

Expungements: Frequently Asked Questions

Am I eligible?

- ◇ Our office can only aid you in arrests or convictions from St. Joseph County.
- ◇ You are not eligible if you have any charges pending.
- ◇ You must have paid all fines, fees, court costs, and restitution.
- ◇ You are not eligible if you are considered a sex or violent offender.

What if I was arrested but not convicted?

- ◇ If you were arrested and/or charged, but not convicted, you must wait one year before having the arrest or charge expunged.

What if I was convicted of a misdemeanor?

- ◇ If you were convicted of a misdemeanor, you must wait five years for your record to be expunged and cannot have any other convictions during that five-year period.
- ◇ If you were convicted of a Level 6 or Class D felony that was reduced to a misdemeanor, you must wait five years for your record to be expunged and cannot have any other convictions during that five-year period.

What if I was convicted of a felony?

- ◇ If you were convicted of murder, human trafficking, a sex crime, official misconduct, a felony that resulted in the death of another person, or two felony offenses involving a deadly weapon, you are not eligible.
- ◇ If you were convicted of a felony that resulted in serious bodily injury to another person, you must wait ten years for your record to be expunged and cannot have any other convictions during that ten-year period.
- ◇ If you were convicted of any other felony, you must wait eight years for your record to be expunged and cannot have any other convictions during that eight-year period.
- ◇ **Please note:** Depending on your felony conviction, you may not be guaranteed to have your expungement granted by the Court.

How many times can I do this?

- ◇ You may only file an expungement petition for convictions **once per lifetime**. This rule does not apply to arrests/charges that you were not convicted of.