

Filing a Pro Se Expunction

This guide is provided as a public service and represents Harris County District Clerk Marilyn Burgess's good faith understanding of Chapter 55 of the Code of Criminal Procedure. It is not intended to substitute for independent legal analysis by an attorney in private practice, however. **In all cases, an expunction petitioner benefits from the assistance of counsel.** The District Clerk strongly urges anyone pursuing a petition for expunction of criminal records to consult with an attorney of his or her own choice. For referral to an attorney, please call the Houston Bar Association at 713-759-1133.

1. **Determine whether your case is eligible for expunction.** Not all cases are eligible for expunction. If your arrest resulted in a fine, confinement in the jail or the penitentiary, or any form of court-ordered probation (other than pretrial diversion), you are likely not eligible for expunction. You may contact District Attorney to inquiry if they will or will not oppose your expunction petition by calling them at 713-274-5816 or emailing: DAExpunction@dao.hctx.net
2. **Prepare your petition for expunction.** The District Clerk does not provide blank forms for the preparation of an expunction. You may obtain a petition from the District Attorney by e-mail only. You must have an e-mail address. It will be your responsibility to complete your forms (unless you decide to hire an attorney). There are three documents that will need to be prepared in pursuing your expunction: 1) Petition for expunction, 2) Order setting hearing, and 3) Final order of expunction. For assistance in preparing your required forms for expunction, you may obtain your criminal information or a criminal background from the District Clerk's website at www.hcdistrictclerk.com.
3. **File your petition for expunction and order setting hearing.** After you prepare your petition for expunction and order setting hearing, file them here:
Harris County District Clerk
Civil/Family Post Trial
201 Caroline, 2nd Floor, Room 250
Houston, TX 77002

There is a base filing fee of \$267. There are also additional fees for service of the expunction petition and the final expunction order on each agency listed in your petition. (The names of these agencies are included in the petition form. The "standard" petition lists six agencies, which may be served electronically for \$ 3.00 for each agency; additional electronic services is \$3.00 for each agency. The fee for each additional agency designated for non-electronic service is \$14.00 per agency) **No personal checks will be accepted.** Please bring a money order, credit card, or cash.

4. **Please be patient.** It will take a minimum of three months for an expunction order to become final. Because of the volume of requests, it often takes longer to complete.