



ALLEGHENY COUNTY OFFICE OF THE PUBLIC DEFENDER

Expungement Process
Guide



JANUARY 24, 2019

[ALLEGHENY COUNTY OFFICE OF THE PUBLIC DEFENDER](#)

County Office Building, Room 400, 542 Forbes Avenue Pittsburgh, PA 15219

TABLE OF CONTENTS

TABLE OF CONTENTS	1
EXPUNGEMENT SUMMARY	2
QUALIFICATIONS.....	3
PROCEDURES - OVERVIEW	4
PROCEDURES - STEP ONE: OBTAIN A BACKGROUND CHECK	4
PROCEDURES - STEP TWO: FILE PETITION FOR EXPUNGEMENT	8
PROCEDURES – STEP 3: WAIT FOR AND RECEIVE EXPUNGEMENT ORDER.....	11
Appendix A: Full Expungement Cover Sheet.....	12
Appendix B: Full Expungement Charges and Dispositions	13
Appendix C: Full Expungement Order of Court.....	14
Appendix D: Partial Expungement Cover Sheet	15
Appendix E: Partial Expungement Charges and Dispositions	16
Appendix F: Partial Expungement Order of Court.....	17
Appendix G: Limited Access Cover Sheet	18
Appendix H: Limited Access Charges and Disposition.....	19
Appendix I: Limited Access Order of Court	20
Appendix J: Summary Expungement Cover Sheet	21
Appendix K: List of Charges and Disposition	22
Appendix L: Summary Expungement Order of Court.....	23
Clean Slate Law	24
QUESTIONS AND ANSWERS	25

EXPUNGEMENT SUMMARY

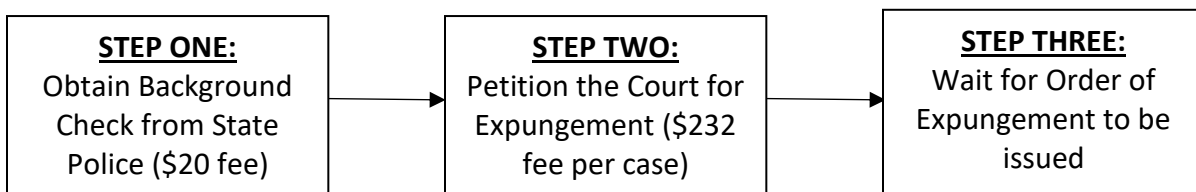
All criminal and summary court cases, including those that do not result in convictions, are available online for public viewing and may be discoverable in a criminal history background check. An expungement is a legal order that destroys and removes a criminal record from the public record and restricts access to law-enforcement agencies.

Some people can have their criminal records expunged, or deleted, from criminal record searches. Having your record expunged means that your past crime will not be discovered by an employer or landlord doing a criminal background check with the state police or other public record.

Note that third-party websites and agencies, such as credit agencies, may have already obtained access to your record, which cannot be deleted or expunged. Even if your full criminal record is expunged from public agency records, you may be required to provide the Order of Expungement to potential employers.

Only certain, non-violent crimes can be expunged, and it must be a first-time offense. There are four types of expungements full, partial, limited access, and summary charges. Which type of expungement is right for you depends on the details and disposition of your charges, which is further explained in this guide.

To have your record expunged, you have to obtain a background check from the State Police, then file a petition for expungement in the Allegheny County Department of Court Records, Criminal Division, then wait for an Order of Expungement to be granted by the Court of Common Pleas of Allegheny County.



This guide walks you through the details of each step. Note that most people use a lawyer to assist them with this process.

QUALIFICATIONS

Charges with No Conviction

In Pennsylvania, charges that resulted in nonconviction are eligible for expungement. This includes being found not guilty of charges, as well as charges that are withdrawn or dismissed and not prosecuted “*nolle prosequi*.”¹

Persons who complete the Accelerated Rehabilitative Disposition (ARD) program are eligible to have their record expunged. To qualify, they must be a first-time offender, have paid all fines and costs, and have successfully completed all of the terms and conditions of the program. For persons completing ARD after 1990, the Allegheny County Department of Adult Probation automatically files to have those records expunged. A person who completed ARD prior to 1990 is still eligible but must file a motion to expunge.

Persons who receive Probation Without Verdict (PWV) are eligible if they are a first-time offender. The Allegheny County Department of Adult Probation will automatically file for expungement when all fines and costs have been paid, and the defendant successfully completes all of the terms and conditions of the program.

