

MOTION TO ACCESS A SEALED COURT RECORD

Va. Code § 19.2-392.13

Court Name:

CITY OR COUNTY

General District Court Circuit Court Juvenile and Domestic Relations District Court

Requestor's Name:

Part 1.

1. I am requesting access to sealed court records relating to the charge, arrest or conviction detailed in Part 2 below. Pursuant to Virginia Code § 19.2-392.13(C), I am requesting access for the reason listed below.

Access Reason (as listed on pages 2 and 3 of this form):

My employer, title or other information relevant to request (as described on pages 2 and 3 of this form):

.....

Part 2.

2. I am requesting access to the following sealed court record(s):

Defendant's full name at the time of arrest:

Defendant's date of birth:

Defendant's social security number:

A. Date of arrest:

Date of final disposition: Date of final sealing order, if known:

Specific charge(s) that were sealed:

Applicable court case number(s):.....

B. Date of arrest:

Date of final disposition:..... Date of final sealing order, if known:

Specific charge(s) that were sealed:

Applicable court case number(s):.....

.....
DATE

SIGNATURE OF REQUESTOR

.....
PRINTED NAME OF REQUESTOR

.....
ADDRESS OF REQUESTOR

.....
AGENCY OF REQUESTOR, IF APPLICABLE

.....
CITY, STATE, ZIP OF REQUESTOR

.....
TELEPHONE NUMBER OF REQUESTOR

.....
E-MAIL ADDRESS OF REQUESTOR

.....
VA. STATE BAR NUMBER OF REQUESTOR, IF APPLICABLE

Part 1.

For all motions to access a sealed court record, the requestor must choose one of the options below describing the reason for the request. List the number next to the option you have chosen on your motion in the blank titled "Access Reason" on page 1. Please provide the requested information below about your request in the lines provided on page 1.

1. To make the determination as provided in § 18.2-308.2:2 of eligibility to possess or purchase a firearm (include name and requestor's title).
2. For fingerprint comparison utilizing the fingerprints maintained in the Automated Fingerprint Information System (include name of entity and requestor's title).
3. To the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission for research purposes (include name of entity and requestor's title).
4. To any full-time or part-time employee of the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof for the purpose of screening any person for full-time employment or part-time employment with, or to be a volunteer with, the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof (include name of entity requestor's title).
5. To the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency as provided in § 32.1-111.5 (include requestor's title).
6. To any full-time or part-time employee of the Department of Forensic Science for the purpose of screening any person for full-time or part-time employment with the Department of Forensic Science (include requestor's title).
7. To the chief law-enforcement officer of a locality, or his designee who shall be an individual employed as a public safety official of the locality, that has adopted an ordinance in accordance with §§ 15.2-1503.1 and 19.2-389 for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency as provided in § 32.1-111.5 (include name of entity and requestor's title).
8. To any full-time or part-time employee of the Department of Motor Vehicles, any employer as defined in § 46.2-341.4, or any medical examiner as defined in 49 C.F.R. § 390.5 for the purpose of complying with the regulations of the Federal Motor Carrier Safety Administration (include name of entity and requestor's title).
9. To any employer or prospective employer or its designee where federal law requires the employer to inquire about prior criminal charges or convictions (include name of employer or prospective employer, requestor's title, and federal law requiring inquiry).
10. To any employer or prospective employer or its designee where the position that a person is applying for, or where access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any contract with, or statute or regulation of, the United States or any Executive Order of the President (include name of employer or prospective employer, requestor's title and the basis for the request).
11. To any person authorized to engage in the collection of court costs, fines, or restitution under § 19.2-349(C) for purposes of collecting such court costs, fines, or restitution (include whether requestor is an Attorney for the Commonwealth, private attorney or collection agency, city or county Treasurer, or the Department of Taxation).
12. To administer and utilize the DNA Analysis and Data Bank set forth in Article 1.1 (§ 19.2-310.2 et seq.) of Chapter 18 (include name of entity and requestor's title).

13. To publish decisions of the Supreme Court, Court of Appeals, or any circuit court (include requestor's title).
14. To any full-time or part-time employee of a court, the Office of the Executive Secretary, the Division of Legislative Services, or the Chairs of the House and Senate Committees for Courts of Justice for the purpose of screening any person for full-time or part-time employment as a clerk, magistrate, or judge with a court or the Office of the Executive Secretary (include name of entity and requestor's title).
15. To any employer or prospective employer or its designee where this Code or a local ordinance requires the employer to inquire about prior criminal charges or convictions (include name of employer or prospective employer, requestor's title, and the Virginia law or local ordinance requiring inquiry).
16. To any employer or prospective employer or its designee that is allowed access to such sealed records in accordance with the rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134 (include name of employer or prospective employer and requestor's title).
17. To any business screening service for purposes of complying with § 19.2-392.16 (include name of entity and requestor's title).
18. To any attorney for the Commonwealth and any person accused of a violation of law, or counsel for the accused, in order to comply with any constitutional and statutory duties to provide exculpatory, mitigating, and impeachment evidence to an accused (include requestor's title).
19. To any party in a criminal or civil proceeding for use as authorized by law in such proceeding (describe the type of case and the intended use).
20. To any party for use in a protective order hearing as authorized by law (describe the intended use).
21. To the Department of Social Services or any local department of social services for purposes of performing any statutory duties as required under Title 63.2 (include name of entity, requestor's title, and the required statutory duty).
22. To any party in a proceeding relating to the care and custody of a child for use as authorized by law in such proceeding (describe the type of case and the intended use).
23. To the attorney for the Commonwealth and the court for purposes of determining eligibility for sealing pursuant to the provisions of § 19.2-392.12, whether the court or parties failed to strictly comply with sealing procedures, or whether an order for sealing was entered contrary to law (include requestor's title).
24. To determine a person's eligibility to be empaneled as a juror (include requestor's title).
25. To the auditor of Public Accounts for audit purposes (include requestor's name and title);
26. To the Department of Behavioral Health and Developmental Services and any entity defined under § 37.2-100 for purposes of providing any services or functions as defined in such section (include name of entity and requestor's title);
27. To the attorney for the Commonwealth, the defendant or his counsel, any magistrate, any local community-based probation services agency or pretrial services agency, the Department of State Police, any police department, any sheriff's office, any campus police department, the Department of Corrections, any court, and the Virginia Criminal Sentencing Commission for the purposes in § 19.2-392.5(H) (include name of entity and requestor's title).
28. To the person arrested, charged, or convicted of the offense that was sealed (confirm that you are requesting access to your own sealed record).

Part 2.

Please provide the requested information in part 2 to the best of your ability. This information will help the court identify the sealed record you want to access.