

# Sealing of Records

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Las Vegas Municipal Court



## Notice

This document contains instructions for using the Las Vegas Municipal Court’s record sealing stipulation process, which eliminates the need for a court hearing per NRS 179.245(4).

If you prefer to not use the stipulation process, you have the right to schedule a hearing upon filing your Petition to Seal Records with the Las Vegas Municipal Court.

No section of this document should be construed as providing legal advice.  
Record Sealing is a technical area of the law. You are encouraged to consult with private legal counsel.

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## Eligibility

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The Las Vegas Municipal Court may be petitioned for the sealing of misdemeanor criminal records pursuant to the [Nevada Revised Statutes \(NRS\) 179.245 through 179.255](#).

Per the NRS, the following convictions are not eligible for sealing until the following time frames have been met from the date of release from actual custody or from the date the petitioner is no longer under a suspended sentence, whichever occurs later.

- **Misdemeanor DUI** (Driving under the Influence of Drugs and/or Alcohol) **7 years**
- **Misdemeanor BDV** (Battery Domestic Violence) **7 years**
- **Misdemeanor Battery** (pursuant to NRS 200.481) **2 Years**
- **Misdemeanor Harassment or Stalking** **2 Years**
- **Violation of an Order for Protection against Harassment or Stalking** **2 Years**
- **Misdemeanor** (Ex: Traffic, Petit Larceny, Trespassing, etc.) **1 year**
- **Dismissed / Denied / Acquitted Misdemeanors** **No Waiting period**

Please note that the City Attorney may elect not to stipulate to the sealing of records in cases that are Dismissed/Denied until the end of the statute of limitations (one year)

The following are some of the reasons that your request to stipulate to the sealing of records may be denied:

- Procedural mistakes such as: required documents or fees were not included / unable to accurately identify the defendant or the charges listed / missing signatures / missing or incorrect information / etc.

Procedural mistakes may be corrected and the documents resubmitted; please see [Page 6](#) for more information.

- Statutory length of time since completion of sentencing requirements has not been satisfied (See NRS 179.245)
- You have pending and/or active case(s) in any jurisdiction.
- You have any misdemeanor charge that was recently denied or dismissed by the City Attorney's Office.
- You have included any offense in your request to seal records that occurred within a jurisdiction other than that of the Las Vegas Municipal Court. Examples of other jurisdictions are, but not limited to: Eighth Judicial District Court of Nevada, Las Vegas Justice Court, North Las Vegas Justice/Municipal Courts, etc.

**PLEASE SEE PAGE 6 FOR YOUR OPTIONS IF THE REQUEST TO STIPULATE TO THE SEALING OF RECORDS IS DENIED.**

### Step One - Obtain Your Criminal History Reports

**A current and verified criminal history report from the Central Repository for Nevada Records is required.**

You may also wish to obtain your local criminal history report (SCOPE) from the Las Vegas Metropolitan Police Department and/or case dispositions from the Las Vegas Municipal Court to ensure you are aware of your full history. There is no legal requirement to include this information.

#### 1) Nevada Criminal History Central Repository - REQUIRED

The Nevada Department of Public Safety Criminal History Repository can provide you with a criminal history report (CHR) for the state of Nevada.

It may take several weeks to receive your results from the NV Criminal History Central Repository.

For current fees and additional information, please refer to the request form **DPS-006** found at: <http://rccd.nv.gov/>

**Contact:**

Department of Public Safety  
General Services Division  
Attn: Fingerprint Support Unit  
333 West Nye Lane, Suite 100  
Carson City, Nevada 89706

(775) 684-6262

<http://rccd.nv.gov/>

#### 2) Las Vegas Metropolitan Police Department (Not required)

The Las Vegas Metropolitan Police Department can provide you with a criminal history report for arrests/violations occurring in the City of Las Vegas. (SCOPE)

**Contact:**

Las Vegas Metropolitan Police Department  
Records Section  
400 S. Martin Luther King Blvd., BLDG. C  
Las Vegas, Nevada 89106

(702) 828-3271

[www.lvmpd.com](http://www.lvmpd.com)

#### 3) Las Vegas Municipal Court (Not required)

Las Vegas Municipal Court can provide Judgments of Conviction / Dispositions by request or online for free for all records that are currently maintained by the Court.

A Records Request form is included in the back of this handbook.

