

## **Certificate of Sealing**

Starting January 1, 2014, the Legislature changed the law to allow for sealing of Class 3 and Class 4 of the following felony offenses:

Deceptive Practices, Theft, Forgery, Possession of Burglary Tools, Possession of Cannabis, Possession of a Controlled Substance and a Possession with Intent to Deliver a controlled Substance (Class 3 Felony).

With these new offenses now being sealable at the county level, all persons who were convicted of the above offenses, should go to the Circuit Clerk's Office in the County where convicted and obtain a sealing packet. Once forms are completed, they may be filed with the Court to get those felonies sealed by a court order. This will be much quicker and will have the same result as obtaining a Certificate of Sealing.

### **CERTIFICATES OF SEALING**

Any person may file for a Certificate of Sealing or an Executive Clemency, you may **not** file for both simultaneously. If you have a pending Executive Clemency petition, you will not be eligible to file for a Certificate of Sealing until a final decision has been made on your Executive Clemency petition or the pending Executive Clemency petition has been formally withdrawn.

The following offenses do not qualify for a Certificate of Sealing:

- **Sex offenses**
- **Crimes of violence**
- **Domestic Violence cases, including:**
  - **Aggravated Assault**
  - **Violation of an Order of Protection**
  - **Domestic Battery**
  - **Aggravated Battery**
  - **Aggravated Domestic Battery**
- **Gun cases**
- **Driving Under the Influence cases.**

If you have been convicted of a Class 3 or Class 4 felony that was **not** listed above and was not a crime of violence, a sex offense, a domestic violence offense, a gun offense or a Driving Under the Influence of Alcohol offense, then you may be eligible for a Certificate of Sealing. The Certificate of Sealing can only be used with a one-time conviction of a Class 3 or 4 Felony.

## **Qualifying Convictions for Sealing**

You must wait 5 years from the end of the sentence or 5 years from the last arrest before being eligible to file a petition.

If convicted of a **drug offense**, the completion of a drug program and proof of successful completion of a drug program must accompany the petition being filed before the Prisoner Review Board.

The petition shall contain the following:

- brief history of the case
- brief biography of the petitioner
- setting forth his/her full and correct name
- any aliases he/she may have used
- age
- place of birth
- the different places where the petitioner has resided
- the years of residence in each place resided
- the occupations pursued in each locality
- the specific reasons why they need the certificate of sealing.

## **Application Process for Certificate of Sealing:**

The following forms must be filled out, completed, signed and returned as part of the petition:

**[Certificate of Sealing Acknowledgement Form](#)**

**[Certificate of Sealing Application](#)**

**[Guidelines for Certificate of Sealing](#)**

The petitioner shall sign the petition attesting to the petition's truthfulness and his/her signature will be notarized. If the petitioner is unable to sign the petition, then proof of Power of Attorney/Guardianship must be provided with the petition and explanation as to why the petitioner was unable to sign the petition.

The Board will then decide to deny or grant the Certificate of Sealing or to request the petitioner to attend a public hearing which will be located in Springfield or

Chicago on a determined set of dates and times. If denied a certificate, then the petitioner must wait **four years** before refiling or filing for an Executive Clemency unless granted a waiver of the time period by the Chairman of the Board.

If the Board grants a Certificate of Sealing, then a petition can be filed in the Circuit Court for the court to issue an Order of Sealing of Records. If the court orders the sealing of the record, then private companies, individuals and the general public will not be able to see the conviction.

**Filing dates and locations of hearings (if appearance is requested by the Board)\*:**

**October 12, 2016 to October 14, 2016                      Hearings held in Springfield, IL**  
**Deadline for petition:    July 29, 2016 by 5:00 p.m.**

**January 10, 2017 to January 12, 2017                      Hearings held in Springfield, IL**  
**Deadline for petition:    October 25, 2016 by 5:00 p.m.**

**April 11, 2017 to April 13, 2017                              Hearings held in Chicago, IL**  
**Deadline for petition:    January 23, 2017 by 5:00 p.m.**

**July 11, 2017 to July 13, 2017                                Hearings held in Chicago, IL**  
**Deadline for petition:    April 25, 2017 by 5:00 p.m.**

**October 11, 2017 to October 13, 2017                      Hearings held in Chicago, IL**  
**Deadline for petition:    July 25, 2017 by 5:00 p.m.**

**\*Dates of hearings are subject to change or to be extended**

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