



# Cleaning up Your Criminal Record

## A New Law Will Expand Clearing of Criminal Records in Pennsylvania

- A new law called "Clean Slate" will automatically seal many criminal cases, starting around July 2020.
- Automatically sealed cases will include all dropped cases (after 60 days), and many non-violent misdemeanors and summary convictions (after 10 years without a new conviction).
- More misdemeanor convictions will also be eligible to be sealed by filing a petition, starting in 2019. They include:
  - Some 1st degree misdemeanors;
  - Simple assault (2nd or 3rd degree).

## What Cannot Be Sealed?

- 1st degree misdemeanors involving violent crimes and sexual offenses cannot be sealed.
- You cannot seal misdemeanors if:
  - You have had a conviction in the last 10 years.
  - You ever had a 1st degree felony conviction.
  - You have 2 or more felonies or 1st degree misdemeanors in the last 15 years.
  - You have 4 or more convictions in the last 20 years (excluding 3rd degree misdemeanors).
- **You must pay your court fines and costs first!**

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## What Can Be Expunged?

- Non-conviction charges (e.g. dismissed, withdrawn, nolle prossed, not guilty, etc.).
- ARD/Section 17 diversion programs if you complete the program and pay the fine.
- Summary convictions if you have a five-year arrest free period after the conviction.
- Summary convictions if you were under 18 at the time of the offense, you are now over
- 18, AND six months have passed since you completed the sentence and paid the fine.
- Any conviction if you are at least 70 years old and have a ten-year arrest free period since your conviction.
- Some juvenile cases.

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## What Can Be Pardoned?

- Misdemeanor and felony convictions, if a pardon is approved by the Board of Pardons and the Governor.
- Recommended waiting period of at least five years from the completion of a misdemeanor sentence and ten years from the completion of a felony sentence before applying.
- The pardon process is long (it can take 3+ years) and a lot of work (writing essays, gathering documents) but it can be worth it - if you get a pardon, your convictions can be expunged!
- Effective October 1, 2019, the Pennsylvania Board of Pardons has updated the pardon process to include expedited reviews for non-violent and small-amount marijuana and marijuana paraphernalia possessions convictions. There is a 1 year time period for the pardon expedited review program.

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## You Must Pay Your Court Costs and Fines for Your Case to be Sealed or Pardoned

- You can find out if you owe fines and costs by checking your cases available at <https://tinyurl.com/pa-record>. Search by name. Put in your name and date of birth, and "criminal" in the case category. Look at the last page of the "docket sheet" for each case.
- Call the courthouse in the county where you were convicted to find out how to make payments.
- Sometimes the Court will waive the court costs and fees but not the fines or restitution.

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## You can contact NLS for help!

If eligible for our services, we can file expungements and sealing petitions as well as help you figure out if you should apply for a pardon!

You can also apply online at [www.nlsa.us](http://www.nlsa.us) – choose “Get Legal Help”.

Or

Call NLS at 1-877-761-6572 or at any of the numbers at the bottom of the front page.