



LEGAL AID
of Southeast and Central Ohio

FREE Legal Help in Southeast and Central Ohio

Legal Aid of Southeast and Central Ohio (LASCO) offers free noncriminal legal help for people with low income, veterans, and seniors in 36 counties. We work every day to make sure you are treated fairly. Have a legal question about family law, housing, public benefits, or another noncriminal issue? Contact us.

What Legal Issues Can I Get Free Help With?

Housing

- Evictions
- Landlord-Tenant Disputes
- Housing Subsidies
- Discrimination

Family and Children

- Education Concerns
- Domestic Violence
- Child Custody
- Divorce

Immigration

- Naturalization
- Cases of Survivors of Crimes
- Asylum

Community Building

- Nonprofit and Small Business Assistance
- Driver's License Reinstatement
- Record Sealing

Specific Populations

- Seniors
- Veterans
- LGBTQIA+

Money and Debt

- Collections
- Car Repossession
- Bankruptcy
- Foreclosure
- IRS Problems
- Wills

Household Income

- Child and Spousal Support
- Social Security and SSI
- Unemployment
- Wage Garnishments
- Food Stamps
- Utility Shut-offs
- Public Benefits

Health

- Medicare and Medicaid
- Advance Directives

Contact Us for Free Legal Help

Call us at **1-888-246-4420** to see if we can help or flip this paper over to find a local office.

Use our easy, confidential online system. Get started at **lasco.org/apply**.

Contact LASCO Online

Find legal help online.

Online Resource Center

Guides and brochures are available to help you with common legal questions. They are completely free.

Visit the LASCO resource center at lasco.org/resource-center.

Apply For Help Online

Our online application is an easy-to-follow question and answer form that will help us better understand your problem and get in touch.

Start your application at lasco.org/apply.



Call Us: 1-888-246-4420

Call our intake line to apply by phone. We serve 36 counties. LASCO is an equal opportunity organization and will not allow discrimination of any kind.

Our Community Offices

Athens

964 East State St., Athens, Ohio 45701

Counties Served: Athens, Gallia, Hocking, Meigs, Morgan, Vinton, and Washington

Chillicothe

73 East Water St., Chillicothe, Ohio 45601

Counties Served: Fairfield, Fayette, Jackson, Pickaway, Pike, and Ross

Columbus

1108 City Park Ave., Columbus, Ohio 43206

Counties Served: Franklin and Madison

Marion

150 Oak St., Marion, Ohio 43302

Counties Served: Delaware, Marion, Morrow, and Union

Newark

15 West Locust St., Suite A, Newark, Ohio 43055

Counties Served: Knox, Licking, Muskingum, and Perry

New Philadelphia

255 2nd St. NE, Suite D, New Philadelphia, Ohio 44663

Counties Served: Carroll, Coshocton, Guernsey, Holmes, and Tuscarawas

Portsmouth

800 Gallia St., Suite 700, Portsmouth, Ohio 45662

Counties Served: Adams, Lawrence, and Scioto

Steubenville

500 Market St., Suite 705, Steubenville, Ohio 43952

Counties Served: Belmont, Harrison, Jefferson, Monroe, and Noble

Saving Your Home from Foreclosure



Open and respond to all letters from your servicer.

The sooner you deal with missing mortgage payments, the easier it is to find a solution!



Contact your servicer.

Even if you have not missed a payment yet, talk to the company sending you bills if you see a problem arising. Many servicers are willing to work with homeowners. You may be able to create a repayment plan, add the missed payment to the remaining balance, or modify the loan. When you call, try asking for the LOSS MITIGATION division.



Stay in your home.

You do not have to leave your house until it is sold at a Sheriff's sale. Continue to live in your house while you are trying to get help. Foreclosure may take anywhere from six months to more than a year, depending on the court.



Keep a record of all contact with your servicer.

Keep a list of who you spoke to, when you spoke to them, and what was said. If you send a letter, keep a copy of it, both a physical copy and a photograph or digital scan. If you receive a letter, make a backup copy with a photo or a scan.



Respond to summons in 28 days.

If your loan servicer has filed a foreclosure complaint, you will receive a summons and court papers. You must respond to the bank's attorney and the Court in writing within 28 days. If you need more time, you must ask for it within the 28 days.



Ask the Court for mediation and more time to answer.

If you receive court papers, you can ask the Court to extend your 28-day answer deadline and to send the case to mediation. A mediator, where available may be able to help you negotiate with the bank. The mediator is not your attorney, but with their help you may be able to get your loan back on track and stay in your home.



