

# JUVENILE EXPUNGEMENT ELIGIBILITY

## Can I expunge (erase) my juvenile record?

- \* I was arrested before my 18th birthday
- \* One year has passed since my arrest
- \* I was NEVER brought into Juvenile or Adult Court
- \* Six months has passed without additional arrests or filing of charges
- \* The offense was a Class 3 Felony or lower and did not fall under the sex offender statutes

If **ALL** of the above apply, the State Police and all law enforcement agencies shall automatically expunge (erase) the arrest record on or before January 1st of each year.

- \* I was brought into Juvenile Court and my case was **dismissed** or I was **found not delinquent** (not guilty)
- \* I **was found to be delinquent** (adjudicated) for a Class B or C Misdemeanor offense, petty offense or business offense
- \* I was sentenced to Continuance Under Supervision (CUS) and **successfully completed** all terms of that supervision order including payment of all court ordered mnnies (i.e. fees, restitution)

The Court shall order an automatic expungement of these cases within 60 business days of the completion of the court order terms.

- \* I was found to be delinquent (adjudicated) for a Class A Misdemeanor offense, a Felony that is a **qualifying** offense (NOT a sex offense, NOT an offense that requires registering with the Illinois State Police, NOT a forcible felony and NOT 1st Degree Murder - see attached list)
- \* Two years have passed since the case was closed
- \* I have NO delinquency or criminal charges pending
- \* I have NO further adjudications or convictions

The Court shall order an automatic expungement of the case 2 years after the case was closed.

- \* I was found to be delinquent (adjudicated) of an offense that did not qualify for automatic expungement
- \* I am 18 years or older
- \* I have not been convicted of any additional offense as a juvenile or adult
- \* Two years have passed since the juvenile case terminated
- \* Two years have passed since commitment to IDJJ (juvenile prison) has terminated, including aftercare services

I can petition the Court to expunge my case.

I will **NEVER** be able to expunge my juvenile record if the offense was for 1st Degree Murder, a sex offense or I was convicted of Class A Misdemeanor or any Felony as an adult.