

What Can Be Expunged Or Sealed

Arrests and convictions unless expunged or sealed are available to the general public.

Expunge means to erase or destroy criminal records relating to an arrest or court case

- Arrests and criminal cases are eligible for expungement if they result in no conviction.

Seal means to hide records from public view accessible only to law enforcement and those with legal authorization

- Any employer required by law to conduct fingerprint background checks can access sealed felony records.

Ineligible Offenses (convictions and supervisions)

1. DUI /Reckless Driving
 - a. Reckless driving exception: must be under 25 at time of conviction to seal
2. Dog Fighting / Animal Cruelty
3. Domestic Battery / Violations of Orders of Protection /Stalking No Contact Order
4. Sex Crimes
 - a. Sex Crimes exception: prostitution and misdemeanor public indecency

Just because an offense is eligible for relief does not mean you are entitled to relief. Only a judge in their discretion can grant requests for expungement or sealing. Judges use the following factors to decide whether to grant or deny petitions:

1. The strength of the evidence supporting the conviction.
2. Reasons why the State wants to keep your record public.
3. Your age, criminal record, and employment history.
4. The period of time between your most recent case or arrest and the date of the hearing.
5. Specific negative results you may suffer if your petition is denied.

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Cannabis convictions

Certain types of cannabis convictions can be vacated (dismissed) and expunged. Eligible convictions must meet all the following criteria:

1. Convictions must have occurred before June 25, 2019
2. Must be a misdemeanor or class 4 felony
3. Must be one of the following offenses:
 - a. Possession of Cannabis
 - b. Attempted possession of Cannabis
 - c. Manufacture/Delivery of Cannabis
 - d. Attempted Manufacture/Delivery of Cannabis

Time Commitment

If your cases are primarily in Chicago you can expect the process to take 7 to 9 months from the time you file. If your cases are outside of Chicago it will take about 2-3 months from the time you file.

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