**Contact:**

City of Las Vegas Municipal Court  
Attn: Records Management  
P.O. Box 3950  
Las Vegas, NV 89104

(702) 229-2235

[www.lasvegasnevada.gov/municipalcourt](http://www.lasvegasnevada.gov/municipalcourt)

## Step Two – Prepare Record Sealing Forms

The following legal forms are required when you file your Petition:

- **Civil Cover Sheet** (CCS)
- **Petition to Seal Records** (PTS)
- **Declaration and Verification** (DV)
- **Stipulation to Seal Records** (STS)
- **Order to Seal Records** (OTS)
- **Criminal History information from the Central Repository**

Blank, fillable legal forms can be found at: <http://lasvegasnevada.gov/municipalcourt> under “Forms and Information”

- If you are an Attorney filing on behalf of the Petitioner, use: **Record Sealing Forms – Attorney Filing**
- If you are the Defendant filing in Proper Person, use: **Record Sealing Forms – Pro Per**

Each version contains the required documents listed above, as well as a Notice of Entry of Order & Certificate of Mailing. You may also use your own legal forms as long as they provide the required information listed below.

The Petition to Seal and the Order to Seal **must** include the following information to accurately identify the Petitioner:

- Petitioner’s full name and known aliases
- Petitioner’s Date of Birth
- Petitioner or Petitioner’s Representative’s Address and Phone Number
- A list of all agencies, companies, officials, or other custodian of records to whom the order to Seal will be directed. This includes, but is not limited to: Las Vegas City Attorney, Las Vegas Municipal Court, Las Vegas Metropolitan Police Department and the Nevada Department of Public Safety.

The Petition to Seal and the Order to Seal **must** include the following information to accurately identify the charges:

- Date of Arrest/Violation for each charge
- Violation Description for each charge
- Las Vegas Municipal Court Case Number for each charge if available
- Final Disposition of each charge if available
- Final Disposition Date of each charge if available

If you don’t know the final disposition, the disposition date or the Court Case Number for one or more charges, you may wish to obtain case dispositions from Las Vegas Municipal Court. A research request form is included in the back of this booklet.

Charges should be listed in chronological order by arrest/violation date.

**Once you have entered in the required information, sign and date each document where applicable. The fillable forms provided by the court (as mentioned above) will provide information on where to sign.**

**Note:** Each document (Petition, Declaration and Verification, Order, and Stipulation) must be signed and dated. If signatures are missing, or typed in rather than signed on any of the listed documents it will be cause for immediate denial of your request to stipulate to seal your records. Your Record Sealing Forms will be returned to you for corrections.

## Additional Copies

Three certified copies of the Order and one copy of the Stipulation will be returned to you upon approval of your request to stipulate to seal your records. If you would like additional copies of the Order and/or Stipulation returned to you (beyond the standard three (3)), please include a written request stating the number of additional copies being requested. If you use the legal forms provided by the Court, a copy request form is included for your convenience.

## Step Three – Filing the Petition and Applicable Fees

### Fees

There are several fees that may apply when sealing your records with the Las Vegas Municipal Court.

<b>Filing fee:</b>	<b>\$50.00 (required at time of submittal)</b> A check or money order is required if mailing the packet to the Court. If you drop the packet off in person, most forms of payment are accepted at the customer service windows.
Additional Copies:	\$0.50 per page
Additional Certified Copies:	\$3.00 per certification
Resubmittal fee:	There is no additional charge for resubmitting a denied request to stipulate to seal your records packet. However, your original filing fee is only valid for 3 months. If you resubmit a denied request to stipulate to seal your records packet after that time, you will need to pay a new \$50.00 filing fee.

### **Checks or Money Orders should be made payable to “City of Las Vegas Municipal Court”.**

**Note:** The \$50 filing fee is required at time of submittal. If missing, your record sealing packet will be returned to you.

**Do NOT include extra payment for additional copies or extra certified copies at time of submittal.**

If you have requested additional certified copies of the Order to Seal, you will be notified of any additional fees after your Order to Seal has been signed by the Judge and filed by the Court. Please see the Request for Additional Copies Form.

### Organize your Petition Packet in the following order:

- \$50 filing fee payment (if paying by check or money order)
- Civil Cover Sheet
- Request for additional copies (optional)
- Petition to Seal Records
- Declaration and Verification
- Stipulation to Seal Records
- Order to Seal Records
- Criminal History Report from the Nevada Criminal History Central Repository
- SCOPE from Las Vegas Metropolitan Police Department (optional)
- Self-Addressed Stamped Envelope

You are now ready to submit the packet.

