



# Lane County Law Library

ACCESS - RIGHTS - EDUCATION

## Expungement Research Guide

**GENERALLY:** There are certain cases in which arrests or convictions can be erased from the court's files. Rules and procedures for expungement vary by state and by county. **The Lane County Circuit Court website contains forms and instructions,** (<http://courts.oregon.gov/Lane/Records/Appeals.page?> And <http://courts.oregon.gov/Lane/pages/forms.aspx> ).

The Oregon Statute (law) concerning this process does not use the term expungement. Instead it talks about "setting aside." During this process, you will be asked to provide some specific information about yourself and the incident in question. This information is needed to confirm your identity and the possible location of records so that, if your request is granted, those records can be sealed

This guide may not include all of the information in the library or online related to expungement but is intended to help you navigate some of our resources.

### *SUGGESTED RESOURCES:*

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#### **BOOKS:**

*The Criminal Law Handbook: Know Your Rights, Survive the System*, by Paul Bergman & Sara Berman-Barrett, 2009. Located on reserve at the Lane County Law Library: KF 9619.6 .B47 2009 REF. This book is geared toward a national audience so be sure to consult Oregon resources as well.

*Criminal Law*, by Oregon State Bar, c. 2005, with 2006 supplement. v. 3 ch. 33. Located on reserve at the Lane County Law Library: KFO 2975 .C755 2005 RES. This book is published by the Oregon State Bar and is straight forward and has an easy to use index.

#### **OTHER PRINT ITEMS:**

**See Also:** *Oregon Revised Statutes* (center of the Oregon Collection or online at [http://www.oregonlegislature.gov/bills\\_laws/Pages/ors.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ors.aspx) ), for Oregon Law.

The library catalog may direct you to other helpful resources related to expunging a record (see search terms below):

<http://www.libraryworld.net/cgi-bin/opac.pl?command=signin&libraryname=lanecountylib&guest=allow>

## 2 – Expungement Research Guide

### **WEBSITES:**

#### *Lane County Circuit Court*

<http://courts.oregon.gov/Lane/Records/Appeals.page?>

This page includes information relating to each of the situations discussed in ORS 137.225. There are forms and instructions geared towards all three on the Lane County website.

#### *Oregon State Bar:*

The OSB has public information pages with information on rights of crime victims and criminal defendants, including information on expunging or vacating criminal records:

[http://www.osbar.org/public/legalinfo/1081\\_ClearingRecord.htm](http://www.osbar.org/public/legalinfo/1081_ClearingRecord.htm)

#### *Oregon State Police*

<http://www.oregon.gov/OSP/ID/expungement.shtml>

Includes information about the expungement process and where to get forms

### **COMPUTER SUBSCRIPTIONS: (ASK A LIBRARIAN FOR TRAINING).**

*HeinOnline, Lexis, Westlaw* – These sources may be good for researching case law related to expungement.

**SUGGESTED SEARCH TERMS:** Motion, set aside, expungement, misdemeanor, felony, expunge, ORS 139.

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