

Andover Municipal Court
1609 E Central Ave
Andover, KS 67002



Phone: (316) 733-4510
Fax: (316) 927-6014
mmatson@andoverks.com

Expungement Instructions

K.S.A 12-4516 sets forth the requirements for obtaining an expungement of your conviction, diversion or arrest. A copy is attached to these instructions for your review. Please be advised that the statute is subject to change.

In Order to have your conviction, diversion and/or arrest expunged you must fully complete the petition of expungement, including your notarized signature. **Upon receipt of the fully completed petition and a nonrefundable \$125.00 fee**, the Andover Municipal Court Clerk will assign a hearing date and time for the court to review your petition. **You or your attorney if applicable must appear at the hearing or your petition will be considered withdrawn and you will have to file another petition and pay another \$125.00 fee to have your conviction expunged.**

At the hearing, the Judge may ask you questions about your background. Any person who may have relevant information about you may testify at the hearing. In order to grant your expungement, the Judge must find that the circumstances and your behavior warrant expungement and the expungement is consistent with the public welfare.

The Judge is not required to grant your petition.

Once your conviction, diversion or arrest is expunged, you shall be treated as not having been convicted, diverted, or arrested of the crime **except that;**

1. Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence imposed;

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2. You must disclose the conviction:

- A. In any application for employment as: a detective with a private agency, security personnel with a private patrol operator, or with a state hospital or mental health facility of the Department of Social and Rehabilitation Services;
- B. In any application for admission, or for an order or reinstatement, to the practice of law in this state;
- C. To aid in determining your qualification for employment in certain jobs with the Kansas Lottery or the Kansas Racing Commission;
- D. Upon application for a commercial driver's license;
- E. In connection with a determination of qualifications for licensure or renewal of licensure by the Kansas Racing Commission;
- F. To aid in determining the qualifications to be an employee of the state gaming agency;
- G. To aid in determining the qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;
- H. In the case resulting in a conviction or diversion, the information shall also be disclosed in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A 17-1252 and amendments thereto;
- I. Under any other conditions ordered by the court in the Order of Expungement;
- J. In a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

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**MUNICIPAL COURT FOR THE CITY OF ANDOVER
BUTLER COUNTY, KANSAS**

City of Andover, Kansas
Plaintiff

vs.

Case #: _____

Defendant

EXPUNGEMENT PETITION

COMES NOW the defendant, _____ and requests the Court for an expungement of the record of the conviction/ arrest/ in the above captioned case. In support of said Petition, the Defendant alleges and states that the:

1. Petitioner is identified as follows:
 - a. Name: _____
 - b. Social Security Number: _____
 - c. Name at time of arrest: _____
 - d. Sex: _____
 - e. Race: _____
 - f. Date of Birth: _____
 - g. Crime Convicted: _____
 - h. Date of Arrest / Incident: _____
 - i. Date of Conviction: _____
 - j. Convicting Court: Municipal Court for the City of Andover, Butler County, Kansas
2. Petitioner has not been convicted of a felony in the past two years and no legal proceeding involving any such crime is presently pending or being instituted against the petitioner; the circumstances and behavior of the petitioner warrant the expungement; and the expungement is consistent with the public welfare.
3. More than _____ years have elapsed since the petitioner has satisfied his sentence imposed.
4. Court should enter its Order of Expungement herein.

WHEREFORE, the Petitioner respectfully requests the Court that the above captioned conviction be expunged for such other and further relief as the Court deems just and equitable.

Signature: _____
Printed Name: _____
Address: _____
Phone: _____