or recognizance order.
- Follow the same instructions from Section B of your petition (described on page 7 of this guide) to complete this section. Both sections are identical. You may attach as many addendums as you need to list all of the ancillary matters you are asking to seal on the same petition. List the number of addendums that you will be filing with your petition on page 6 of your petition (form CC-1203).

<p><input checked="" type="checkbox"/> <b>ADDENDUM.</b> I am requesting to seal multiple charges, convictions or ancillary matters, and I have attached the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(A), FORM CC-1203(A) and/or the ADDENDUM TO PETITION FOR SEALING PURSUANT TO § 19.2-392.12:1(B), FORM CC-1203(B). .....<u>2</u>..... addendums are attached to this petition and are incorporated herein. NUMBER</p>
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- Once your addendum is complete, you can file it in the circuit court with your petition for sealing (form CC-1203).

**SECTION B: Information About the Additional Ancillary Matter to be Sealed**

- If you need additional space to request the sealing of more ancillary matters, you will need to complete Section B of the form. Follow the same instructions for Section A to complete Section B. Both sections are identical. You may attach as many addendums as you need to list all of the ancillary matters you are asking to seal on the same petition.
- Once your addendum is complete, you can file it in the circuit court with your petition for sealing (form CC-1203).
- If you do not need to request the sealing of any other ancillary matters related to a charge or conviction that was previously ordered sealed, then you can skip this section.

You have reached the end of the step-by-step instructions for form CC-1203(B), ADDENDUM TO PETITION FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B). Proceed to the next page for additional sealing information.

## ADDITIONAL SEALING INFORMATION

### **OFFENSES THAT ARE ELIGIBLE FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1:**

Pursuant to Va. Code § 19.2-392.12:1, only certain criminal offenses are eligible for sealing. These offenses are listed below. If you file a petition asking to seal an offense that is not listed below pursuant to § 19.2-392.12:1, the court cannot grant your petition. The offense must have an offense date on or after January 1, 1986 in order to be eligible for sealing pursuant to this section.

1. § 4.1-305, Purchasing or possessing alcoholic beverages;
2. § 18.2-96, Petit larceny (misdemeanor only);
3. § 18.2-103, Concealing or taking possession of merchandise (misdemeanor only);
4. § 18.2-119, Trespass;
5. § 18.2-120, Instigating trespass by others;
6. § 18.2-134, Trespassing on posted property to hunt, fish or trap;
7. § 18.2-248.1, Sale, gift distribution or possession with intent to sell, give or distribute marijuana (misdemeanor only);
8. § 18.2-265.3(A), Sale or possession with intent to sell drug paraphernalia;
9. § 18.2-415, Disorderly conduct in public places;
10. Ancillary matters related to a conviction or a deferred dismissal for one of the offenses listed above;
11. Ancillary matters related to a conviction or offense, with an offense date on or after January 1, 1986, that was automatically sealed pursuant to Va. Code §§ 19.2-392.7 or 19.2-392.11; and
12. Ancillary matters related to a criminal or civil offense that concluded with a final disposition as a charge or conviction of former Va. Code § 18.2-250.1 (possession of marijuana) that was automatically sealed pursuant to Va. Code § 19.2-392.6:1.

*\*An ancillary matter is (i) a violation or alleged violation of the terms and conditions of a suspended sentence, probation or parole, (ii) a violation or alleged violation of contempt of court, (iii) a charge or conviction for failure to appear, or (iv) an appeal from a bail, bond or recognizance order.*

### **REQUIREMENTS AND WAITING PERIODS FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(A):**

- The underlying charge is a violation of one of the code sections listed above.
- The underlying charge resulted in a conviction (guilty) or the charge was deferred and then dismissed.
- The charge or conviction was not finalized on the same date as a conviction or a charge that was deferred and then dismissed that is not eligible for sealing pursuant to § 19.2-392.12:1.
- Seven years have passed since the date of conviction or dismissal of the deferred charge and you have not been convicted of violating any Virginia law requiring a report to Central Criminal Records Exchange pursuant to § 19.2-390(A) or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, during that time period.

### **REQUIREMENTS FOR SEALING PURSUANT TO VA. CODE § 19.2-392.12:1(B):**

- The matter you are asking to seal is (i) a violation or alleged violation of the terms and conditions of a suspended sentence, probation or parole, (ii) a violation or alleged violation of contempt of court, (iii) a charge or conviction for failure to appear, or (iv) an appeal from a bail, bond, or recognizance order. This means that it is an ancillary matter.
- The ancillary matter is related to an underlying charge or conviction that was previously automatically sealed pursuant to §§ 19.2-392.6:1, 19.2-392.7, or 19.2-392.11.
- The ancillary matter was not finalized on the same date as a conviction or a charge that was deferred and then dismissed that is not eligible for sealing pursuant to § 19.2-392.12:1.

### **OTHER TYPES OF SEALING:**

- If you are asking the court to seal criminal history record information pursuant to Va. Code § 19.2-392.12, do not use form CC-1203. Instead, you will need to use form CC-1201, which can be found on Virginia's Judicial System Website (<https://www.vacourts.gov/>).
- The CC-1201 is for requests to seal:
  - Misdemeanors, class 5 or 6 felonies, and violations of § 18.2-95 or any other felony offense in which you were deemed guilty of larceny and punished as provided in § 18.2-95 where the offense date was on or after January 1, 1986. The offense must have resulted in a conviction (guilty) or the charge was deferred and then dismissed.
  - Ancillary matters related to the charge or conviction.