

INSTRUCTIONS FOR EXPUNGEMENT OPTIONS 1 & 2
Juvenile Expungement Process

Step No.	What to Do
Step 1	<p>Obtain an arrest history report from any agency that arrested you and/or the relevant charging and disposition information from the Circuit Clerk.</p> <p>NOTE: You will have to pay a fee. You will have to bring two or more IDs (picture IDs are best).</p> <p>If you're under 18, you must go with your parent or legal guardian. The parent or legal guardian must provide proof that he or she is your parent or guardian. The parent or guardian must also bring a valid picture ID.</p>
Step 2	<p>After reviewing the guide, decide which of the two petition forms to use. Generally, if your case only involved an arrest or supervision and you were never on probation, you should use the "Juvenile Expungement Option 1". If your case involved probation, you should use the "Juvenile Expungement Option 2". You need to file a separate petition for each arrest listed on your arrest history report.</p>
Step 3	<p>Fill out court forms called a "Petition," a "Notice" and an "Order" to ask that your records be expunged and file the petition with the Circuit Court in the County in which you were arrested. Forms may be obtained by going to, or calling, the Clerk of the Circuit Court's office in the county where you were arrested.</p> <p>Use the samples provided for you</p>
Step 4	<p>Bring your completed Petition, Notice and Order to the Clerk of the Circuit Court's office in the county where you were arrested. You will have to pay a fee to the Clerk when you file your petition. If you cannot afford the fee, then you must complete and file the fee waiver application.</p>

Be certain to ask the clerk when your case will get set for a hearing. Some jurisdictions will set your case for a hearing right away. Others will wait to see if any objection to your Petition is filed.

The Clerk's office will send notice of your petition to the Illinois State Police, the Prosecutor assigned to your case and the agency that arrested you. They have up to

45 days to object to your petition. After you file your petition, you need to notify the Clerk any time you move or change your mailing address by filling out a change of address form. You can get a change of address form from the Clerk's office.

After 45 days contact the Clerk's office to determine the status of your petition.

Unless the State's Attorney or prosecutor, the Illinois State Police or the arresting agency objects to your petition within 45 days, the court may grant your petition and expunge your record.

If there is an objection to your petition, the Clerk will schedule a hearing. If the Clerk schedules a hearing for your expungement case, you are required to attend. If there is no objection, the court may or may not hold a hearing on your case. In either case, you need to wear business clothes to the hearing. Men should wear slacks, a tie and a jacket. Women should wear dress pants, a skirt or a dress.

If the court grants your expungement request, you must pay the Clerk a fee for the Court, local police, and Illinois State Police to expunge your records. If you cannot pay the fees, you must ask the Court to waive them.

The Clerk will forward a certified copy of the expungement order, along with the fees that you paid, to the Illinois State Police and to the arresting agency (such as the local police department). You should contact the Illinois State Police and the arresting agency to be sure that they have received the order and fees.

In several weeks, the Illinois State Police will send you and the Clerk a letter confirming your expungement.

S A M P L E

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

In the Interest of _____)
_____,) No. _____
Petitioner.)

PETITION TO EXPUNGE JUVENILE RECORD (Category 1)

Now comes _____, Petitioner, pursuant to 705 ILCS 405/5-915(1) and respectfully requests that this Honorable Court enter an order expunging all juvenile law enforcement and court records of petitioner and in support thereof states that:

Petitioner has attained the age of 17, his/her birth date being _____, or all juvenile court proceedings relating to the Petitioner have been terminated as of _____, whichever occurred later.

Petitioner was arrested on _____ by the _____ Police Department for the offense of _____, and:

(Check one:)

- A. no Petition for delinquency was filed with the Clerk of the Circuit Court; **OR**
- B. was charged with an offense, but was found not delinquent of that offense; **OR**
- C. a petition was filed and the petition was dismissed without a finding of delinquency on _____; **OR**
- D. on _____ was placed under supervision pursuant to Section 5-615 of the Juvenile Court Act of 1987 and such order of supervision has been successfully terminated on _____; **OR**
- E. was adjudicated for the offense, which would be a class B misdemeanor, a Class C misdemeanor, or a petty offense or business offense if committed by an adult.

Petitioner has/has not been arrested on charges in this or any county other than the charges listed above. If Petitioner has been arrested on additional charges, please list the charges below:

Charge(s): _____

Arresting Agency/Agencies: _____

S A M P L E

Disposition/Result: (choose from A through E, above) _____

WHEREFORE, the Petitioner respectfully requests this Honorable Court (1) to order all law enforcement agencies to expunge all records of petitioner to this incident, and (2) to order the clerk of the Court to expunge all records concerning the Petitioner regarding this incident.

Petitioner

Petitioner's Street Address

City, State, Zip Code

Petitioner's Telephone Number

VERIFICATION BY CERTIFICATION

Pursuant to the penalties of perjury under the Code of Civil Procedure, 735 ILCS 5/1-109, I hereby certify that the statements in this petition are true and correct, or on information and belief I believe the same to be true.

Dated: _____

Petitioner

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

In the Interest of _____)
_____,) No. _____
Petitioner.)

PETITION TO EXPUNGE JUVENILE RECORD
(Category 1)

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Dated: _____

Petitioner

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

In the Interest of _____)
_____,) No. _____
Petitioner.)

NOTICE

TO: State's Attorney: _____

TO: Arresting Agency: _____

TO: Illinois State Police: Bureau of Identification, 260 N. Chicago Stg., Joliet, Illinois 60431-1342

ATTENTION: Expungement

You are hereby notified that on _____, at _____,
in courtroom _____, located at _____, before the
Honorable _____, Judge, or any judge sitting in his/her stead, I shall then and there
present a Petition to Expunge Juvenile records in the above-entitled matter, at which time and
place you may appear.

Petitioner

Petitioner's Street Address

City, State, Zip Code

Petitioner's Telephone Number

PROOF OF SERVICE

On the _____ day of _____, 20____, I on oath state that I served this notice and true and correct copies of the above-checked documents by:

(Check one:)

delivering copies personally to each entity to whom they are directed; OR

by mailing copies to each entity to whom they are directed by depositing the same in the U.S. Mail, proper postage fully prepaid, before the hour of 5:00 p.m., at the United States Postal Depository located at _____

Signature, Clerk of the Circuit Court or
Deputy Clerk

Printed Name of Delinquent Minor/Petitioner

Address:

Phone Number:

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

In the Interest of _____)
_____,) No. _____
Petitioner.)
DOB: _____)
Arresting Agency/Agencies _____)
_____)
_____)

ORDER OF EXPUNGEMENT

This matter having been heard on the petitioner's motion and the court being fully advised in the premises does find that the petitioner is indigent or has presented reasonable cause to waive all costs in this matter, IT IS HEREBY ORDERED that:

- 1. Clerk of Court and Department of State Police costs are hereby waived in this matter.
- 2. The Illinois State Police Bureau of Identification and the following law enforcement agencies shall expunge all records of petitioner relating to an arrest dated _____ for the offense of _____.

Law Enforcement Agencies:

3. IT IS FURTHER ORDERED that the Clerk of the Circuit Court expunge all records regarding the above-captioned case.

ENTER: _____
Judge

DATED: _____

Name: _____

Attorney for: _____

Address: City/State/Zip: _____

Attorney Number: _____