

99.6 EXPUNGING THE RECORD

- (a) **Sending Prescribed Expungement Form to Judge.** If the Clerk receives an application for expungement from a person, the Clerk must submit a proposed order to the judge to whom the case was last assigned, or his or her successor. The proposed order must be on the form provided by the Clerk, and must direct the Clerk to expunge the record of the person pursuant to a particular legal authority.
- (b) **Implementation of Expungement.** If the judge signs the order, the Clerk must:
1. Obliterate the name of the individual from all indexes;
 2. Withdraw the docket sheets and the file containing the papers of the criminal action from the District's records;
 3. Notify the Administrative Office of the United States Courts, the court reporter, the Chief United States Probation and Pretrial Services Officer, and the judge having custody of the record of the order, instructing each of them to make similar obliterations and withdrawals and to deliver the papers from their files to the Clerk;
 4. Place the papers in the sealed records of the District, to be opened only upon a court order. If the sealed records are opened, they must be resealed upon order of court; and
 5. After 10 years, physically destroy all such sealed papers.