

Frequently Asked Expungement Questions

1. What is an expungement?

An expungement is a court proceeding making your records unavailable to the public and general law enforcement.

2. What is a seal? How does it differ from an expungement?

A sealed file is still maintained by our agency. Law enforcement still has access to it. Expunged files are removed completely from our records, the arresting agency and Illinois State Police.

3. What paperwork do I need and does your office provide it?

You will need to fill out a Request, a Notice, and an Order from the packets provided by our office for either Expungement or Seal.

4. What are the Clerks fees and are there any other fees?

The Circuit Clerk's fee is \$60.00 for filing an expungement or a seal. There is also a \$60.00 fee payable the Illinois State Police. Both of these fees are per case you Request, and due at filing.

5. What do I do once my paperwork is completed?

Once the paperwork is complete, we check to make sure it's filled out correctly. We then have you drop it off at the State's Attorney's Office for their approval. We will contact you when we receive your paperwork back.

6. Do I have to go to court?

Yes. A court appearance is required.

7. When will my court date be?

Court dates are set at least 2 months out, when you come into our office to set up a court date.

8. Where can I obtain information or help to complete the paperwork?

The Circuit Clerk's Office can give you the following information

Your case number; the date of your arrest; the arresting agency; and information from the disposition such as the date and charges.

9. Do I have to appear for my court date if I live out of town or state?

If you live out of town or state, you might not have to appear in court. This has to be approved by the State Attorney's Office. You must appear if any agency objects to your expungement or seal.

10. How are agencies such as the Illinois State Police notified?

The Circuit Clerk's Office notifies all agencies involved in the expungement process including the arresting agency and the Illinois State Police.

11. Do I need an attorney?

You do not need an attorney to represent you.

12. How long, once approved does it take to come off my record?

The Circuit Clerk's Office will have your record off our system usually in one week. The State Police takes anywhere from 30-60 days.

13. What if I cannot afford the filing fees?

Fee waivers are available in our office. They are reviewed by a judge for approval.

14. How long does it take to get a court date?

By state law, you must wait a minimum of 2 months for your court date.

15. Does your office offer any seminars throughout the year for expungements and seals?

Our office offers multiple seminars throughout the year at various locations. You can contact our office for more information.

16. Can you assist with filling out the paperwork?

The Circuit Clerk's Office cannot assist you in filling out the paperwork. We can only give out the case number, arrest date, arresting agency and disposition information. We do refer people who have questions to the Office of the State Appellate Defender. They can provide assistance on waiting periods and which type of expungement or seal they are eligible for.