Note: Allegheny Service Institute (ASI) programs: expungements are not automatic; the individual who completes the program must file a motion to expunge.

Charges with Convictions

Charges that resulted in a conviction are eligible for expungement if one of the following conditions is present:

- (1) The conviction is a summary offense, and the individual has not been arrested for five or more years. Common summary offenses include disorderly conduct, simple trespass, public consumption of alcoholic beverages and retail theft (if it is the first offense and the value of the merchandise is less than \$150);
- (2) The individual is over the age of 70 and has not been arrested for 10 or more years;
- (3) The subject of the expungement petition has been dead for three years or more; or
- (4) The individual receives a pardon from the governor for a conviction.

¹ The Latin term *nolle prosequi* means to unwilling to pursue, so the charges were dropped.

PROCEDURES - OVERVIEW

The steps in a criminal record expungement include: (i) obtaining a background check from the Pennsylvania State Police; (ii) filing a Petition for Expungement in the Allegheny County Department of Court Records, Criminal Division; and (iii) receiving an Expungement Order from the Court of Common Pleas of Allegheny County. Petitions for expungements in Allegheny County are only for cases that occurred in Allegheny County.

PROCEDURES - STEP ONE: OBTAIN A BACKGROUND CHECK

This section provides instruction on how to obtain an “Access and Review Background Check” from The Pennsylvania State Police. A copy of the Access and Review document is needed for petitioning the Court for an expungement. The Background Check is only valid for 60 days, so you must complete and file your Petition for Expungement within 60 days of receiving your Background Check.

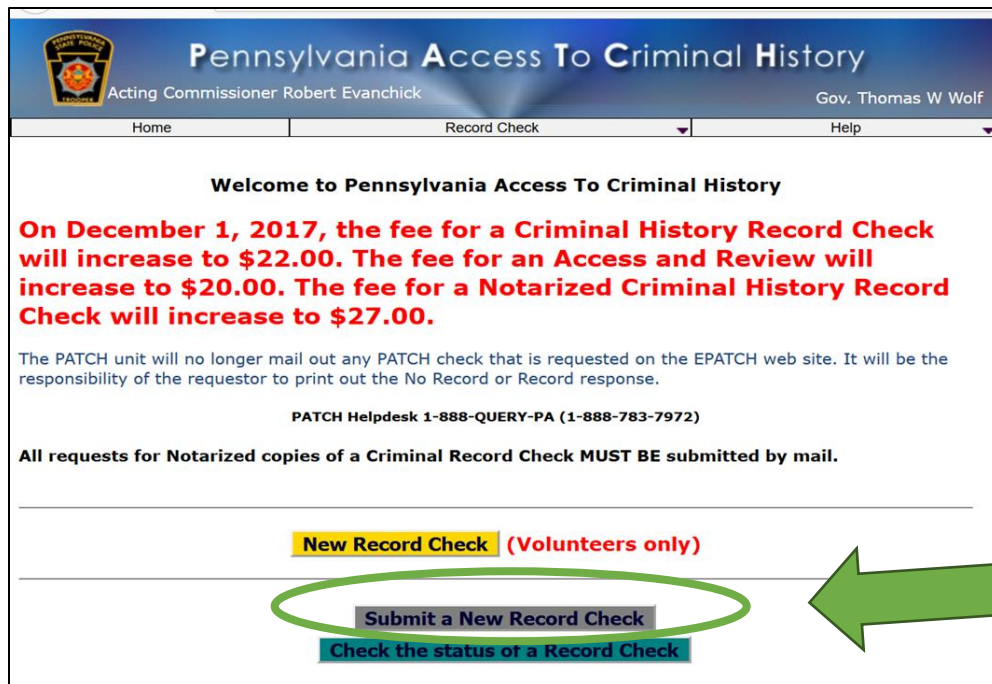
There are two methods for requesting the Access and Review Background Check:

- (1) Online Request: The Pennsylvania State Police has an online application called “Pennsylvania Access To Criminal History,” (PATCH).
- (2) By mail: The Pennsylvania State Police will accept a completed Review and Access Background request via US mail.