Beware of foreclosure scams!

Scam artists sometimes target defendants named in foreclosure proceedings. **Never** sign your property over to anyone offering to save your home. **Solutions that sound too good to be true usually are!**



Talk to an attorney.

Legal Aid can review documents that your lender may want you to sign to make sure your interests are protected. In some cases, we can also review court papers. You may also qualify for assistance at a free legal clinic. If you do not qualify for help at Legal Aid, we strongly encourage you to seek the help of a private attorney.

Have Questions? We Can Help.

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Online lasco.org

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LSC
America's Partner
for Equal Justice
LEGAL AID OF SOUTHEAST AND CENTRAL OHIO

Adult record sealing and expungement

A GUIDE TO POST-CONVICTION REMEDIES IN OHIO



LEGAL AID

of Southeast and Central Ohio

STEP

1 WHO CAN APPLY TO SEAL A CONVICTION?

To apply for record sealing or expungement, the applicant must not have any open or pending criminal cases, including warrants and traffic cases which may include warrants, traffic cases, and community control.

Sealing vs. Expungement

SEALING:

Sealing removes the record from public view, but it still may be visible to certain groups, such as law enforcement, government, or specific types of employers.

Sealing is like locking the record in a filing cabinet and only certain people have the key.

STEP

2 WHICH RECORDS ARE ELIGIBLE?

Any **DISMISSAL** can be **SEALED**. If the charge can be expunged as a conviction the **dismissal can also be expunged**

Any **CONVICTION** can be **sealed or expunged EXCEPT:**

- Traffic and motor vehicle convictions in Table 3
- Felony offenses of violence in Table 1
- Sex offenses when the offender is subject to requirements of Chapter 2950 (Table 2)
- Offenses where the victim was under 13 (except non-support R.C. 2919.21)
- Felonies of the first or second degree
- Domestic Violence (R.C. 2919.25) (except for M4)
- Violations of a Protection Order (R.C. 2919.27)
- Felonies of the third degree (F3s) when the applicant has more than one felony of any degree or if the applicant has two F3s + two misdemeanors + any other conviction.

EXPUNGEMENT:

Expungement removes the record entirely.

Expungement is like putting the record in a paper shredder

BUT

Records may be accessed if there are future criminal proceedings.

TABLE 1: Offenses of Violence (2901.01(9)(a))

2905.01 Abduction	2919.22 (B)(1), (2), (3), or (4) Endangering children	2903.02 Murder
2909.02 Aggravated arson	2921.34 Escape	29034(A)(1) Patient Abuse or Neglect
2903.12 Aggravated assault	2905.11 Extortion	2903.15 Permitting child abuse
2911.11 Aggravated burglary	2903.11 Felonious assault	2907.02 Rape
2903.21 Aggravated menacing	2923.161 Improperly discharging a firearm	2911.02 Robbery
2903.01 Aggravated murder	2917.01 Inciting to violence	2907.03 Sexual battery
2917.02 Aggravated riot	921.03 Intimidation	2903.18 Strangulation
2911.01 Aggravated robbery	2921.04 Intimidation of attorney, victim, or witness	2909.24 Terrorism
2909.03 Arson	2903.04 Involuntary manslaughter	2905.32 Trafficking in persons
2903.13 Assault	2905.01 Kidnapping	2903.03 Voluntary manslaughter
2911.12 (A)(1), (2), or (3) Burglary	2903.22 Menacing	Attempt, conspiracy, or complicity of any listed offense
2912.25 Domestic violence	2903.211 Menacing by stalking	

TABLE 2: Example Requirements of Chapter 2950

Classification	Example offenses	Requirement
Tier III	Rape	Offenders are required to register every 90 days for life
	Sexual Battery	
	GSI/victim under 12	
Tier II	Compelling prostitution	Offenders are required to register every 180 days for 25 years
	Trafficking in persons	
Tier I	Importuning	Offenders are subject to registration once every 12 months for up to 15 years
	Voyeurism	
	Pandering obscenity	

TABLE 3: Traffic + Motor Vehicle Offenses

The following offenses cannot be sealed or expunged:

Chapter 4511: speed, OVI, driving while texting, etc.
Chapter 4506: CDL related offenses
Chapter 4507: driver's license-related offenses
Chapter 4510: drivers license suspensions
Chapter 4549: hit-skip, fictitious license plates, etc.

Local Rules:

Offenses charged under local statutes that are the same or substantially similar to state statutes can never be sealed or expunged.