## Location and Mailing Information

Once you have collected the required documents, self-addressed stamped envelope and filing fee, you have the option of mailing them to the Las Vegas Municipal Court Records Management Unit, or dropping them off in person at the customer service counter of the Las Vegas Municipal Court.

### Mail to:

Las Vegas Municipal Court  
ATTN: RECORDS MANAGEMENT  
PO Box 3950  
Las Vegas, NV 89127

### Drop off in person at:

Las Vegas Municipal Court  
Customer Service Counter – 1<sup>st</sup> Floor  
@ [The Regional Justice Center](#)  
[200 Lewis Ave.](#)  
[Las Vegas, NV 89101](#)

**Note:** Do not mail or drop off your record sealing packet directly to the Las Vegas City Attorney's Office; doing so may create an unnecessary delay in processing your request.

## **Step Four – Options if your Stipulation is Denied**

If your Stipulation is denied, the Court will return the following documents to you:

- 1 Denial Letter listing the reason the Stipulation was denied
- 1 copy of the filing fee receipt
- 1 copy of the Petition (the Court keeps the original)
- 1 copy of the Declaration and Verification (the Court keeps the original)
- Original Order
- Original Stipulation
- Criminal History Report from the Nevada Criminal History Central Repository
- All other documents provided

When you receive the denial packet, you have several options:

- If possible, you may correct any mistakes and resubmit. When resubmitting, please include a copy of the Denial Letter and a copy of the filing fee receipt. A new \$50 filing fee is **NOT** required if resubmitted within 3 months.
- You may request a hearing to present your Petition before a Judge. The Court will schedule a hearing date.
- If you have criminal records in multiple jurisdictions, you may, instead of filing a petition in each court, file a petition in the District Court for the sealing of such records. Please be aware that if you are **only** sealing cases from Las Vegas Municipal Court you **CANNOT** Petition the District Court for sealing.

## **Step Five – Your Petition is Approved**

If the Stipulation and Petition are approved, the Order will be signed by the Judge and filed with the Court. The Court will seal all cases in the Las Vegas Municipal Court system and the following documents will be returned to you:

- 1 Compliance Letter
- 1 copy of the Stipulation to Seal Records (*Signed by the City Attorney / Filed by the Court*)
- 3 certified copies of the Order to Seal Records (*Signed by the Judge and City Attorney / Filed by the Court*)

Once you have received the above documents back from the court, it is your responsibility as the Petitioner to distribute copies of the filed and certified copies of the Order to any agencies known to be involved with the charges in question, including but not limited to those listed on the Petition and Order.

**Note:** When making use of this stipulation process, it is unnecessary to return a certified copy of the Order to Seal to the Las Vegas Municipal Court. When you receive an approved Petition and Stipulation, the Order to Seal will have already been filed with the Las Vegas Municipal Court and the records sealed within the system.

Please check for the File Stamp on the top right corner of the first page of the Order to Seal to verify that it was entered.

A **Notice of Entry of Order to Seal Records** and a **Certificate of Mailing** should be included with each Order being mailed out. If you used the Court provided legal forms, these two documents were already included.

One of the certified copies of the filed/stamped Order should also be retained by you for your records.

## *Additional Information & Contacts*

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### **Record Sealing Information & Useful Resources**

Legal Aid Center of Nevada (702) 386-1070  
<http://www.lacsn.org/>

Nevada Department of Public Safety Records, Communications and Compliance Division (775) 684-6262  
<http://rccd.nv.gov/>

Nevada Legislature  
<http://www.leg.state.nv.us/>

### **Common Agencies / Courts / Prosecuting Attorneys**

Las Vegas Metropolitan Police Department (702) 828-3271  
<http://www.lvmpd.com/>

Las Vegas City Attorney (702) 229-6201  
<http://www.lasvegasnevada.gov/>

Clark County District Attorney (702) 671-2500  
<http://www.clarkcountynv.gov/district-attorney>

8th Judicial District Court of Nevada (702) 671-4528  
<http://www.clarkcountycourts.us/>

Las Vegas Justice Court (702) 671-3100  
<http://www.lasvegasjusticecourt.us/>

Nevada Attorney General (702) 486-3420  
<http://ag.nv.gov/>