Request Access and Review Background Check Online

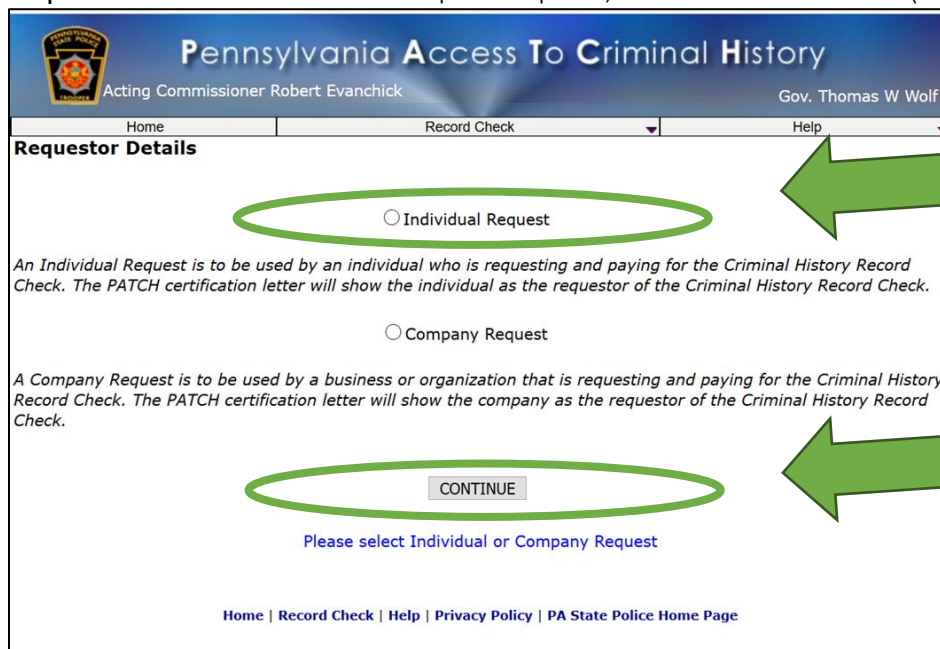
Step #1: Go to <https://epatch.state.pa.us/Home.jsp>; note as of 11/2018 the fee is \$22. Fees are subject to change.

Step #2: Select the “Submit a New Record Check” button (see screenshot below)



Step #3: Read & Accept the Terms and Conditions for the use of PATCH

Step #4: Select the “Individual Request” option, then click “Continue.” (see screenshot below)



Step #5: Select “A Reason for Request”; reasons include: Adoption, Employment, Foster Care, Other and VISA, then enter the requested information – required fields are marked with a asterisk (*). Request information includes: first & last name, address and phone number, then click “Next.”

The screenshot shows the 'Requestor Information' form on the Pennsylvania Access To Criminal History website. The form includes the following fields and options:

- Reason For Request: -- Select a Reason -- *
- First Name: *
- Middle Name: *
- Last Name: *
- Address Line 1: *
- Address Line 2: *
- City: *
- State: -- Select a State -- *
- Zip: *
- Country: UNITED STATES

A green arrow points to the 'Reason For Request' dropdown menu.

Step #6: Verify the entered information, then click the “Proceed” button to advance to the next page or the “Back” button to correct information before proceeding.

Step #7: Enter the information of the person the background check will get performed on, next, click “Enter This Request,” then click “finished.”

Note: if you’re requesting criminal records on your own behalf, you will be the person requesting the background check AND the person the background check will get performed on.

Step #8: Click “Submit” to check out and pay the fee for requesting criminal records.

Step #9: Complete.

Note: For questions about PATCH, contact their helpdesk at 1-888-783-7972.

Request Access and Review Background Check by Mail

Step #1: go to <https://www.psp.pa.gov/Pages/Request-a-Criminal-History-Record.aspx> , next, select the "[Individual Access and Review Request Form SP4-170](#)"; download, print and complete the form.

Note: if you're requesting criminal records on your own behalf, you will be the person requesting the background check AND the person the background check is being performed on.

Mail completed form to:

Pennsylvania State Police Central Repository
RCPU 1800 Elmerton Avenue
Harrisburg, PA 17110-9758.

Include a certified check or money order in the amount of \$22 payable to the Commonwealth of Pennsylvania and a photocopy of your government-issued photo ID (driver's license, state ID or passport). Fees are subject to change; please refer to the SP4-170 form that you downloaded for up-to-date information.

Photo ID address must be the same mailing address as entered on the form. If different, contact [PennDOT](#) (or you no longer live in PA contact your local Department of Transportation office) to update photo ID address.

PROCEDURES - STEP TWO: FILE PETITION FOR EXPUNGEMENT

A criminal record may be expunged, but only after a Petition for Expungement is filed in the Department of Court Records, Criminal Division and granted by an Order of Court from the Court of Common Pleas of Allegheny County.

