

Sealing of Misdemeanor Convictions



Is the conviction eligible for **petition** sealing?

A § 9122.1(b)(2)(i)
Has the person ever been convicted of an F1, murder, or an offense punishable by more than 20 years prison?

YES	NO
Misdemeanor and felony convictions on the record cannot be sealed. A pardon is required.	GO TO B

B § 9122.2(a)(1.1); (a,1)
Is the conviction you're trying to seal an M1 for one of the following?

- Pt. II Art. B offense - danger to person, **except Terroristic Threats** (§2706) (M1 terroristic threats is eligible to be sealed by petition);
- Pt. II Art. D offense - offense against family;
- Ch. 61 offense - firearms/other dangerous articles;
- § 9799.14/.55 - sexual offense/tier system/reg.;
- § 6301 - corruption of minors

YES	NO
The conviction is not eligible for sealing. A pardon is required.	GO TO C

C § 9122.1(a)
Was the person convicted of any misdemeanor or felony convictions in the last 7 years?

YES	NO
Not currently eligible for sealing. Could be eligible in the future.	GO TO D

See top of right column.

D § 9122.1(b)(2)(iii)
Within the past 10 years, does the person have 2 or more cases with M1 or felony convictions?

YES	NO
Not currently eligible for sealing; Could be eligible in the future.	GO TO E

E § 9122.1(b)(2)(ii)
Within the past 15 years, does the person have any of the following?

- 4 or more cases with M2 convictions or higher
- Conviction for felony for any of the following:
 - Pt. II Art. B offense - danger to person;
 - Pt. II Art. D offense - offense against family;
 - Ch. 61 offense - firearms/other dangerous articles;
 - §9799.14/.55- sexual offense/tier system/registration
- Conviction for any of the following:
 - indecent exposure;
 - sexual intercourse w/ animal;
 - failure to comply w/registration requirements;
 - weapons/implements for escape;
 - abuse of corpse; prohibiting paramilitary training

YES	NO
Not currently eligible for sealing; Could be eligible in the future.	GO TO F

§ 9122.2(a)(1)
Is restitution owed on the case you're trying to seal?

YES	NO
Not eligible for sealing but could be eligible if restitution is paid.	This conviction is eligible for sealing by petition! GO TO G to learn if it is eligible for automated sealing.

Sealing of Misdemeanor Convictions Cont'd



Is the conviction eligible for **automated** sealing?

G § 9122.2(a)(1)
What is the grade of the conviction you're trying to seal?

<p>M1 - Not eligible for automated sealing. Requires a petition.</p>	<p>M2, M3 or M Go to H</p>
---	---------------------------------------

H § 9122.3(a)(2); § 9122.3(a.1)
Are there any of the following on the person's record?

- Felony conviction, **except for a "qualifying offense*";**
- Case with 3 or more felony convictions;
- 2 or more cases with M1 convictions or higher;
- 4 or more cases with M convictions or higher
- Conviction under:
 - § 3129 - sexual intercourse w/ animal;
 - § 4915.1/.2 - failure to comply w/ registration req'ts;
 - § 5122 - weapons/implements to escape;
 - § 5510 - abuse of corpse;
 - § 5515 - prohibiting paramilitary training

YES	NO
↓	↓
<p>Not eligible for automated sealing. Requires a petition.</p>	<p>GO TO I</p>

I § 9122.3(a)(1)
Is the conviction you're trying to seal any of the following:

- Pt. II Art. B offense - danger to person;
- Pt. II Art. D offense - offense against family;
- Ch. 61 offense - firearms/other dangerous articles;
- 42 Pa. C.S. § 9799.14/.55 offense - sexual offense/tier system;
- § 5533 - cruelty to animals;
- § 6301 - corruption of minors

YES	NO
↓	↓
<p>Not eligible for automated sealing; Requires a petition.</p>	<p>GO TO J</p>

J § 9122.3(b)
Look at the case (docket) containing the conviction you're trying to seal.

- Did a conviction of an M1 or higher, other than a "qualifying offense*," or any offenses listed under I arise out of that case?

