

Expungement and Sealing Fact Sheet

People with qualifying arrests and convictions may petition the court of their sentencing county to expunge or seal their records.

FACT: If you were not convicted of an offense, i.e. dismissed, SOL, NP, Acquittal, No charges filed, or court supervision, your offense may qualify for expungement.

FACT: Certain special felony probations, such as TASC probation or First Offender drug probation under Section 10 of the Cannabis Control Act, Section 410 of the Controlled Substance Act and Section 70 of the Methamphetamine Control and Community Control Act are not considered convictions and may be eligible for expungement five years from the completion of probation. However, can be petitioned to be sealed immediately upon completing probation.

FACT: Convictions do not qualify for expungement but may qualify for sealing under the ACT

FACT: Juvenile expungement is different from adult expungement. Please read information on our website regarding juvenile expungement for additional information.

FACT: All felonies, are eligible for sealing, unless listed as a current exception under the statute (DUI/reckless driving, animal crimes, sex crimes (exception prostitution) and domestic battery/violations of orders of protection) A petitioner must still file a petition in each jurisdiction and wait three years from the end of the last sentence, or when they are removed from the Murder or Violent Offender Against Youth Registry. (effective immediately 8/25/2017)

FACT: If you complete a higher education (i.e. GED, Associates degree, Bachelors degree, nursing license) while you are on your sentence. Meaning while on your conditional discharge, probation, parole or while incarcerated, you can waive the three year waiting period and file to seal immediately after sentencing is completed.

FACT: You will be charged a fee to file your petition. However, if you cannot afford the filing fee you may file a request to waive the fee along with your petition. (Fee Waiver Application)

This fact sheet was prepared for you by the Office of the State Appellate Defender. The Office of the State Appellate Defender cannot represent you on a petition to expunge or seal your records, but we do provide you with the information you need to determine if you can expunge or seal your record. Please visit our website at www.illinois.gov/osad for more detailed information and forms. You may email us at Expungement@osad.state.il.us or call us toll free at (866)787-1776 with additional questions.

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