There are four types of expungements full, partial, limited access, and summary charges; the explanation of the differences appears in the next section. Each type of expungement has its own checklist of documents to include in an expungement petition packet to deliver to the Department of Court Records.

Please read all instructions carefully before completing the expungement petition packet. The Department of Court Records is not responsible for incomplete information, incorrect information, or any other information that may result in the petition for expungement being rejected by the judge or objected to by the District Attorney.

All expungement types require you to include a list of charges, noting Docket Number, Offense Tracking Number (OTN#), date of arrest, disposition status, arresting agency, statute description. To find charges, go to <https://ujportal.pacourts.us/CaseInformation.aspx> and follow the directions on the website. **Note:** search both the [Court of Common Pleas](#) and [Magisterial District Court](#) to determine if the case was resolved. Use the data found on the website to complete the forms in your expungement petition packet.

Full Expungement of Charges

The Court can be petitioned for expungement of any charge that is disposed of as not guilty, withdrawn, dismissed, or not prosecute nolle prosequi. If all charges in a case meet this requirement (no convictions on any charges in the case), the case is eligible for a Full Expungement.

Full Expungement Petition Packet:

Checklist

- Cover Sheet (see [Appendix A](#))
- List of charges and the disposition for each charge (see [Appendix B](#))
- [The Petition for Expungement Pursuant to Pa.R.Crim.P. 790 form](#)
- Expungement Order of Court top section (see [Appendix C](#))
- Pennsylvania State Police Access and Review (obtained in section one)
- Certified check or money order for \$232 per case

Partial Expungement of Charges

Partial expungement applies to cases where some charges were held to a conviction and others were dismissed or held as a non-conviction result. The case is eligible for a Partial Expungement, by which the non-conviction charges would be expunged, but the convicted charges would remain.

Partial Expungement Packet complete the following:

Checklist

- Cover Sheet (see [Appendix D](#))
- List of charges and the disposition for each charge (see [Appendix E](#))
- [The Petition for Expungement Pursuant to Pa.R.Crim.P. 790 form](#)
- Partial expungement Order of Court top section (see [Appendix F](#))
- Pennsylvania State Police Access and Review (obtained in section one)
- Certified check or money order for \$232 per case

Note: include all guilty and not guilty charges in the list of charges and cases to get expunged/ remain (pertains to the second item on the checklist). Also, include all original charges, including those that were dismissed at the Magisterial District Judge's office or Common Pleas Court. Docket transcripts and case disposition information can be found at the [Court of Common Pleas](#) and [Magisterial District Court](#) websites.

Limited Access Expungements

An amended law, effective November 14, 2016, allows for limited access to information about some misdemeanor convictions to specific entities such as law enforcement and state licensing agencies.

Limited Access expungements limit access to criminal records for eligible individuals convicted of second or third-degree misdemeanors that carry a maximum penalty of no more than two years imprisonment. After completing all sentencing terms, a waiting period of ten (10) years is required to be eligible for a limited access expungement. During the ten (10) years waiting period, any arrest or prosecution for another crime will thwart the capability to qualify for a Limited Access expungement.

Limited Access will remove arrest and/or court records from public access. However, law-enforcement and state licensing agencies will continue to have access to arrest and court records.

For more information for understanding Limited Access to criminal records and questions concerning expungements visit:

<http://www.pabar.org/pdf/expungement10042016.pdf>

Limited Access Expungement Packet

Checklist

- [Order of Sentence](#) (click the link to print and complete the form)
- Limited Access Cover sheet (see [Appendix G](#))
- [Petition for Order for Limited Access Pursuant to Pa.R.Crim.P. 791 form](#)
- List of charges and the disposition for each charge ([Appendix H](#))
- Limited Access Order of Court top section (see [Appendix I](#))
- Pennsylvania State Police Access and Review (obtained in section one)
- A copy of the case disposition and docket transcript from the applicable [Court of Common Pleas](#) or [Magisterial District Court](#) (optional)
- Certified check or money order for \$232 per case

Expungement of Summary Charges

These instructions are for cases in which the only charge(s) are summary charges. The court can be petitioned for an expungement of summary charge(s) that have a plea of guilty either by the individual or the Magisterial District Judge or Judge, pursuant of PA. R. Crim.P. 490. To be eligible for an expungement of a summary charge, it is required that no arrest, charges or convictions occurred for a minimum of five (5) years since the conviction of the summary offense for which expungement is requested.