YES	NO
↓	↓
<p>Not eligible for automated sealing; Requires a petition.</p>	<p>The conviction is eligible for automated sealing!</p>

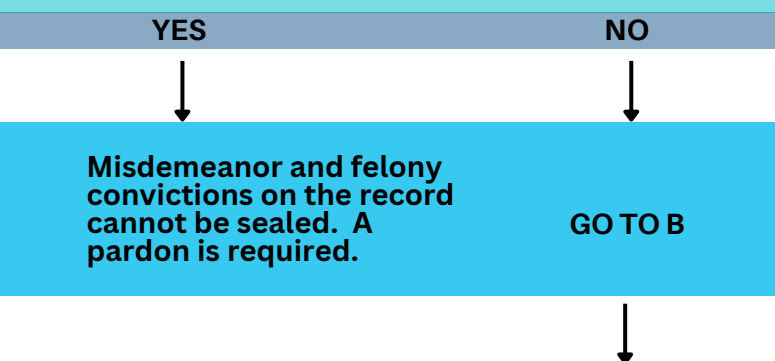
***Qualifying offense (§9102):** A drug felony (under 35 § 780-113, or an attempt, conspiracy or solicitation to commit an offense under 35 § 780-113) unless the judge imposed 30 - 60 months prison or more (i.e., unless a minimum sentence of 30 months or more or a maximum sentence of 60 months or more of imprisonment was imposed on the offense).



Sealing of Felony Convictions

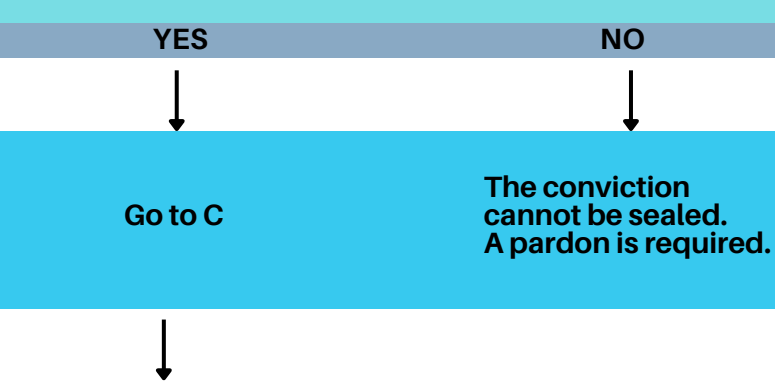
Is the conviction eligible for **petition** sealing?

A § 9122.1(b)(2)(i)
Has this person ever been convicted of an F1, murder, or an offense punishable by more than 20 years prison?

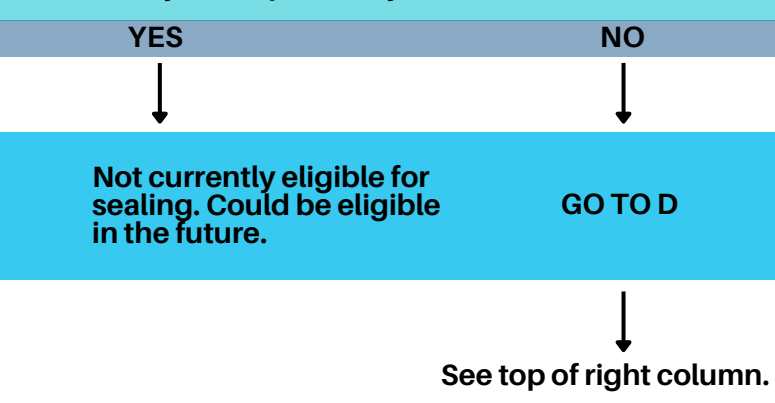


B § 9122.2(a)(1.1); (a.1)
Is the conviction you're trying to seal one of the following?

- Drug felony "qualifying offense"*
- F3 or F Criminal mischief (3304);
- F3 or F Trespass (3503);
- F3 or F Theft (39xx; all Ch 39);
- F3 or F Fraud (41xx; all Ch 41);
- F3 or F Welfare fraud (62 Pa.C.S. § 481);
- F3 or F Conspiracy, attempt or solicitation of any of the above

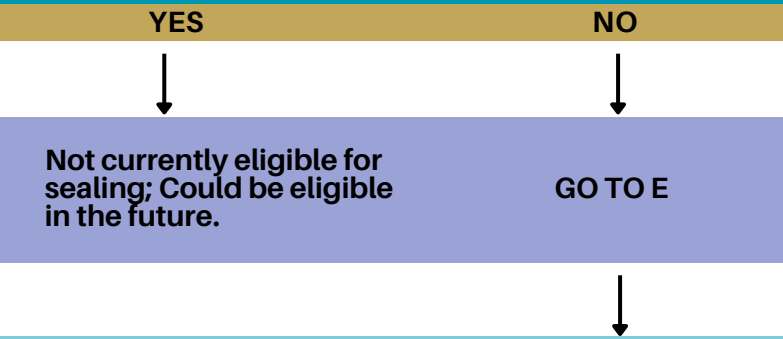


C §9122.1(a.1); (b)(2)(iii)
Was the person convicted of a misdemeanor or felony in the past ten years?

