

## STEP 4: My order was granted!

### Now what?

Congratulations! Next, the New Jersey State Police (NJSP) and other designated agencies need to remove your record from their systems.

You can check the status of your order by going to: [expungement.njsp.gov](http://expungement.njsp.gov)

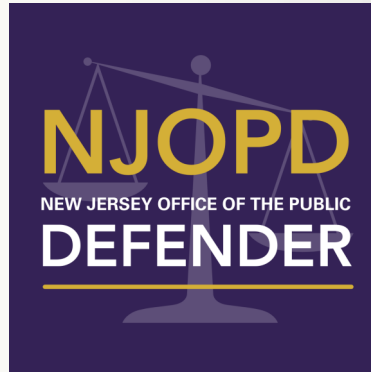
Follow the instructions provided on the website to create an account.

Once your account is created, click "Add Case" at the top right-hand corner and enter the number starting with "XP" listed at the top of your granted order. The status of your petition will appear under "Expungement Status Tracking > My Case List > Status."

When your status shows "complete," your expungement has been processed and your record(s) will no longer appear in fingerprint-based background checks, such as IdentoGO or FBI Rap Sheets.

#### NJOPD Expungement Unit

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## NEW JERSEY EXPUNGEMENT PROCESS: FAQ & HOW-TO



MOVE YOUR FUTURE FORWARD

Provided by the NJOPD  
Expungement Unit

## What is an expungement?

An expungement is the removal, sealing, impounding, or isolation of all records on file within any court, detention or correctional facility, law enforcement or criminal justice agency. A court-ordered expungement can remove the following information connected to fingerprint-based background checks:

- your arrest
- all court proceedings related to your case
- your criminal or juvenile conviction, and
- the outcome of your case (including your sentence)

See [njcourts.gov/self-help/expunge-record](http://njcourts.gov/self-help/expunge-record)

### Effect of expungement (NJSA 2C:52-27)

Unless otherwise provided by law, if an order of expungement is granted, the arrest, conviction and any proceedings related thereto shall be deemed not to have occurred, and the petitioner may answer any questions relating to their occurrence accordingly, **subject to a few exceptions.**

### FUTURE EMPLOYMENT

Once your expungement is granted and processed, you can answer "NO" when asked by a future employer if you have a criminal record!

**Unless:** you are applying to work for the judiciary, corrections, or in law enforcement. Your records will still be accessible by these agencies. 2C:52-27.

## STEP 1: Do any of my convictions bar me from seeking an expungement?

If you have been convicted of any of these crimes, you **cannot** obtain an expungement. Seek a pardon consult.

- ◆ Criminal homicide N.J.S.A. 2C:11-1
- ◆ Robbery N.J.S.A. 2C:15-1
- ◆ Arson N.J.S.A. 2C:17-1
- ◆ 1st and 2nd degree distribution/possession with intent to sell CDS
- ◆ Endangering the welfare of a child N.J.S.A. 2C:24-4
- ◆ Kidnapping N.J.S.A. 2C:13-1;6;8
- ◆ Sexual assault and criminal sexual contact N.J.S.A. 2C:14-2; 2C:14-3b;a
- ◆ *Among other offenses* such as crimes relating to child prostitution/pornography, terrorism, and perjury.

### IF YOU HAVE A BARRED CONVICTION, YOU MIGHT STILL QUALIFY FOR A PARDON

GO TO "SEEKING A PARDON"

**PLEASE NOTE:** An expungement does not guarantee that your records will be cleared by private criminal record companies using name and DOB search criteria. You must provide the private company a copy of your granted expungement order for removal. In contrast, once the NJ State Police process your order, your record will be clear in fingerprint-based record searches.

## SEEKING A PARDON

If your conviction bars you from currently seeking an expungement, you may be eligible to apply for your barred conviction to be pardoned by the Governor.

If your barred conviction is pardoned, you may be eligible to expunge your entire record.

Although the Expungement Unit cannot directly assist you with the pardon process at this time, we can provide instructions on how you can submit a pardon application on your own.