Expungement of Summary Charges Packet

Checklist

- Cover Sheet (see [Appendix J](#))
- List of charges and the disposition for each charge (see [Appendix K](#))
- [The Petition for Expungement Pursuant to Pa.R.Crim.P. 490 form](#)
- Expungement Order of Court top section (see [Appendix L](#))
- Pennsylvania State Police Access and Review (obtained in section one)
- A copy of the case disposition and docket transcript from the applicable [Court of Common Pleas](#) or [Magisterial District Court](#) (optional)
- Certified check or money order for \$232 per case

Once you have the packet ready, bring the original documents AND three (3) copies for filing in the [Department of Court Records](#), Criminal Division, Room 220 Courthouse, 436 Grant Street, Pittsburgh Pa. 15219. Bring an extra copy of any certified documents.

{If filing by mail, mail original and both copies (total of 3 copies) to the following address along with a self-addressed, postage stamped envelope and money order or certified check to:
Department of Court Records/ Criminal Division, 114 Courthouse, 436 Grant Street, Pittsburgh Pa. 15219.}

Note that the filing fee is \$232.00 per case. Contact the Department of Court Records for filing fee waiver information. Fees are subject to change.

PROCEDURES – STEP 3: WAIT FOR AND RECEIVE EXPUNGEMENT ORDER

After the Petition for Expungement is filed, the District Attorney has the right to challenge the petition and request a hearing before a judge to decide if the request for expungement should be granted or denied. If the District Attorney does not object, then the expungement is generally granted without a court hearing.

When the Court of Common Pleas issues an Expungement Order, the Department of Court Records, Criminal Division, eliminates all non-conviction data from its physical case files and electronic database and notifies the appropriate criminal justice agencies, such as Adult Probation, Behavior Clinic, Bureau of Criminal Investigations, District Attorney, Magisterial District Judge, the Pennsylvania State Police, Allegheny County Jail, Arresting Agency, and Sheriff.

It is important to note that complete removal of non-conviction data applies only to criminal justice agencies, such as Adult Probation, Behavior Clinic, Bureau of Criminal Investigations, District Attorney, Magisterial District Judge, the Pennsylvania State Police, Allegheny County Jail, Arresting Agency, and Sheriff. It may take up to one (1) year for the expungement process to be completed after a judge signs an Expungement Order.

Expungement orders will not remove arrest and court records from consumer reporting agencies or third-party websites. In cases where potential employment is in question due to arrest and court records that remain on third-party websites, the requestor must provide the potential employer with a copy of the signed expungement order.

Appendix A: Full Expungement Cover Sheet

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY

COMMONWEALTH OF PENNSYLVANIA

DOCKET NO. CP-02-

v.

PETITION FOR EXPUNGEMENT

If Petition is filed by an attorney:

Name: _____

Attorney ID#: _____

Address: _____

Telephone number: _____

Aliases: (other names you may be known as):

Address:

Phone:

OTN#:

CR#:

SSN#:

MDJ#:

Do not write below this line:

Date Petition Filed: _____;

Date to DA: _____

Date to Judge: _____;

Date of Order: _____

APPEAL DATE: _____

Appendix C: Full Expungement Order of Court

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

VS.

DOB:
SSN:
SEX:
OTN:

Docket #CP-02-
Date of Complaint or Arrest:
Arresting Agency:
Lower Court #:

Aliases of Defendant:
Address of Defendant (as it appears on Petition):
Name and Court address of Judge who accepted the guilty plea or heard case:
Name and address of Affiant as shown on Complaint or Citation:
MDJ Name and Court Address:
Reason for Expungement:

Charges: See Attached page(s) which is hereby incorporated into this Order by reference.

EXPUNGEMENT ORDER OF COURT

AND NOW, to-wit this ___ day of ___, 20___, the within petition having been presented in open Court and, upon consideration thereof, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Department of Records shall serve a certified copy of this Order upon the following persons, keepers of records, pertaining to the above-captioned criminal proceedings:

- 1. Allegheny County District Attorney
2. Allegheny County Pre-Trial Services
3. Magisterial District Judge:
4. Arresting Agency:
5. Pennsylvania State Police Central Repository
6. Administrative Offices of Pennsylvania Courts
7. Allegheny County Department of Adult Probation
8. Allegheny County Jail

It is hereby ORDERED, ADJUDGED, and DECREED that the aforementioned keepers of criminal records shall expunge and destroy the official and unofficial arrest, expungement, and other documents pertaining to the arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings (excluding intelligence information, investigative information, and treatment information as defined in 18 Pa.C.S. §9102), and that each shall request the return of such records, which its agency made available to State or Federal agencies and immediately upon receipt thereof shall destroy such records, with the exception of District Attorney’s records concerning ARD and PWV, which shall be used solely for the purpose of determining subsequent eligibility for ARD and PWV, and that said keepers of such criminal records shall file with this Court an Affidavit stating that the mandates of this Order have been fulfilled.

