

## How long will the expungement process take?

It will take anywhere from 3 weeks to 4 months, depending on how busy the court's calendar is.

## EXPUNGEMENT CLINICS

- EVERY FIRST FRIDAY OF THE MONTH  
10am - 11:30am - Riverside Superior Ct Self-Help Center  
3535 10th Street, 2nd Floor, Riverside, CA 92501
- EVERY THIRD FRIDAY OF THE MONTH  
10am - 11:30am - San Bernardino Law Library:  
402 North "D" St. San Bernardino, CA 92408
- EVERY FOURTH FRIDAY OF THE MONTH  
3:30pm - 5:30pm – Cesar Chavez Community Center  
2060 University Ave, Ste 113, Riverside, CA 92507

IELLA is a recipient of:

Federal funds awarded by Inland Counties Legal Services with the approval of the Legal Services Corporation

Campaign for Justice Funding via the State Bar of California's

- Legal Services Trust Fund

- Equal Access to Justice Fund

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### **I.E.L.L.A. Legal Aid Clinic 'Inland Empire Expungement Project'**

IELLA

2060 University Ave. Suite 113

Riverside, CA 92507

951-369-5846

[www.iellaaid.org](http://www.iellaaid.org)

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# EXPUNGEMENT

## What is an expungement?

An expungement reopens your criminal case, dismisses and sets aside the conviction, and re-closes the case without a conviction. In effect, you are no longer a convicted person. However, the case record itself will still exist, and the expungement will appear on your record.

## Why would you want an expungement?

It can be difficult to get a job with a conviction on your record. Many employers must carry insurance on their employees, and insurance companies often refuse to insure employees with convictions.

## Can I apply for an expungement if I still owe money for fines, fees, or restitution?

No. The court will not grant an expungement until your sentence is complete, which includes full payment. When you apply for an expungement, the probation department will provide information to the court about your compliance with paying any fines, fees, or restitution you've been ordered to pay. If you still owe money, the probation department will report that you are noncompliant with your sentence, and your request for expungement will be denied.

## **PROCEDURE**

You will need a copy of your criminal record or case information from each conviction you wish to expunge. Your criminal record or case history includes information essential to filling out the expungement papers. You must bring this to the clinic for us to be able to assist you with document preparation on the same day after the informational session.

### **Can I attach letters explaining my situation or my improved life?**

It is often a good idea to attach a declaration stating why you want the expungement and explaining your situation in life. In this declaration, you may want to discuss:

- Your plans for the future
- The reasons you offended, and how your life is different today than it was when you offended.
- How the conviction has hurt your employment chances
- If you have received any training or education
- Any occurrence in your life that changed how you interact with your community
- Any 12-step or religious affiliations you have

All declarations submitted to the court must be true and accurate. Declarations are one page long, and may be typed or handwritten.

Letters from employers, clergy, or other community members can be convincing, but should not be attached to your petition. You may provide these to the judge at your hearing.

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### **Can I expunge multiple convictions at the same time?**

Yes, you can file several petitions for expungement simultaneously. You will need to file separate Petitions and Orders for each conviction.

### **What if I have changed my name since my conviction?**

Fill out the forms with the name under which you were convicted. Sign the forms with your current name.

### **Am I required to be Hispanic to be eligible for your program?**

Absolutely not. IELLA assists all individuals regardless of ethnic background. However, in order for us to assist you with document preparation, you must qualify as being LOW INCOME. If you do not, a self-help packet will be provided to you.

## **AFTER FILING THE PAPERS**

### **What happens if the court denies my expungement?**

If you attend the hearing, you may ask the judge what you can do to get your conviction expunged. You may re-file your petition for expungement in 3-6 months, after you've made the changes recommended by the judge.

### **What happens if I am arrested while trying to get a previous conviction expunged?**

You cannot apply for expungement if you have any ongoing criminal proceeding or are on probation for any criminal offense. If you are arrested after you apply for expungement, your petition will be denied.