

What is Student Legal Services?

Established in 1979, Student Legal Services has four full-time, licensed attorneys to provide free legal services to enrolled UCF students.

We assist students with:

- ◆ Most criminal matters.
- ◆ Traffic tickets.
- ◆ Simple wills.
- ◆ Landlord tenant matters.
- ◆ Consumer issues.
- ◆ Chapter 7 bankruptcies.
- ◆ Uncontested divorces.

Students are only responsible for paying any court costs, fees incidental to litigation, fines, penalties, or amounts of any judgments awarded against you.

We cannot represent students against other students, students against UCF or the State of Florida, students in their income producing activities, and students in university disciplinary matters.

This brochure is for informational purposes only and is not intended to be a substitute for legal advice.

Like UCF Student Legal Services on Facebook! Or follow us on Twitter @UCFStudentLegal!

Having a problem?

Have Questions?

Come see us!



STUDENT LEGAL SERVICES

Serving Students since 1979



STUDENT LEGAL
SERVICES

You can find us at:
Ferrell Commons 142

Phone: 407-823-2538

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<http://sls.sdes.ucf.edu/>

STUDENT LEGAL SERVICES

Criminal Records and Employment



Ferrell
Commons 142

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What you need to know about criminal records and employment.

Many students visit Student Legal Services (SLS) concerned about the employment implications of a criminal record. Close to half of Florida jobs are subject to criminal record limitations or background checks. SLS can help students understand their options and assist with sealing and expunging of eligible criminal records.

Employment Applications

Many students are unsure on how to answer questions on employment applications about criminal convictions. Generally, read application questions carefully and only answer the question. Lies and omissions on applications are frequently grounds for termination of employment.

Juvenile Records

Under Florida Statute § 943.0515, juvenile records are automatically expunged at age 24 or 26. If the individual was classified as a habitual or serious offender or committed to a juvenile facility, the record will not be expunged until 26. Otherwise, the juvenile record will be expunged at 24.

However, there are exceptions:

1. If the individual has been charged with or convicted of a forcible felony as an adult.
2. If a minor is adjudicated as an adult for a forcible felony.
3. Additionally, certain sex crimes, as listed in the statute, will not be expunged, if the minor was found delinquent and 14 years or older at the time of

the offense. These include sexual battery and molestation.

Sealing or Expunging of Adult Criminal Records

Adults have a **once per lifetime** opportunity to expunge or seal a record created from one incident. To be eligible:

1. The individual must have never been found guilty of a crime.
2. Never have petitioned to have a record sealed or expunged in another state.

Expunging

A charge which was dismissed before trial (e.g., no information, nolle prosequi, no bill, etc.) may be expunged immediately, unless there were other charges from the same arrest that were disposed of differently (i.e. acquittal, adjudication withheld, etc.)

Sealing

A charge upon which adjudication was withheld or an acquittal verdict was returned can be sealed. After being sealed for 10 years, if the individual has not subsequently been found guilty of a crime, the charge can be expunged.

If there was a plea of guilty or nolo contendere or a finding of guilt and adjudication withheld, certain categories of crimes cannot be sealed and subsequently expunged. They include: domestic violence, sex crimes, homicide, aggravated assault or battery, arson, child abuse and other crimes listed in Florida Statute § 907.041.

What Sealing and Expunging Actually Mean

When you seal or expunge your record, the general public does not have access to the information. If you have your record sealed

or expunged, you can legally deny that you have ever been arrested/charged.

However, there are exceptions! Even when your record is sealed or expunged, some entities still can access the information under certain circumstances (and you cannot legally deny the record, under those circumstances). These include:

1. Seeking employment/licensing with criminal justice agencies, at a Florida seaport, DOE, most schools, DCF, Agency for Health Care Administration, Department of Health, any state contractor that has contact with children, persons with disabilities or the elderly;
2. The justice system when you are a defendant in a criminal case or applying to have a record sealed or expunged;
3. Seeking admission to the Florida Bar; and
4. Purchasing a firearm where a background check is required.

If your record is sealed, the entities can see the record. If it is expunged, then they can see that something was expunged and can ask a court to allow them access to the record.

If you are thinking of having your criminal history sealed or expunged, please make an appointment with SLS! The preceding is general information, and the expunging/sealing process has many nuances which SLS will be happy to guide you through.

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