It is hereby ORDERED, ADJUDGED, and DECREED that the Department of Court Records shall expunge the indices of the official and unofficial arrest and other documents pertaining to the arrest or prosecutions or both of the above-named defendant in the above-captioned criminal proceedings.

BY THE COURT:
_____ J.

Balance: _____

AFFIDAVIT OF EXPUNGEMENT

This is to certify that the official arrest and criminal records and other documents filed pertaining to the particular arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings, which are in the custody of and in control of this office, have been expunged and destroyed.

Date: _____ Certifying Officer _____

Appendix D: Partial Expungement Cover Sheet

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY

COMMONWEALTH OF PENNSYLVANIA

DOCKET NO. CP-02-

v.

**PETITION FOR PARTIAL
EXPUNGEMENT**

If Petition is filed by an attorney:

Name: _____

Attorney ID#: _____

Address: _____

Aliases: (other names you may be known as):

Telephone number: _____

Address:

Phone:

OTN#:

CR#:

SSN#:

Do not write below this line:

Date Petition Filed: _____;

Date to DA: _____

Date to Judge: _____;

Date of Order: _____

APPEAL DATE: _____

Appendix E: Partial Expungement Charges and Dispositions

Name: _____ OTN: _____

It is MANDATORY THAT ALL CHARGES AND DISPOSITIONS BE ENTERED BELOW.

Charge (s) to be Expunged:

Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____

Charge (s) Remain:

Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____

Appendix F: Partial Expungement Order of Court

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

VS.

DOB:
SSN:
SEX:
OTN:

Docket #CP-02-
Date of Complaint or Arrest:
Arresting Agency:
Lower Court #:

Aliases of Defendant:
Address of Defendant (as it appears on Petition):
Name and Court address of Judge who accepted the guilty plea or heard case:
Name and address of Affiant as shown on Complaint or Citation:
MDJ Name and Court Address:
Reason for Expungement:

Charges: See Attached page(s) which is hereby incorporated into this Order by reference.

PARTIAL EXPUNGEMENT ORDER OF COURT

AND NOW, to-wit this ___ day of ___, 20___, the within petition having been presented in open Court and, upon consideration thereof, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Department of Records shall serve a certified copy of this Order upon the following persons, keepers of records, pertaining to the above-captioned criminal proceedings:

- 9. Allegheny County District Attorney
10. Allegheny County Pre-Trial Services
11. Magisterial District Judge:
12. Arresting Agency:
13. Pennsylvania State Police Central Repository
14. Administrative Offices of Pennsylvania Courts
15. Allegheny County Department of Adult Probation
16. Allegheny County Jail

It is hereby ORDERED, ADJUDGED, and DECREED that the aforementioned keepers of criminal records shall expunge all references in the official and unofficial arrest and other documents pertaining to the arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings (excluding intelligence information, investigative information, and treatment information as defined in 18 Pa.C.S. §9102), to the charge/s of ___, count(s) ___ and that said keepers of such criminal records shall file with this court an Affidavit stating that the mandates of this Order have been fulfilled.

It is hereby ORDERED, ADJUDGED, and DECREED that the Department of Court Records shall expunge references in the official and unofficial arrest and other documents pertaining to the arrest or prosecutions or both of the above-named defendant in the above-captioned criminal proceedings to the charges of ___, count(s) ___.

BY THE COURT:
_____ J.

Balance: _____

AFFIDAVIT OF EXPUNGEMENT

This is to certify that the official arrest and criminal records and other documents filed pertaining to the particular arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings, which are in the custody of and in control of this office, have been expunged and destroyed.

Date: _____ Certifying Officer _____

Appendix G: Limited Access Cover Sheet

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY

COMMONWEALTH OF PENNSYLVANIA

DOCKET NO. CP-02-

v.