R.C. 2953.61(B)(1) exception:

When charged with multiple and connected traffic offenses and only ONE of the offenses results in a conviction under 4507, 4510, 4511, or 4549 (except OVI or physical control) the court can seal or expunge the whole record if all other offenses are eligible.

3 >> WHEN CAN A PERSON APPLY?



All convictions on the application must reach final discharge and the applicable waiting period. Final discharge means there is a final judgment and may include completing of community control and paying fines/restitution. Waiting periods vary based on the offense. There is no waiting period for dismissals.

How Long Do I Wait After My Case Is Discharged?

Level of Offense	Sealing	Expungement
Minor Misdemeanor	6 months	6 months
Misdemeanor (M4-M1)	1 year	1 year
4th or 5th degree Felonies	1 year	sealing time period + 10 years (=11 years)
3rd degree Felonies	3 years	sealing time period + 10 years (= 13 years)
Offenses subject to 2950 reporting (sex offenses)	5 years after reporting requirements end	5 years after reporting requirements end (+10 years for felonies)
Theft in office 2921.43	7 years	7 years
Bail forfeiture	Any time after the date which the forfeiture was entered upon the court minutes or journal	M1-M4: 1 year after the decision is entered MM: 6 months after the decisions is entered
No bill	2 years after the decision is reported	2 years after the decision is reported

4 >> HOW DOES A PERSON APPLY?

Applications must be filed in the court where the conviction or dismissal occurred. Applicants may need to apply in more than one court. Every court has its own application forms and processes. The Clerk of Courts can provide information about what documents are needed and how to file them. The Clerk can usually disclose a person's case number, name and degree of the offense, date of conviction, and date of case discharge.

The filing fee is \$50 per application, and courts can charge up to \$50 for local court costs. The applicant file multiple multiple cases on the application without paying an additional fee.

Applicants can ask the court to waive the pre-collection of this fee by completing a poverty affidavit (sometimes called an "affidavit of indigence"). Applications to seal dismissals should be free. If a hearing is scheduled, the applicant must attend.

What if Your Record Is Already Sealed?

Applicants who have sealed records can apply to expunge those records. They will likely need to request a copy of the judgment entries.

PREPARING FOR A HEARING << 5

The court will hold a hearing 45-90 days after the application is filed. Applicants may receive a written objection from the prosecutor. Even if the prosecutor objects, applicants must still attend the hearing to explain why they would like to seal or expunge their records.

At the hearing, the court will make sure that the applicant has no open or pending cases, that all cases on the application have reached final discharge, and that each offense is eligible for sealing or expungement.

Applicants should be prepared to discuss the steps they have taken toward rehabilitation, including any therapy, substance abuse counseling, etc. Applicants will need to show that their interest in having the record sealed or expunged outweighs the government's interest in keeping the record public. This can be any reason the applicant wants the record addressed, such as better job opportunities, housing, volunteering, etc.

What Can I Do if I Am Being Harassed by a Collection Agency?



Do I have to talk with the collection agency?

If you are getting phone calls from a collection agency about a debt, you do not have to talk with them. You cannot go to jail for not paying the debt.



How can I get the collection agency to stop calling me?

If you want to get the debt collector to stop calling you, you should mail a "Do Not Contact" letter to the collection agency. A [sample letter](#) is available at the Consumer Financial Protection Bureau's website, www.consumerfinance.gov. You should send the letter through certified mail, return receipt. Before you mail the letter, make a copy of the letter and the envelope.

If the creditor contacts you after receiving this letter, you should mark down the data and time the call and contact an attorney to see if you can take additional action against the creditor.



Are my income and belongings exempt from collection?

Ohio law protects some income and belongings from collection. Here are the most common items that are protected and the amount that is protected:

Asset	Amount protected
Personal residence	\$161,375
Personal earnings	\$217.50 per week or 75% of disposable earnings
Vehicle	\$4,450
Money (cash on hand or in bank account)	\$550
Jewelry (one piece)	\$1,875

Are my income and belongings exempt from collection? (continued from previous page)

Items of personal property	\$14,875 (no item exceeding \$700)
Property for business purpose	\$2,825
Damages from a personal injury lawsuit (not including pain and suffering)	\$27,950
Benefits from accidents or health insurance	Anything reasonably necessary to support the debtor and any dependents
Social Security, SSI, Disability, Child Support, Ohio Works First, or Unemployment Compensation	All protected
Pension, annuity, or retirement	Anything reasonably necessary to support the debtor and any dependents



What should I do if the collection agency keeps calling me?

If you send a "Do Not Contact" letter and the collection agency keeps calling you, you should talk to an attorney.

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