

Expungement Summary



CHARGES THAT ARE ELIGIBLE FOR <u>EXPUNGEMENT</u> (PETITION ONLY!)	
Type of Charge	Explanation
Non-conviction (<i>withdrawn, nolle prossed, dismissed, not guilty</i>)	<ul style="list-style-type: none"> • Eligible for expungement immediately following final disposition. • Grade does not matter.
Diversion program (<i>e.g. ARD, Section 17</i>)	<ul style="list-style-type: none"> • Eligible for expungement following completion of diversion program, though may be waiting period depending on the program. • Grade does not matter. • Fines and costs must be paid off! • For ARD, must attach ARD Completion Letter to petition.
Summary Convictions	<ul style="list-style-type: none"> • Eligible for expungement if there is a 5-year arrest-free period following conviction. • Only for convictions with <i>summary</i> grades. • Fines and costs must be paid off!
Convictions for clients who are over 70 years old	<ul style="list-style-type: none"> • Eligible for expungement if client is over 70 and has a 10 year arrest-free period since conviction. • Grade does not matter (even felony convictions can be expunged!) • Fines and costs must be paid off!

If not eligible for expungement,
move on to sealing analysis.

Clean Slate Summary- Act 56 of 2018



AUTOMATED SEALING

(goes into effect between June 28, 2019 and June 27, 2020)

General Rule	Convictions with grades of M2, M3, M if all financial obligations are paid.
Time Since Conviction	10 year period after conviction without another M or F conviction.
Excluded Convictions (misdemeanors that can't be sealed by automation)	<ul style="list-style-type: none"> • Art. B offense (crimes of violence) • Art. D offense (crimes against the family) • Firearms • Sexual offense requiring registration/tiered sexual offense • Cruelty to animals & corruption of minors • Attempt, conspiracy, solicitation to commit any of the above. • Any conviction which arose from the same case as: conviction of M1 or higher or any conviction for the offenses above.
Disqualifying Convictions (review rest of record; these convictions disqualify a person from automated sealing of otherwise eligible misdemeanors)	<ul style="list-style-type: none"> • Felony • 2 or more M1s • 4 or more Ms of any kind • Indecent exposure, sexual intercourse w/ animal, failure to comply w/ registration req'ts, weapons/implements to escape, abuse of corpse, prohibiting paramilitary training.
Summary Convictions	Conviction must be 10+ years with all financial obligations paid.
Non-Convictions	Automatically sealed after 60 days.

PETITION-BASED SEALING

(in effect as of December 26, 2018)

General Rule	Convictions with grades of M1, M2, M3, M if all financial obligations are paid.
Time Since Conviction	10 year period after conviction without another M or F conviction.
Excluded Convictions (misdemeanors that can't be sealed)	<ul style="list-style-type: none"> • M1 Art. B offense (crimes of violence) • M1 Art. D offense (crimes against the family) • M1 firearms • M1 sexual offense requiring registration/tiered sexual offense • M1 corruption of minors • Attempt, conspiracy, solicitation to commit any of the above.
Disqualifying Convictions (review rest of record; these convictions disqualify a person from sealing of otherwise eligible misdemeanors)	<p>Ever convicted of:</p> <ul style="list-style-type: none"> • Murder, F1, or offense punishable by more than 20 yrs <p>Within last 20 years, convicted of:</p> <ul style="list-style-type: none"> • Felony involving any of: Art. B, Art. D, firearms, sexual offense/tier system • 4 or more M2s or higher <p>Within last 15 years, convicted of:</p> <ul style="list-style-type: none"> • 2 or more M1s or higher • Indecent exposure, sexual intercourse w/ animal, failure to comply w/registration req'ts, weapons/implements for escape, abuse of corpse, prohibiting paramilitary training.