Submitting an application does not guarantee you will receive a pardon, but we **strongly recommend** applying as it can only benefit you!

To request **Pro Se Pardon Instructions** to begin the process on your own, reach out to:

**P: 609-940-7824**

**E: [dc.expungement@opd.nj.gov](mailto:dc.expungement@opd.nj.gov)**



### STEP 2: I don't have a barred conviction! Can I apply today, or do I need to wait?

#### **PATH 1: REGULAR EXPUNGEMENT**

- No more than 1 criminal conviction
- No more than 3 disorderly persons convictions
- 4-5 years have passed since your last conviction/completion of sentence (probation/prison/parole.)\*\*\*
- Municipal ordinances convictions must be filed separately

#### **PATH 2: REGULAR EXPUNGEMENT**

- No criminal convictions
- No more than 5 disorderly persons convictions
- 3-5 years have passed since your last conviction/completion of sentence.\*\*\*
- Municipal ordinances convictions must be filed separately if more than 2 disorderly persons convictions

#### **PATH 3: REGULAR EXPUNGEMENT**

- No criminal convictions
- No more than 2 disorderly persons convictions
- May include an unlimited number of municipal ordinance convictions
- 2 years have passed since your last conviction/completion of sentence or payment of fine

#### **PATH 4: CLEAN SLATE EXPUNGEMENT**

- 2 or more criminal convictions and/or 6 or more disorderly persons convictions
- 10 years have passed since your last conviction/completion of sentence

### COMPELLING CIRCUMSTANCES

#### Include a statement if:

- ◆ You are applying for early pathway
- ◆ Your fines have not been paid off
- ◆ You have a 3rd or 4th degree conviction for distribution/manufacturing/possession with intent to sell CDS

#### **Examples to include (be specific!):**

- \* You want to apply for a job/ expand opportunities
- \* You want to apply to school/license
- \* Past efforts to rehabilitate yourself/ community involvement

#### \*\*\***EARLY PATHWAY**\*\*\*

To apply for a regular expungement 3-4 years after your last conviction or completion of sentence, you **MUST** have:

- Paid off all of your fines at the time of sentencing or prior to completing probation/parole
- Include a compelling circumstances statement

**Juvenile adjudications, dismissals, and PTI completions may be expunged**

### STEP 3: I'm eligible to apply now! How?

#### EXPUNGEMENT WEBSITE HOW-TO

[www.njcourts.gov/self-help/expunge-record](http://www.njcourts.gov/self-help/expunge-record)

1. Start by going to the website listed above and watch training videos and click the link for the step-by-step guide from Legal Services of NJ.
2. Use the links on the above website to find a case number for yourself from Superior/Municipal court
3. Click on "First Time User" and create an account
4. Login to the eCourts Expungement System
5. Click Initiate Expungement
6. Enter your case number by selecting either "Criminal" or "Municipal" and hit "search"
7. Click "Initiate" and select either "Regular" or "Clean Slate." (See Step 2 on previous page)
8. **PETITION SCREEN:** Update your address and select next at bottom of screen. Continue to hit next at each following screen once you complete it.
9. **RETRIEVED CASES:** Don't remove any cases, unless you are positive they do not belong to you.
10. **ADDITIONAL CASES: Add any out-of-state charges. (\*\*\*These are not expunged but must be disclosed\*\*\*)**
11. **CASE LIST :** Select ALL CASES, unless you are doing a Path 1 or 2 regular expungement (see Step 2). Then remove any ordinance convictions by unclicking
12. **VERIFICATIONS:**
  - Select the first three boxes**
  - Box 5:** Input compelling circumstances if you still owe fines or paid your fines late.
  - Box 6:** Input compelling circumstances statement if you were convicted of a 3rd or 4th-degree distribution of CDS.
13. **IMPORTANT: Select box for OPD representation**
14. **PROPOSED ORDER:** Review PCH, Proposed Order, and Petition. Hit Submit.
15. The OPD Unit will assist with any objections.
16. Order granted —> See Step 4.