

Court Service Center

New Hampshire Trial Courts

ANNULMENT OF CRIMINAL RECORDS

General information:

- ☐ You may petition the court to annul a criminal charge or conviction. Generally speaking, you may file a petition for violation level offenses one year after the terms of your sentence have been completed, two years for class B misdemeanors, and three years for class A misdemeanors and any misdemeanor where the victim was at the time of the offense either a family or household member, or currently or formerly involved in a romantic relationship with you. If a charge was dismissed, Not Proven or resulted in a not guilty finding, you may petition the court immediately.
- ☐ Refer to RSA 651:5 and Rule 31 of the NH Rules of Criminal Procedure for more information regarding eligibility, timeframes, and the annulment process.
- ☐ You must file a separate petition for each charge you want annulled. Multiple charges/cases cannot be entered on one form.

Forms lists below are needed to start this action:

- ☐ Petition to Annul Record (NHJB-2317-DS)

Other items that may be needed:

- ☐ Photo identification is required if you want court staff take your oath on the petition.
- ☐ You may request a computer case summary from the court to assist in filling out the petition.

Information needed to fill out the petition:

- ☐ Your name, address, phone number and DOB.
- ☐ Case number, offense, offense date, RSA violated, date of conviction, date sentence completed, and disposition/description of sentence.

How much will this cost?

- ☐ Filing fee of **\$125.00**. This covers multiple cases if the petitions are filed at the same time.
- ☐ The Department of Corrections will also charge **\$100.00** to perform a criminal investigation. This fee is paid directly to them, not the court. They will notify you by letter when it is due.
- ☐ The Department of Safety will also charge a fee of **\$100.00** to research and correct the criminal history if the Petition to Annul is granted. This fee is paid directly to them, not the court. The Department of Safety can be contacted at 603-223-3867.

What happens next?

- ☐ Your petition is mailed to the Department of Corrections (DOC) and other law enforcement agencies who review it and make a recommendation to the Court.
- ☐ The DOC will contact you to fill out a questionnaire. The Court will not take action on the petition until the DOC files their report, so a prompt response expedites the whole process.
- ☐ In most cases, you will be notified by mail of the Court's decision. In some instances, a hearing may be scheduled prior to making a decision.
- ☐ The annulment process is lengthy; do not expect an immediate answer. It can take several months for the Court to grant or deny your petition. Plan ahead if this affects a job opportunity.

Forms and Instructions are available at any NH District or Superior Court

Additional information can be found at:

<http://www.courts.state.nh.us/>



NEW HAMPSHIRE BAR ASSOCIATION

Pro Bono Referral Program

NHBA Pro Bono Annulment Intake Form

Applicant Name _____
(Prior Names Used if any) _____
Date of Birth _____ Marital Status: _____
Address _____
Phone # _____ Veteran: ☐ Yes ☐ No
Email Address _____

Total number in your household: Over 18: _____ Under 18: _____

List all household members (including yourself) and income from all sources (if any) for each member. List your income before taxes and other deductions.

Name	Date of Birth	Relationship to Applicant	Gross Income	Income Source	Weekly or Monthly
SELF	See Above	SELF			

Do you anticipate a change in income? ____ Yes ____ No

If so, please explain: _____

If you have no income, please explain how you are able to pay expenses, etc.: _____

Asset Type	Name on Account	Current Balance
Checking Account		
Savings Account		
Other		

Do you have medical, employment-related, child-support or other fixed monthly expenses?
\$ _____/monthly for _____.

Demographic Information:

Race: ☐ Asian/Pacific Islander ☐ Black ☐ Hispanic ☐ Native American ☐ White

Gender: _____

Is your primary language English? ☐ Yes ☐ No If no, please specify: _____

Do you need an interpreter? ☐ Yes ☐ No

Do you have a disability? ☐ Yes ☐ No (If yes, do you need accommodations?) _____

How did you hear about the Pro Bono Program? _____

Reason for seeking an annulment:

__ employment __ housing __ military __ college __ other _____



NEW HAMPSHIRE BAR ASSOCIATION

Pro Bono Referral Program

Information related to your charges:

Please attach your New Hampshire Criminal History Record and NH Driving Record, if you have them; otherwise, request these records from the NH Department of Safety. If you cannot afford the fees to request your records, please contact Pro Bono at 603-224-5387 (this service depends on financial eligibility).

Please call the court center at 1-855-212-1234 and request any case summaries under your name (or previous names you might have used). These can be emailed to you or forwarded directly to Pro Bono at pbreferrals@nhbar.org.

Most recent New Hampshire criminal charges, if known:

Date: _____ Type: _____

Were you found guilty? ☐ Yes ☐ No

Terms of sentencing completed? ☐ Yes ☐ No

Date sentencing terms completed: _____

Court (s): _____

Any known motor vehicle violations:

Any DUI/DWI charges? _____

Have you completed all the terms of sentencing for **past charges**? ☐ Yes ☐ No

Have you paid all fines/restitution associated with **past charges**? ☐ Yes ☐ No

Past charges (please list): _____

Did you have a public defender? ☐ Yes ☐ No

Name(s): _____

Please list the name(s) of other NH attorney whose services you have used: _____

Have you been charged or convicted of any criminal activity in states other than NH?

☐ Yes ☐ No, if yes, please explain: _____

Have you had a petition to annul your record denied in the past three years? ☐ Yes ☐ No

2 Pillsbury Street; Suite 300, Concord, NH 03301-3502
Pro Bono Office: (603) 224-5387 ~ FAX: (603) 715-3295