

Adult Expungement & Sealing Flow Chart

Are there any convictions on the record?

Convictions include sentences of:

- (1) Probation
- (2) Conditional Discharge
- (3) Jail or Prison Time
- (4) Time Considered Served
- (5) Fines or Ex-Parte Judgments

And Unsatisfactory Termination of Supervision or Qualified Probation Sentences

Any conviction – anywhere – even for Class A and Class B traffic offenses bars expungement of *any* criminal record.

Are there any pending cases?

If yes, cannot expunge or seal at this time

If no, proceed to determine eligibility

If NO, may be eligible for EXPUNGEMENT.

If YES, may be eligible for SEALING.

Acquittals & Dismissals

Stricken off with Leave to Reinstete, Nolle Prosequi, Finding of No Probable Cause, Not Guilty, Non-Suit, RWOC

Supervision (satisfactorily completed)

EXCEPT: DUI, Reckless Driving & Sex Offenses Involving Minors

710-1410 Probation (satisfactorily completed)

TASC Probation (satisfactorily completed & vacated)

Second Chance Probation (satisfactorily completed & dismissed)

Offender Initiative Program (satisfactorily completed & nolle'd)

Acquittals, Dismissals, or "released without charging"

Supervisions

Except Violent Offenses or Sex Crimes (see bottom center box)

Misdemeanor Convictions, 710-1410 Probation, and TASC Probation

Except Violent Offenses or Sex Crimes (see bottom center box)

Felony Convictions Class 4:

- PCS
- Poss. Marijuana
- Prostitution
- Poss. Burg. Tools

Class 3 or 4:

- Forgery
- Retail Theft
- Theft
- Deceptive Practices

Class 3:

- PCS w/intent to deliver

No waiting period

Except for SOL or Non-Suit which is 160 days

2-year waiting period from completion of sentence

Unless listed below

5-year waiting period from completion of sentence

Requires proof of clean drug test taken within 30 days of filing.

No waiting period

Except for SOL or Non-Suit which is 160 days

2-year waiting period* from satisfactory completion of last sentence

But see Waiting Period Exceptions Box

3-year waiting period* from completion of last sentence of any conviction

But see Waiting Period Exceptions Box

3-year waiting period* from completion of last sentence of any conviction

But see Waiting Period Exceptions Box

Waiting Period Exceptions

Eligible offenses can be sealed upon termination of last sentence if client earned high school diploma, associate's degree, career certificate, vocational technical certification, bachelor's degree, or GED during that sentence, aftercare release, or mandatory supervised release.

Eligible drug convictions require proof of clean drug test taken within 30 days of filing

****Unsealable misdemeanor convictions & supervisions****

"Violent Offenses"- Domestic Battery, Violations of Orders of Protection, Violations of No Stalking Orders

"Sex Crimes" – Criminal Sexual Assault/Abuse, Patronizing a Prostitute, Solicitation, Public Indecency (and many others you never see, all under Article 11 of the Criminal Code)

Dog Fighting, Animal Cruelty, DUIs & Reckless Driving

Last sentence is the termination of the last conviction or supervision in time, in any jurisdiction, whether or not it's eligible for sealing. If sentenced to DOC, the termination is the discharge date from mandatory supervised release (a/k/a parole).