

Office of the State Courts Administrator

Miriam Jugger

Senior Court Analyst

Phone: (850) 410-1888 Fax: (850) 414-1342

e-mail: juggerm@flcourts.org

M E M O R A N D U M

TO: Clerks of the Circuit Court

FROM: Miriam Jugger, Senior Court Analyst I
Office of the State Courts Administrator, Court Services

DATE: August 21, 2008

SUBJECT: Summary Reporting Systems (SRS) Technical Memo 08-01
Seal and Expunge Records

This memorandum serves as an update and reminder from the Office of the State Courts Administrator's (OSCA) concerning the reporting requirements for sealed or expunged case records. Section 943.0585(3)(b) and 943.059(3)(b), Florida Statutes, requires the Clerk of Courts to certify a copy of the seal or expunge order to any agency that has received the affected criminal history from the clerk. Consequently, those clerks of court who satisfy their F.S. 25.075 reporting requirements by submitting electronic criminal history data to the OSCA are required to notify the OSCA when that criminal history record is sealed or expunged.

Please note that this technical memorandum pertains only to those Clerks of Court who have been certified by the OSCA to submit criminal transaction data via the Offender Based Transaction System (OBTS). Past field audits have revealed that some counties are not properly reporting sealed or expunged case records. The reporting requirement of F.S. 943.05 can be met, with respect to the OSCA, in one of two ways. Electronic notification of the action can be submitted via the OBTS data record through the Message Type field as described in the Criminal Justice Data Element Dictionary (July 1997). In the interest of timeliness, accuracy and workload, this is the preferred method of notification. As an alternative, the Clerk of Court may forward a paper copy of the seal or expunge order to the OSCA. The OSCA will then, manually, flag these records in our system. Hard copies should be sent to the OSCA at OSCA - Court Services, Attn: Sealed and Expunged, 500 S. Duval Street, Tallahassee FL 32399-1900.

Please ensure that this technical memorandum is forwarded to all staff responsible for reporting sealed and expunged records and data for OBTS/criminal purposes. It is recommended that copies of this memorandum be distributed to those staff for inclusion in their SRS Manuals.

OSCA will be providing a statewide video conference training session on this reporting requirement. If you have questions or concerns regarding this or any OSCA, OBTS and SRS related issues, please contact me at (850) 410-1888 or via e-mail at juggerm@flcourts.org.

cc: Gregory Youchock, Chief of Court Services
Kristine Slayden, Senior Court Statistics Consultants