

EXPUNGEMENT

How to Determine if You Qualify

Next Steps

IF YOU HAVE ONE FELONY ON YOUR RECORD

- ▶ You may apply to have it set aside
- ▶ You must not have more than 2 misdemeanors on your record
- ▶ You must wait 5 years from the date of the final disposition completion of your sentence (i.e. probation parole, etc.) before applying


YOU **CANNOT** HAVE THESE TYPES OF FELONIES SET ASIDE:

- ▶ Felonies with possible life sentences (i.e. armed robbery, murder, kidnapping, etc.)
- ▶ Criminal sexual conduct except 4th degree (if committed before Jan. 12, 2015)
- ▶ Child abuse
- ▶ Child pornography
- ▶ Using a computer to solicit a minor or for stalking
- ▶ Operating while intoxicated (felony)
- ▶ Felony domestic violence, if you also have a misdemeanor domestic violence
- ▶ Human trafficking
- ▶ Terrorism

IF YOU HAVE ONLY 2 MISDEMEANORS AND NO FELONIES ON YOUR RECORD

- ▶ You may apply to have them both set aside
- ▶ You must wait 5 years from the completion of your sentence (i.e. probation parole, etc.) before applying

ELIGIBILITY

- ▶ Only convictions from MICHIGAN cases can be expunged
 - ▶ However, out-of-state and federal convictions count as priors for determining eligibility
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JUVENILE ADJUDICATIONS

- ▶ If you have juvenile adjudications you wish to have set aside, see an attorney
 - ▶ Slightly different expungement process
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FREE LEGAL REPRESENTATION

- ▶ Free legal representation at hearings
- ▶ Detroit Residences **ONLY**
- ▶ In the court that sentenced you
- ▶ You must follow-up with the city's employment agency for job trainings or job placement assistance
- ▶ You will still be responsible for all of the application costs and fees
 - ▶ \$50 application fee
 - ▶ \$15 fingerprint fee
 - ▶ Postage
 - ▶ Any cost obtaining certified copies of records

STEPS FOR EXPUNGEMENT PROCESS:

1. Determine if you are eligible
2. Obtain from the court of conviction a certified copy of the conviction that you want set aside
3. Get fingerprinted on a RI-8 Card at 3rd Precinct - \$15 fingerprint fee
4. Submit completed application, fingerprint card, certified copy of conviction and \$50 money order payable to Michigan State Police.
5. Submit copy of completed application to Michigan Attorney General
6. Submit copy of completed application to Prosecutor's office.
7. Attend expungement hearing in the court (court & judge where you were convicted)
8. Obtain an Order from the court setting aside conviction
9. Once set aside, the conviction will not appear on your public record

▶ Steps for Project Clean Slate process:

1. Register at Project Clean Slate Conference, or Pre-register online at <http://www.detroitmi.gov/projectcleanslate>
2. Question and Answer with Expert Panel of Judges and Attorneys
3. Consultation with attorney regarding your case history. If you qualify under the State Expungement statute, the attorney will sign off on your transition form for Detroit Employment Solutions Corp. (DESC)
4. Register with DESC to schedule your follow-up meeting with a job readiness service counselor.
5. After follow-up meeting with DESC you will be contacted by Lakeshore Legal Aid or an attorney to handle your application and court date!