**PETITION FOR LIMITED ACCESS
PURSUANT TO Pa.R.Crim.P. 791**

If Petition of filed by attorney:

Name: _____

Attorney ID#: _____

Address: _____

Telephone#: _____

Aliases:

Address:

Phone:

OTN#:

CR#:

SSN#:

Do not write below this line:

Date Petition Filed: _____;

Date to DA: _____

Date to Judge: _____;

Date of Order: _____

APPEAL DATE: _____

Appendix H: Limited Access Charges and Disposition

IT IS RECOMMENDED THAT ALL CHARGES AND DISPOSITIONS BE ENTERED BELOW AND THAT THIS LIST BE ATTACHED TO THE PETITION FOR EXPUNGEMENT.

CHARGES TO BE SEALED FOR LIMITED ACCESS:

Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____

Appendix I: Limited Access Order of Court

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

VS.

DOB:
SSN:
SEX:
OTN:
MDJ:

Docket:
Arrest Date:
Arresting Agency:
Lower Court #:
Count #:

Aliases of Defendant:
Address of Defendant:
Name and address of issuing authority who accepted the guilty plea or heard the case:
Name and address of Affiant as shown on Complaint or citation:
Name and Address of MDJ:
Reason for Limited Access: Employment and Housing

Charges: See Attached page(s) which is hereby incorporated into this Order by reference.

LIMITED ACCESS ORDER OF COURT

AND NOW, to-wit this ___ day of ___, 20___, the within petition having been presented in open Court and, upon consideration thereof, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Department of Records shall serve a certified copy of this Order upon the following persons, keepers of records, pertaining to the above-captioned criminal proceedings:

- 17. Allegheny County District Attorney
18. Allegheny County Pre-Trial Services
19. Magisterial District Judge: 05-2-15
20. Arresting Agency: McKeesport Police Dept.
21. Pennsylvania State Police Central Repository
22. Administrative Offices of Pennsylvania Courts
23. Allegheny County Department of Adult Probation
24. Allegheny County Jail

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the aforementioned keepers of criminal records shall limit dissemination of the official and unofficial arrest and any and all other documents pertaining to the arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings, in accordance with 18 Pa.C.S. § 9122.1(a). Each of the aforementioned keepers of criminal records shall request that dissemination of such records, with its agency made available to State or Federal agencies, be limited, and that said keepers of such criminal records shall file with this court an Affidavit stating that the mandates of this Order have been fulfilled.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Department of Court Records shall limit dissemination of the indices of the official and unofficial arrest and other documents pertaining to the arrest or prosecutions or both of the above-named defendant in the above-captioned criminal proceedings.

BY THE COURT:

_____ J.

Balance: _____

AFFIDAVIT OF LIMITED ACCESS

This is to certify that access to the official arrest and criminal records and other documents filed pertaining to the particular arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings, which are in the custody of and in control of this Office, has been limited.

Date: _____ Certifying Officer _____

Appendix J: Summary Expungement Cover Sheet

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY

COMMONWEALTH OF PENNSYLVANIA

DOCKET NO. #CP-02-

v.

**PETITION FOR SUMMARY
EXPUNGEMENT**

If Petition is filed by an attorney:

Name: _____

Attorney ID#: _____

Address: _____

Aliases: (other names you may be known as):

Telephone number: _____

Address:

Phone:

OTN#:

CR#:

SSN#:

MDJ#:

Do not write below this line:

Date Petition Filed: _____;

Date to Judge: _____;

Date to DA: _____

Date of Order: _____

APPEAL DATE: _____

Appendix K: List of Charges and Disposition

IT IS RECOMMENDED THAT ALL CHARGES AND DISPOSITIONS BE ENTERED BELOW AND THAT THIS LIST BE ATTACHED TO THE PETITION FOR EXPUNGEMENT.

Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____
Charge _____	Disposition _____

Appendix L: Summary Expungement Order of Court

IN THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

VS.

DOB:
SSN:
SEX:
OTN:

Docket #CP-02-
Date of Complaint or Arrest:
Arresting Agency:

- Aliases of Defendant:
- Address of Defendant (as it appears on Petition):
- Name and Court address of Judge who accepted the guilty plea or heard case:
- Name and address of Affiant as shown on Complaint or Citation:
- Magisterial District Court#:
- MDJ Name and Court Address:
- Reason for Expungement:

Charges: See Attached page(s) which is hereby incorporated into this Order by reference.

