

Petitions for Executive Clemency

- Ultimate form of relief from a conviction.
- If a pardon is granted by the Governor, with specific authorization the conviction can be expunged.
- Extraordinary remedy.

Note:

The information in this brochure is based on Illinois and US laws and regulations.

This information is intended to only be a brief overview of your rights. Since individual cases may vary, you should not rely on this information as substitute for an attorney.

ALTERNATIVE REMEDIES TO SEALING & EXPUNGEMENT OF CRIMINAL RECORDS



Breaking Barriers to Justice

For assistance, call:

(855) 601-9474

Monday - Thursday
9:00 a.m. - 4:00 p.m.
Friday
9:00 a.m. - 1:30 p.m.

Why Try an Alternative Remedy?

When a record is ineligible for sealing or expungement due to the type of charge (ex. Domestic Battery or DUI convictions), the alternative remedies listed in this brochure are an option to remove a barrier to getting employment.

What Types of Alternative Remedies Are Available to Me?

Health Care Waivers

- Removes statutory barriers to working in health care facilities.
- Available for non-licensed health care workers and any other employee with “access to patients”.
- Granted by the Illinois Department of Public Health.

Certificate of Good Conduct & Relief from Disability

- Granted by the courts after a “rehabilitation hearing” in front of a Judge.
- Can remove specific employment barriers or discretionary licensing barriers.
- Can be used to aid in job searches, provides immunity from negligent hiring.

Certificate of Expungement for Military

- Any veteran with eligible Class 3 or 4 Felonies that occurred before enlistment and honorable discharge.
- Any current enlistee who served one tour of duty and whose eligible felonies occurred before enlistment.
- Specific filing dates. Hearings are held in Chicago, IL. Petition filed

- through the Illinois Prisoner Review Board. Must have DD 214 and/or documents of completed tour of duty.
- The following offenses do not qualify for a Certificate of Expungement: sex offenses, Gun cases, crimes of violence, domestic violence cases including aggravated assault, violations of orders of protection, domestic battery, aggravated battery and aggravated domestic battery.
- If denied must wait four years to reapply OR try executive clemency.
- If granted a petition can be filed in the Circuit Court for the court to issue an Order of Expungement of Records.