

Q. How can I determine whether a criminal record exists or has been expunged?

- A. Once the judge has granted the expungement, all non-conviction data is eliminated from the physical case files and electronic database. The appropriate criminal justice agencies, such as Adult Probation, the Pennsylvania State Police, and the District Attorney, will then be notified. It may take up to 1 year for the expungement process to be completed after the judge signs an Order of Expungement.



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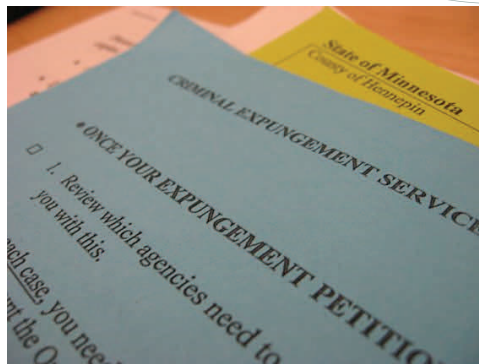
The Alcohol, Tobacco, and Other
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For more information, go to:

- www.pacode.com
- www.alleghenycounty.us/crim/expunge.aspx

RECORD EXPUNGEMENT



Want More Information?

If you need an expungement:

- Call or visit your local Department of Court Records, Criminal Division
- Expungement forms can be located at www.pacourts.us/Forms



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THINGS TO KNOW ABOUT RECORD EXPUNGEMENT

Q. What is expungement?

A. According to Pennsylvania Law 18 Pa.C.S. § 9122, under limited circumstances, individuals may obtain permission to remove criminal records from the files of the Department of Court Records, Criminal Division, and other criminal justice agencies.

Q. Why should a record be expunged?

A. Background checks such as the Act 33/34 Clearance will produce details of criminal cases that may influence future employment opportunities. Criminal offenses include crimes against another person. i.e. assault, sexual molestation, rape, etc. Act 34 check will yield a complete RAP sheet on a person, which includes felony and misdemeanor offenses.

Q. How do I begin the expungement process?

A. Call or visit the Department of Court Records, Criminal Division. You will then receive the standard forms needed to file a petition. The motion must be legibly written or typed.

Q. Which records are expugnable?

A. According to Act 134, the conviction for a Summary offense can be expunged if the defendant has been free of arrest or prosecution for 5 years following the conviction for that offense. Non-convictions, including a verdict of not guilty, dismissal, or withdrawal of charges, may also be expunged.



Q. What is ARD?

A. Accelerated Rehabilitative Disposition (ARD) is a pretrial diversionary program. The primary purpose of ARD is to educate and counsel offenders and, secondarily, to move cases promptly through the judicial system. Completion of the program results in the sealing of your criminal record. You need to meet certain criteria in order to be eligible, and ARD may not be offered in all counties. Information about ARD can be obtained through a magistrate, probation officer, or district attorney's office.

Q. What is Probation without Verdict?

A. Probation without verdict is when an individual pleads either guilty or nolo contendere, meaning the conviction has been accepted as though a guilty plea had been entered without admitting guilt to a nonviolent act. An individual is ineligible for probation without verdict if that person has previously been convicted of an offense under the Drug Act; has been convicted of a misdemeanor or felony; has been placed on accelerated rehabilitative disposition or has been charged with multiple offenses. Anyone who is placed on probation without verdict will have a criminal record because of accepting a conviction, regardless of the presence of an admission of guilt. If an individual completes the probation period successfully, the charges will be dismissed and the case will not be considered a conviction for any purpose. It is important to be aware that an individual is only allowed to use the disposition of probation without verdict one time.

