

**DO I QUALIFY TO EXPUNGE OR SEAL MY RECORD?**  
**When Answering These Questions**  
**You Must Review Your Entire Arrest History**

Answering the 3 questions located on page 2 will tell you if your record qualifies to be expunged or sealed. Before you can answer these questions, you need to research and document your arrest history.

You must compile your **complete** criminal history. The law allows qualifying arrests, supervision and probation to be expunged. If you have ever been convicted of a criminal offense or municipal ordinance violation, your record may still be eligible for sealing, but you can not expunge the record of your criminal conviction (with the exception of Honorably Discharged Veterans convicted of certain Class 3 or Class 4 felonies).

You must have the following information for every case. Use the [Collecting Information Work Sheet](#) we provide to help you gather and keep track of your information.

**Information You Need For Each Arrest:**

1. The case number;
2. The date of your arrest;
3. The law enforcement agency that arrested you;
4. The charges that were brought against you, if any;
5. The "disposition", final outcome of each case. The types of "dispositions" include terms such as "nolle prosequi", "supervision," and "probation."
6. The date each case was completed. For example, if you were sentenced to probation, you must know the date your probation ended.
7. The "chief legal officer of the unit of local government that affected the arrest."
8. The State's Attorney or prosecutor that prosecuted your case.

**Where You May Go To Get the Information You Need?**

- Police department or county sheriff's department (arresting agency)
- Clerk of the circuit court where your case was handled (county clerk). See our web page of addresses for [Illinois County Clerks](#).
- Illinois State Police, Bureau of Identification 260 North Chicago Street, Joliet, Illinois 60432 (815) 740-5160. Illinois State Police requires a fee for providing this information.
- FBI CJIS Division Record Request, 1000 Custer Hollow Road, Clarksburg, WV 26306 (304) 625-5590. [www.fbi.gov](http://www.fbi.gov). Request to the FBI must be made in writing and must include your name, address, phone number and/or e-mail address, date and place of birth, fingerprints and the required fee. The request must specifically state that you are entitled to a copy of your record under the Freedom of Information Act (FOIA)
- Get your ID#, if possible. This is called the "SID" number and it is assigned to defendants when they get fingerprinted. If you did not get fingerprinted, you won't have a "SID" number. If available, the Illinois State Police can provide your SID number. If you cannot locate your ID number, you can file your paperwork without it.

Contact as many agencies as is necessary to make sure you have all the information about your criminal record and it is accurate.

Using an internet "Background Check" company to obtain your criminal record is **not** recommended for the purpose of expungement or sealing. The records produced by such companies are often expensive, incomplete and inaccurate. Some counties have their criminal history information available on-line. Others utilize a website: [www.judici.com](http://www.judici.com). However, even if you locate your information, this should not be considered a substitute for a "Disposition", available from the Clerk of the Circuit Court.

### Question # 1

**Do you have any charges pending against you at this time? Do you have any cases where a final disposition has not yet been entered?** Final disposition includes you are no longer on parole, probation or court supervision.

**Yes** You will need to wait until the case is resolved and reaches a final disposition before you can determine if you qualify to have your record expunged or sealed.

**No** Proceed to Question # [2](#)

### Question # 2

**Are you an honorably discharged veteran convicted of a non-violent, non-sexual, non gun related Class 3 or Class 4 felony?**

**Yes** You have a conviction on your record, but it may be eligible to expunge. Please refer to Appendix D of the [Expungement and Sealing Overview](#).

**No** Proceed to Question # [3](#)

### Question # 3

**Were you on 2nd Chance Probation under 730 ILCS 5/6-3.4 and 20 ILCS 2630/5.2(b)(7) (which was successfully completed)?**

**Yes** Then you do not have a conviction on your record and it might qualify to be either expunged or sealed. Proceed to [Do I Qualify to Expunge My Record Worksheet?](#)

**No** Proceed to Question # [4](#)

### Question # 4

**Do the dispositions consist entirely of the following terms?**

Acquittal (Finding of Not Guilty)?  
SOL (Stricken with Leave)?  
FNPC (Finding of No Probable Cause)?  
NP (Nolle Prosequi)?  
No charges filed?  
Dismissal?  
Supervision (which was successfully completed)?  
Section 10, 410 (710 or 1410), 70 or TASC Probation (which was successfully completed)?

**Yes** Then you do not have a conviction on your record and it will qualify to be expunged. Proceed to [Do I Qualify to Expunge My Record Worksheet?](#)

**No** Proceed to Question # [5](#)

## Question # 5

**All cases have final dispositions. Does anything say?:**

Probation (except 710, 1410, Section 10, Section 410, 40-10 or TASC probation)?

Conditional Discharge?

Fine (without the term "supervision")?

Time Served?

Jail or DOC Time?

Finding of guilty by a judge or jury (without the term "supervision")?

**Yes** You have a conviction and this record can not be expunged. However, some or all of your records might qualify to be sealed. Proceed to [Do I Qualify to Seal My Record Worksheet?](#)

**No** Please re-check your answers. If you still answer "No" to all the above questions contact our office for assistance. Email us at [expungement@osad.state.il.us](mailto:expungement@osad.state.il.us) or call toll free 866-787-1776.

## Collecting Information Work Sheet

Your *complete* criminal history.

	Case Number	Date of Arrest	Arresting Agency	Charge(s)	Disposition (final outcome)	(If you were sentenced:) Date of Successful Completion of Sentence
1.						
2.						
3.						
4.						
5.						

2. The titles and addresses of the legal entities involved in your case even if you were not prosecuted.<sup>1</sup> Although you will need this information for the notice of filing, it is the responsibility of the Clerk of the Circuit Court to mail the notices to the correct parties.

In addition to the below, the law requires that the Illinois State police receive notice of your petition to expunge or seal, even if you were never charged. The address is: Illinois State Police, Bureau of Identification, 260 N. Chicago Ave., Joliet, Illinois 60432.

	Arresting Authority <sup>2</sup>	Chief Legal Officer of the Unit of Local Government That Affected the Arrest <sup>3</sup>	State's Attorney or prosecutor that prosecuted your case
1.			
2.			
3.			
4.			
5.			

---

<sup>1</sup>You will be charged a fee to file your petition. If you cannot afford the filing fee you should file a request to waive the fee along with your petition. This is called a "Forma Pauperis" form or "Application to Sue as an Indigent Person". If the judge determines you are able to pay the fee, you must pay it or your petition will be dismissed. Contact the circuit clerk's office in the appropriate county to determine the filing fee for your petition. If the Application to Sue or Defend as an Indigent Person is granted, the Illinois State Police will waive their filing fee.

<sup>2</sup>This is the city police department, the county sheriff's department or the State police that arrested you. You do not need the name of the specific officer who arrested you.

<sup>3</sup>This is usually the name of the attorney who represents the city or county that arrested you( it is NOT the sheriff or Chief of Police). It would be the Corporation Counsel or Village Attorney if you were arrested by a city policeman, and the State's Attorney if you were arrested by a county sheriff. or the State Police. Large population centers, (Chicago, Springfield) have an in-house legal team, but smaller towns will usually contract their legal work to a local attorney. This information may be available on the town's website, or you may have to call the village/town/city hall.