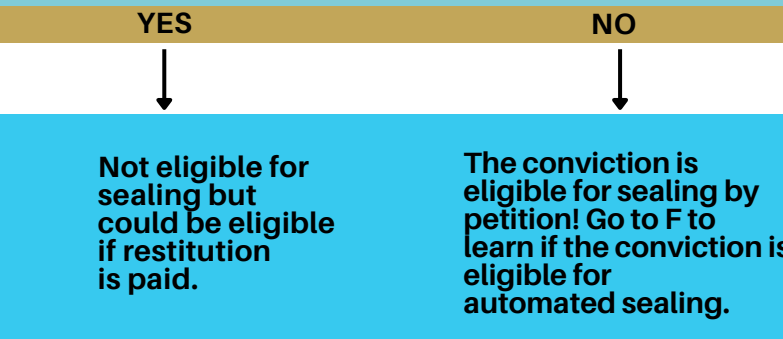


D §9122.1(b)(2)(ii)
Within the past 15 years, does the person have any of the following?

- 4 or more cases with M2 convictions or higher
- Conviction for **felony** for any of the following:
 - Pt. II Art. B offense - danger to person;
 - Pt. II Art. D offense - offense against family;
 - Ch. 61 offense - firearms/other dangerous articles;
 - § 9799.14/.55 - sexual offense/tier system/registration
- Conviction for any of the following: indecent exposure; sexual intercourse w/ animal; failure to comply w/registration req'ts; weapons/implements for escape; abuse of corpse; prohibiting paramilitary training



E §9122.1(a); (a.1)
Is restitution owed on the case?



↓
See top of next page.

***Qualifying offense (§9102):** A drug felony (under 35 § 780-113, or an attempt, conspiracy or solicitation to commit an offense under 35 § 780-113) unless the judge imposed 30 - 60 months prison or more (i.e., unless a minimum sentence of 30 months or more or a maximum sentence of 60 months or more of imprisonment was imposed on the offense).

Sealing of Felony Convictions Cont'd



Is the conviction eligible for **automated** sealing?

F §9122.3(a)(1)
Is the conviction you're trying to seal a drug felony "qualifying offense" *?

YES	NO
↓	↓
GO TO G	Not eligible for automated sealing; a petition is required.

G §9122.3(a)(2); §9122.3(a.1)
Are there any of the following on the person's record?

- Felony conviction, except for a "qualifying offense*";
- A case with 3 or more felony convictions;
- 2 or more cases with M1 convictions or higher;
- 4 or more cases with M convictions or higher
- A conviction for: § 3129 - sexual intercourse w/ animal; § 4915.1/.2 - failure to comply w/ registration req'ts; § 5122 - weapons/implements to escape; § 5510 - abuse of corpse; § 5515 - prohibiting paramilitary training

YES	NO
↓	↓
Not eligible for automated sealing. A petition is required.	GO TO H

↓
See top of right column.

H §9122.3(b)
Look at the case (docket) containing the conviction you're trying to seal. Did a conviction of an M1 or higher, other than a "qualifying offense" *, or any of the following offenses arise out of that case?

- Pt. II Art. B offense - danger to person;
- Pt. II Art. D offense - offense against family;
- Ch. 61 offense - firearms/other dangerous articles;
- 42 Pa. C.S. § 9799.14/.55 offense - sexual offense/tier system;
- § 5533 - cruelty to animals;
- § 6301 - corruption of minors

YES	NO
↓	↓
Not eligible for automated sealing. A petition is required.	The conviction is eligible for automated sealing!

***Qualifying offense (§9102):** A drug felony (under 35 § 780-113, or an attempt, conspiracy or solicitation to commit an offense under 35 § 780-113) unless the judge imposed 30 - 60 months prison or more (i.e., unless a minimum sentence of 30 months or more or a maximum sentence of 60 months or more of imprisonment was imposed on the offense).