

Expunction & Nondisclosure Research Guide

Overview

This research guide includes information and resources about expunction and nondisclosure of criminal records. An expunction asks the court to permanently remove an entry from someone's criminal record. An order of nondisclosure asks the court to seal the record of certain qualifying offenses from public disclosure. Eligibility for these procedures varies case by case. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Code of Criminal Procedure, Ch. 55 Expunction of Criminal Records
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.5.5.htm>

Government Code §411.081 Criminal History Record Information - Application of Subchapter
<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.4.11.htm#411.081>

Secondary Resources in Print

Texas Criminal Lawyer's Handbook KFT 1775.D36

- Vol. 2, Ch. 22 Expunctions and Non-Disclosures

Expunction & Nondisclosure KFT 1798.9.A9E9

Texas Criminal Forms KFT 1775.A6G5

- Vol. 2, Ch. 22 Expunctions and Non-Disclosure

Texas Criminal and Motor Vehicle Code KFT 1761.A29 T4955

- Code of Criminal Procedure Ch. 55 Expunction of Criminal Records, p. 725-733
 - § 2.28 Duties Regarding Misused Identity, p. 247
 - § 45.0541 Expunction of Failure to Attend School Records, p. 645
 - § 102.006 Fees in Expunction Proceedings, p. 866

O'Connor's Texas Crimes and Consequences KFT 1761.Z9D87

- Ch. 13 Sealing Records

Texas Criminal Practice Guide KFT 1775.T49

- Vol. 1, Ch. 11 Expunction of Arrest Records

Punishment & Probation KFT 9750.B4

- Chs. 1 & 2 – pgs. 42, 52, 54

Criminal Laws of Texas KFT 9206.C7

- Code of Criminal Procedure, Ch. 55 Expunction of Criminal Records (*see Index for additional sections*)

The Criminal Law Handbook: Know Your Rights, Survive the System KF 9619.6.B47

- Ch. 22 Sentencing, Sealing or Expunging Arrest Records, p. 483, 484
- Ch. 26 Juvenile Courts and Procedures, p. 570-572
- Ch. 27 Prison Rules, p. 594

Criminal Law: A Desk Reference KF 9271.B47

- Expungement of Criminal Records, p.140
- Juvenile Crimes, p. 213

Texas Criminal Code & Rules Annotated KFT 1761.A29 T4938

CLE Materials

Advanced Criminal Law Course KFT 1761.S7

- 2019 Ch. 14: Understanding Expunctions & Nondisclosures
- 2019 Ch. 30: Pursuing Nondisclosure: Protection from Disclosure of Criminal History Records Following a DWI Conviction
- 2018 Ch. 9: Understanding Expunctions & Nondisclosures
- 2017 Ch. 5: Understanding Expunctions & Nondisclosures
- 2016 Ch. 12: Understanding Expunctions & Nondisclosures
- 2014 Ch. 22: Expunctions: Cleaning Up the Mess
- 2013 Ch. 27: A Basic Guide to Expunctions
- 2012 Ch. 15: Basic Guide to Expunctions

Advanced Civil Appellate Practice KFT 1755.A75S7

- 2018 Ch. 3: Supreme Court of Texas Update, Section XII: Expunctions of Arrest Records, p. 24

Online Resources

I Need to Clear Arrest from my Record (Expunction)
<https://texaslawhelp.org/toolkit/i-need-clear-arrest-from-my-record-expunction>

Nondisclosure Orders and Sealing Your Criminal Record in Texas
<https://texaslawhelp.org/article/nondisclosure-orders-and-sealing-your-criminal-record-in-texas>

Orders of Nondisclosure (Texas Judicial Branch)
<https://www.txcourts.gov/rules-forms/orders-of-nondisclosure/>

Expunctions & Nondisclosure Orders Research Guide (TSLL) <https://guides.sll.texas.gov/expunctions-and-non-disclosure>

Fresh Start App (Texas Law Help)
<https://texaslawhelp.org/guided-form/fresh-start>

Post-Conviction (Tarrant County Criminal District Attorney)

<https://www.tarrantcounty.com/en/criminal-district-attorney/criminal-division/post-conviction.html>

Crime Records (Texas Department of Public Safety)

<https://www.dps.texas.gov/section/crime-records>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)