



## There are 3 ways to clear your record:

**Expungement:** a court order which removes criminal charges and some minor summary offenses from an individual's record.

**Sealing:** limits the public's ability to see certain offenses from an individual's record. There are two types of sealing: automatic and petition-based.

**Pardons:** generally, a pardon from the Governor is the only way to remove some misdemeanors and felony convictions from a person's record.

## How to access your criminal record

To figure out if you're eligible for record clearing, go to: <http://ujportal.pacourts.us>

When you locate your docket sheets pay attention to the docket number and the OTN (Offense Tracking Number). Under final disposition you will see the grade of your offense (summary, misdemeanor, etc).



**Important:** If you owe court costs on a docket sheet, you cannot get the offense expunged until you have paid those fees.

## What can be expunged

### Non-Convictions

(Withdrawn, Nolle Prossed, Dismissed, Not Guilty, Disposition un-reported)

### Summary Offenses

This can include disorderly conduct, loitering, and low-level retail theft

### Certain Misdemeanors

- Charges that were withdrawn, dismissed, or nolle-prossed
- Juvenile misdemeanors and felonies can be expunged under various circumstances
- If you are at least 70 years old and 10 or more years have passed since the time of any criminal proceedings against you



If you live in Allegheny, Beaver, Butler, or Lawrence county and want to seal or expunge your criminal record you can apply for free legal services by applying online at [nlsa.us](http://nlsa.us) or call our intake line at **1-866-761-6572**

## How to apply for an expungement

### Order an Access and Review (A&R)

This record is more thorough than the court docket sheets. A & R reports contain everything on your criminal record including convictions, non-convictions, records that have been sealed under Act 5, juvenile records, etc.

You can order your A&R on [epatch.com](http://epatch.com). There is a \$20 dollar fee. It takes about a week to process and is good for 60 days - **you must file your petition before the A&R expires.**

### Pay off any fines or court fees

You can only get your record expunged if you've paid off your fines. You can do this two ways, 1) pay online, however there is a \$1,000 fee limit, or 2) Get a money order from a bank and pay in person at the court, allowing you to pay any amount.

### Complete expungement petition

You can find petitions at: <http://www.pacourts.us/forms/for-the-public>

Types of Petitions	
<b>FULL:</b> None of the charges in a particular case on your criminal record resulted in a conviction	<b>PARTIAL:</b> When you have both conviction and non-conviction dispositions in the same case
<b>Form 790:</b> If you have any misdemeanor or felony charges in a case, use this petition	<b>Form 490:</b> If the only charges in a particular case were summary offenses, use this petition

Petitions have filing fees that vary by county, so you should check with the clerk's office for current fees. If you do not have money to pay the filing fee, you can ask the court to waive the fee by filing what is called an **In Forma Pauperis Petition (IFP)**. You must list the reasons you are unable to pay the fee and provide proof of your limited income.

## When you file the petition you need to include these forms:

- Cover Sheet
- Court Sheet
- Certificate of Service on the District Attorney
- Access and Review
- Copy of Criminal Docket Sheet
- IFP Approval Document

Make 3 copies

(one for the DA, one for the clerk, and one for you to keep)

## Wait for the DA to either object or accept your petition

They have 30 days to do this for summaries and 60 days for Felonies and Misdemeanors. If the DA does not object a Judge typically takes 30 days to issue an order. For offenses that cannot be expunged, there is the option of sealing your record either by petition based sealing or automatic sealing.

## Sealing your record

A record that is sealed is NOT completely destroyed. The record will still be available to criminal justice agencies and some state agencies, but not to private employers, landlords, or the general public.

### Petition based sealing is NOT possible if your record has:

- Conviction of first degree felonies punishable by imprisonment of 20 years;
- Conviction within 20 years of felonies punishable by 7 or more years in prison that involve crimes against the person or against the family, firearms, or sexual offenses requiring registration;
- Conviction of 4 or more offenses punishable by imprisonment of 2 or more years;
- Conviction within 15 years of 2 or more offenses punishable by more than 2 years in prison, or a number of specific offenses, including: indecent exposure, crime involving weapons, sex with animals, or failure to comply with registration requirements

### A computer will automatically seal your convictions of M2, M3 and Ms if:

you've had no other misdemeanor or felony convictions within 10 years and if all financial obligations are paid. Summary offenses are sealed after 10 years if there are no outstanding court costs. Non-convictions are sealed after 60 days.

## What can be sealed

**M1 & M2:** If 10 years have passed without another conviction

**Summaries:** After 5 years

**Non-Convictions:** Immediately