

Frequently Asked Questions

Who is eligible to expunge their record?

You need to look at your entire record to see if you are eligible to expunge, even cases from other counties and other states. You can only **expunge** your record if you have **no** convictions at all. This means that all your cases were dismissed, you were found not guilty, and/or you received supervision which you completed successfully. You may also still be eligible for expungement if you received a special type of probation. If you have been on supervision for a DUI, reckless driving or a sex offense against a minor, you cannot expunge it, but you may still be able to expunge the rest of your record.

Who is eligible to seal their record?

If you have ever been convicted of a crime, a serious traffic offense (such as a DUI, reckless driving or driving on a suspended license), or a municipal ordinance violation, you cannot expunge your record. However, you may still be able to **seal** all or part of your record. You can seal any case that was dismissed. If you received supervision or were convicted of a misdemeanor, you may be able to seal it. However, generally you cannot seal a misdemeanor supervision or conviction if it is for a crime of a violent nature or a sexual nature, a DUI or reckless driving, or some other categories of crimes. You can seal a limited number of non-violent Class 3 and Class 4 felonies.

What is a conviction? What is not a conviction?

A conviction is a finding of guilt. You have a conviction if you get: probation, conditional discharge, time considered served, prison or jail time, or pay a fine for a city or municipal ordinance violation. The following are not considered to be convictions: supervision completed successfully, a case that gets dismissed, a finding of no probable cause, a non-suit, a finding of not guilty, or successful completion of special probation.

What is the difference between expunging and sealing?

Expunged records are destroyed or returned to you, and can only ever be used again in very limited circumstances. Sealed records are impounded rather than destroyed, but law enforcement will continue to have access to sealed records. In addition, employers in fields related to “public safety” are able to see sealed records when they run a background check. For example, if you apply to work for a hospital, school, daycare, or public transportation agency, those employers would likely still be able to see a sealed record.

Do I have a waiting period before I can seal or expunge my record?

It depends. If you have any supervisions or convictions, you may have a waiting period of two, three, four, or five years, depending on the type of case.

Where do I file?

Cook County has six court districts: Chicago, Skokie, Rolling Meadows, Maywood, Bridgeview, and Markham. If your case was heard in Chicago, you will have to file your petition in Chicago. If your case was heard in one of the five suburban districts, you will have to go to the courthouse for that specific district to file your petition. If you have had cases in multiple courthouses, then you will have to go to multiple courthouses to file your petitions.

Will there be a court hearing?

In Chicago, Maywood, Markham, and Rolling Meadows, every expungement or sealing petition will have a hearing. In Skokie and Bridgeview, you will only have a court hearing if there is an objection. If there is an objection, you will be notified by mail.

How much does it cost?

It costs \$135.47 per courthouse. In addition, if you are filing in Chicago, you will need a rap sheet, which costs \$16.00. If you are filing in Chicago or Markham, you will need a certified copy of disposition for each case, which costs \$9.00 per case.

Can I get the fee waived?

If you have no income, or a very low income, you may qualify for a fee waiver. To waive your fee, you must file a fee waiver form at the Clerk's Office at the courthouse where you are filing your petition. You will then appear in front of a judge who will decide whether or not to waive your fee. If you are filing your petition in multiple courthouses, you will have to file multiple petitions.

Do I need to get a rap sheet?

You need a rap sheet from the Chicago Police Department if you are filing your petition in Chicago. You don't need a rap sheet if you are filing in one of the suburban districts.

How do I get a Chicago rap sheet?

Go to the Chicago Police Headquarters at 3510 S. Michigan Ave. between the hours of 8:30 a.m. and 12:00 p.m. Monday thru Friday to get your fingerprints taken. It will cost \$16.00. Bring a photo I.D. You will then have to come back in about a week to pick up your rap sheet.

How long does the entire process take?

From when you file your petition to when your record is actually expunged or sealed (assuming your petition was granted), it usually takes about 4 to 6 months in the suburban districts. In Chicago, it may take more time because of the high volume of cases.

Should I seal or expunge my case if I'm not a citizen?

It depends. If you apply to change your immigration status, you will still have to disclose your criminal record even if it has been expunged or sealed. Therefore, it is advisable to speak with an immigration attorney before expunging or sealing your record, to make sure that it is a good idea in your particular case and in any case, you should get a certified Copy of Disposition for each case.

What if I want to expunge my juvenile record?

Our Help Desk is only able to assist people with adult records. If you are an Evanston resident with a juvenile record, a Moran Center attorney may be able to assist you. You can reach the Moran Center at (847) 492-1410. There is also a Juvenile Expungement Help Desk, sponsored by the Legal Assistance Foundation of Metropolitan Chicago that may be able to assist you. The Juvenile Expungement Help Desk is open on Tuesdays and Thursdays from 9:00 a.m. to 12:00 noon, at 1100 S. Hamilton in Chicago, or you can make an appointment by calling (312) 229-6359.

What if my case cannot be sealed or expunged?

You can apply for a pardon from the governor – this process is called clemency. Be aware that this takes a long time, and the governor may not grant your request. Two organizations that may be able to assist you in filing for clemency are Cabrini Green Legal Aid (call (312) 738-2452 – for Chicago residents only), and Chicago Legal Clinic (call (773) 731-1762).



The James B. Moran Center for Youth Advocacy provides integrated legal and social work services to low-income Evanston youth (21 and younger) and their families.

For more information about the Moran Center, visit www.moran-center.org, or call (847) 492-1410.

***Sealing and Expungement
Help Desk***

Located at the Skokie Courthouse
5600 Old Orchard Rd., Skokie, Illinois
Outside of the Clerk's Office (Room 136)

Every Tuesday and Thursday
10:00 a.m. to Noon

At the Help Desk, volunteer attorneys or interns can:

- Look up your adult criminal record in Cook County using a computer search of your name
- Determine eligibility for sealing or expungement based on your record
- Help you fill out sealing or expungement petitions, if you are eligible
- Explain how you file your petition, and what happens after you file

The Sealing and Expungement Help Desk at the Skokie Courthouse is sponsored by the James B. Moran Center for Youth Advocacy. For more information about the Moran Center, visit www.moran-center.org, or call (847) 492-1410.