

# Notification of Sealing of Records by Qualified Third Party

## Expedited Record Update Service Agreement/Notification of Expungement or Sealing of records by qualified third party

### NOTICE OF RIGHTS TO OPT IN OR OUT OF THE ERUS SERVICE

After you have had your criminal record expunged or sealed by the court, private background check companies could still be reporting your criminal record for up to a year or more to potential employers, landlords, or anyone else who purchases a background check on you. The Ohio legislature passed a law (O.R.C. 109.38) which authorized the Attorney General to select a vendor, Higbee and Associates, to instruct background check companies to promptly remove your sealed or expunged records. As a pilot project which is in effect from February 05, 2018, through September 29, 2018. Other sections of the Ohio Revised Code for reference are ORC 2953.32, 2953.37, 2953.38, 2953.53. Fairborn Municipal Court as a matter of course currently notifies the following of any sealed convictions: Prosecuting Attorney, Arresting Agency, BCI & I, Intellicorp, Christopher Perucci, Attorney at Law, Advantage Data, Experian, Innovative Enterprises, Inc. This notification is included in the \$50.00 filing fee.

The \$45 fee for this service is in addition to your application fee to have your records sealed/expunged in the Fairborn Municipal Court. This separate filing fee is payable to the Fairborn Municipal Court Clerk and **MUST BE PAID** when you apply for a record sealing or expungement. You **must also sign** this Rights Form which notifies the court of your option.

#### How the Process Works:

If the court grants your petition and the \$45 fee is paid, the court will notify Higbee & Associates (**RecordGone.com Division**). Higbee & Associates will then promptly instruct background check companies to remove your sealed or expunged record from all future background check reports. If your request to seal or expunge a record is denied, then the \$45 fee for this service is returned to you by the court.

#### To Learn More or To Check On the Status of Your Expedited Record Update Service

Go to <http://www.RecordGone.com/erus>.

I agree to have my case record sent to Higbee and Associates so they will process the Expedited Record Update Service, ERUS, at the cost of \$45.00.

NAME \_\_\_\_\_

CASE # \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

I opt out of the ERUS, PLEASE DO NOT INSTRUCT HIGBEE AND ASSOCIATES to process the Expedited Record Update Service, ERUS

NAME \_\_\_\_\_

CASE # \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**DISCLAIMER:** Please note: Fairborn Municipal Court has not contracted with Higbee & Associates for this service. The Ohio Attorney General chose this firm. If you **OPT IN** to this program with Higbee & Associates, the Fairborn Municipal Court does not guarantee that every record of your case will be completely eradicated from all data repositories. **If you have any questions or concerns regarding the effectiveness of this program, please contact Higbee & Associates at <http://www.RecordGone.com/erus>.**