EXPUNGEMENT ORDER OF COURT

AND NOW, to-wit this ____ day of _____, 20____, the within petition having been presented in open Court and, upon consideration thereof, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Department of Records shall serve a certified copy of this Order upon the following persons, keepers of records, pertaining to the above-captioned criminal proceedings:

- | | |
|----------------------------------------|---------------------------------------------------|
| 1. Allegheny County District Attorney | 5. Pennsylvania State Police Central Repository |
| 2. Allegheny County Pre-Trial Services | 6. Administrative Offices of Pennsylvania Courts |
| 3. Magisterial District Judge: _____ | 7. Allegheny County Department of Adult Probation |
| 4. Arresting Agency: _____ | 8. Allegheny County Jail |

It is hereby ORDERED, ADJUDGED, and DECREED that the aforementioned keepers of criminal records shall expunge and destroy the official and unofficial arrest, expungement, and other documents pertaining to the arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings (excluding intelligence information, investigative information, and treatment information as defined in 18 Pa.C.S. §9102), and that each shall request the return of such records, which its agency made available to State or Federal agencies and immediately upon receipt thereof shall destroy such records, with the exception of District Attorney’s records concerning ARD and PWV, which shall be used solely for the purpose of determining subsequent eligibility for ARD and PWV, and that said keepers of such criminal records shall file with this Court an Affidavit stating that the mandates of this Order have been fulfilled.

It is hereby ORDERED, ADJUDGED, and DECREED that the Department of Court Records shall expunge the indices of the official and unofficial arrest and other documents pertaining to the arrest or prosecutions or both of the above-named defendant in the above-captioned criminal proceedings.

BY THE COURT:
_____J.

Balance: _____

AFFIDAVIT OF EXPUNGEMENT:

This is to certify that the official arrest and criminal records and other documents filed pertaining to the particular arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceedings, which are in the custody of and in control of this office, have been expunged and destroyed.

Clean Slate Law

Clean Slate is a new Pennsylvania law that *expands criminal record sealing* to include more types of offenses, including some first-degree misdemeanors, which can be sealed by filing petitions.

Clean Slate will also create an *automated computer process* to seal arrests that did not result in convictions within 60 days, summary convictions after 10 years, and some second and third-degree misdemeanor convictions if there are no subsequent misdemeanor or felony convictions for a period of 10 years after the time of conviction.

Individuals convicted of the following offenses are eligible for Clean Slate:

- Second and third-degree misdemeanors, and misdemeanors punishable by two years or less in prison
- Summary convictions
- Charges not resulting in convictions

Individuals convicted of the following offenses are not eligible for Clean Slate:

- Crimes involving danger to persons
- Crimes against families
- Firearm offenses
- [Full list of ineligible offenses](#)

Also, individuals convicted of any of the following are not eligible for Clean Slate at any time:

- A felony
- Two or more offenses punishable by more than two years in prison
- Four or more offenses punishable by one or more years in prison
- Indecent exposure, sexual intercourse with animals, failure to register upon conviction of certain sexual offenses, weapons or implements for escape, abuse of a corpse and unlawful paramilitary training.

For additional information, refer to the following links:

- <https://clsphila.org/learn-about-issues/clean-slate-changing-lives-sealing-criminal-records>
- <https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2017&sInd=0&body=H&type=B&bn=1419>
- <http://www.pacourts.us/learn/learn-about-the-judicial-system/clean-slate-expungement-and-limited-access>

QUESTIONS AND ANSWERS

(1) What is an expungement?

In Pennsylvania, in some cases, a criminal record can be cleared or expunged under law 18 Pa. C. S. § 9122. Once granted a signed expungement will remove criminal records from public view, the Department of Court Records and criminal justice agencies.

(2) Why should I seek an expungement?

Under Pennsylvania law, potential employers are permitted to conduct background checks on job applicants. Conviction and non-conviction charges and arrest may appear in the background check.

(3) What charges are eligible for expungement?

Charges with the following dispositions may be eligible for expungement:

- Withdrawn
- Dismissed
- Nolle Prossed
- Not Guilty
- Summary Charges

(4) What is the difference between a full and partial expungement?

A full petition for expungement is used when none of the charges in a particular case resulted in a conviction.

A partial petition for expungement is used when there are both conviction and non-conviction dispositions in the same case. The non-conviction charges may be eligible for expungement.

(5) What charges cannot get expunged?

Misdemeanor or felony offense charges with a guilty plea or found guilty are not eligible for expungement.