



Office of Court Administration

**Instructions for Completing the Model
Petition for Order of Nondisclosure
Under Section 411.0729**

USE THIS PETITION ONLY IF THE COURT REQUIRES IT OR FAILS TO CONSIDER YOU FOR AN AUTOMATIC ORDER OF NONDISCLOSURE UNDER [GOVERNMENT CODE SECTION 411.0729](#). BEFORE BEGINNING MAKE SURE YOU ARE USING THE CORRECT PETITION. DO NOT ATTEMPT TO COMPLETE A PETITION FOR AN ORDER OF NONDISCLOSURE WITHOUT FIRST REVIEWING THE NONDISCLOSURE OVERVIEW TO DETERMINE IF YOU ARE ELIGIBLE FOR AN ORDER OF NONDISCLOSURE AND TO IDENTIFY THE CORRECT FORMS TO USE. THE NONDISCLOSURE OVERVIEW IS AVAILABLE ON THE OFFICE OF COURT ADMINISTRATION'S WEBSITE AT THIS [LINK](#).

TO BE ELIGIBLE TO USE THIS FORM **EACH** OF THE FOLLOWING STATEMENTS MUST BE **TRUE**.

1. The offense for which the order of nondisclosure is requested is a misdemeanor offense.
2. You were placed on community supervision, including deferred adjudication community supervision, for the offense, and you successfully completed all conditions of the community supervision.
3. You are a veteran of the United States Armed Forces, including a member of the reserves, national guard, or state guard.
4. You successfully completed a veterans reemployment program established under Subchapter H-1, Chapter 42A, Code of Criminal Procedure. *(Please note that if the court approved your participation in the program, you will probably satisfy this requirement.)*

IF ONE OF THE ABOVE STATEMENTS IS FALSE, THIS IS NOT THE CORRECT PETITION FOR YOU. You may be eligible for an order of nondisclosure under another section of the Government Code. You should return to the nondisclosure overview to determine if you are eligible for an order of nondisclosure under another section.

INSTRUCTIONS FOR COMPLETING PETITION

THE STATUTE DOES NOT REQUIRE YOU TO FILE A PETITION FOR AN ORDER OF NONDISCLOSURE UNDER SECTION 411.0729. THE COURT SHOULD AUTOMATICALLY CONSIDER YOU FOR AN ORDER UPON SUCCESSFUL COMPLETION OF THE VETERANS REEMPLOYMENT PROGRAM. YOU SHOULD USE THE PETITION AND ORDER ONLY IF THE COURT REQUIRES IT OR FORGETS TO CONSIDER YOU FOR AN AUTOMATIC ORDER UPON YOUR SUCCESSFUL COMPLETION OF THE PROGRAM.

- (1) Please leave this line blank. This is not the number of your criminal case. A civil case will be created when you file the petition. The clerk of the court (hereinafter “clerk”) will enter a new cause number in this space.
- (2) Please enter the name of the court in which you are filing this petition. You must file this petition in the court that placed you on community supervision, including deferred adjudication community supervision. The name of the court is shown on the top of the judgment or order that placed you on community supervision.
- (3) Please enter your name as it appears on the top of the judgment or order that placed you on community supervision, including deferred adjudication community supervision.
- (4) Please enter the name of the county in which the court is located.
- (5) Please enter your name as you did in (3) above.
- (6) Please enter the name of the offense for which the order of nondisclosure is requested. This should be the offense for which you were placed on community supervision, including deferred adjudication community supervision.
- (7) Please enter the criminal cause number as it appears on the judgment, or order that placed you on deferred adjudication community supervision. Look for *Cause* or *Case Number* on that judgment or order.
- (8) Please enter the date that you successfully completed the veterans reemployment program and all other conditions of your community supervision. If you completed the reemployment program before you completed all other conditions of your community supervision, including deferred adjudication community supervision, put the date that you successfully completed community supervision.

- (9) Please select “is” if you are attaching proof of your successful completion of the veterans reemployment program. Although attaching proof of successful completion of the program may expedite the process for obtaining the order, it is not required. Please select “is not” if you are not attaching proof.
- (10) ***The statute does not require you to file a petition for an order under this section.*** However, you may have to pay various fees and costs associated with obtaining the order. If you are unable to pay the fees and costs, you may submit a [Statement of Inability to Afford Payment of Court Costs](#). The statement is described in more detail in Rule 145 of the [Texas Rules of Civil Procedure](#). Please contact the court clerk for the court in which you are filing the petition to obtain the total amount due when you file the petition.

Please place an “x” on the line in front of the first statement, if you are paying the fees and costs. If you are submitting a **Statement of Inability to Afford Payment of Court Costs**, place an “x” on the line in front of the second statement.

- (11) Please sign above the line.
- (12) Please PRINT your name.
- (13) Please enter your mailing address.
- (14) Please enter your city, state and zip code.
- (15) Please enter your telephone number.

THE PROCESS AFTER YOU COMPLETE THE PETITION

The statute does not require you to file a petition for an order under Section 411.0729. Instead, on successful completion of the veterans reemployment program and all other conditions of your community supervision, the court, on its own initiative, should consider you for an order under Section 411.0729. The prosecutor is entitled to notice and the court must hold a hearing.

If the court grants the order, the clerk will send a copy of the order to DPS no later than 15 business days after the order issues. Upon receiving the order, DPS will have 10 business days to seal, not delete, the criminal history record information that is subject to the order and forward a copy of the order to the state and federal agencies listed in [Government Code Section 411.075\(b\)](#). It is important to note that some agencies,

including law enforcement agencies, will still have access to the information, although the information is sealed. You will find a list of such agencies at [Government Code Section 411.0765](#).