

HOW TO EXPUNGE YOUR CRIMINAL RECORD



Superior Court of California County of Riverside Self-Help Center

WHAT IS EXPUNGEMENT?

If granted by the court, Expungement allows a person who has been previously convicted of a misdemeanor or certain felonies to reopen their case and set aside the conviction. withdraw their plea of "guilty", enter a plea of "not guilty", and close the case without a conviction. The Penal Code sections that govern this action are Penal Code §1203.4 and §1203.4a. [Click here](#) to read the code sections online.

NOTE - *Granting of an Expungement does not remove the case entirely from your record. The arrest and charges will still exist and you must disclose the conviction in any direct question contained in any application for public office, for licensure by state or local agency or for contact with the California State Lottery.*

DO I HAVE TO HIRE AN ATTORNEY TO HELP ME GET MY CONVICTION EXPUNGED?

No. The Petition for Dismissal, ([Form CR-180](#)), Order for Dismissal ([Form CR-181](#)) & Proof of Service by Mail ([Form POS-030](#)) are simple 1 page forms that you can complete on your own, without the assistance of an attorney.

WHAT ARE THE REQUIREMENTS FOR FILING THE PETITION FOR DISMISSAL?

- ❖ To get your conviction dismissed under Penal Code § 1203.4 you must meet the following requirements:
 - You were convicted of a Misdemeanor or Felony.
 - Probation was granted on the case.
 - You have completed the full duration of probation and complied with all terms and conditions of probation or you were discharged from probation prior to the termination of probation.
 - You are not serving a sentence for any offense.

- You are not on probation for any other offense.
 - You are not currently charged with any other offense.
 - All court restitution and/or fines have been paid.
- ❖ Under Penal Code § 1203.4a you must meet the following requirements:
- You have been convicted of a Misdemeanor.
 - One year has passed since the date the judgment was entered against you.
 - You were sentenced on the case and probation was not granted.
 - You have completed your sentence and complied with any terms of the sentence.
 - You are not on probation for any other offense.
 - You are not currently charged with any other offense.

WHO DOES NOT QUALIFY FOR A PETITION FOR DISMISSAL?

If you have served state prison time and on parole or are a parolee, you are ineligible to Petition the court to Dismiss your case. You may still be eligible to apply for a Pardon.

There are certain Misdemeanor/Felony violations that are prohibited from being expunged. Seek the advice of an attorney if you are not sure if you qualify.

WHAT INFORMATION WILL I NEED TO FILE THE PETITION FOR DISMISSAL?

You will need the information relating to the case you are trying to dismiss (copy of complaint, conviction, and/or clerk's minute order). If your case was heard in the Riverside Courts, [click here](#) to obtain your case information. Or you can speak to a clerk at your local court to locate this information.

If your case has been destroyed or is more than 10 years old, you must obtain a copy of the probation order or the criminal history record from the [California Department of Justice](#).

A copy of the Petition must be mailed or delivered to the District Attorney or City Attorney who prosecuted your case. Additionally if probation was ordered in your case, a copy must be mailed to the Probation Department.

Please keep in mind, if you have multiple convictions, you will need to complete a separate Petition for Dismissal for each conviction.