



THINKING ABOUT EXPUNGEMENT?

What Is Expungement?

Expungement is the process of removing a criminal charge from your public record. It helps people get a second chance by clearing certain charges so they don't show up in background checks.

Who Can Get Help from Volunteer Lawyers Birmingham (VLB)?

- ✓ You must live in Jefferson County, Alabama
- ✓ Your charges must have happened in Jefferson County
- ✓ You must have paid all court fines and fees for the charge
- ✓ You must have completed your sentence, probation, court program, etc.
- ✓ You must be income-eligible for free legal help

What CAN Be Expunged in Alabama?

You may be able to expunge:

- Up to 2 misdemeanors and 1 felony conviction in your lifetime
- Unlimited dismissed charges that did not result in a conviction, if they were dismissed without conditions
 - NOTE: One expungement includes **all charges** stemming from a single arrest or incident.

IMPORTANT: Charges do not disappear automatically—even if dismissed! You must ask the court to remove them.

What CANNOT Be Expunged in Alabama?

- ✗ Convictions for violent crimes
- ✗ Convictions for sex crimes
- ✗ Crimes involving children
- ✗ Serious traffic violations
- ✗ Felonies without a pardon

How Long Must You Wait?

Before filing for an expungement, you must wait:

- At least 90 days after a dismissal, not guilty verdict, or no-bill by a grand jury
- 1 to 5 years for other charges, depending on how the charge was dismissed and whether it was a misdemeanor or felony
- 3 years after a misdemeanor conviction
- 180 days after receiving a pardon for a felony conviction

Important Notes:

- Filing for expungement does not guarantee that it will be granted.
- The filing fee for each expungement is \$500, unless you qualify for a fee waiver.
- You will need to provide certain official documents with your expungement petition, including:
 - A certified arrest or court record
 - A certified background check from ALEA

QUICK ELIGIBILITY CHECKLIST:

You MAY qualify for expungement of DISMISSED CHARGES if:

- The case was dismissed with prejudice
- You were found not guilty
- The charge was no-billed by a grand jury
- The charge was nolle prossed (dismissed without conditions)
- You completed drug court, veterans court, or mental health court successfully
- The charge was dismissed without prejudice and not refiled in 1 year (misdemeanor) or 5 years (felony)

You MAY qualify for expungement of a MISDEMEANOR CONVICTION if:

- It was not a violent offense, sex offense, or crime of moral turpitude
- You've waited 3 years since conviction
- You've paid all fines and completed probation
- You've had fewer than 3 convictions expunged

You MAY qualify for expungement of a FELONY CONVICTION if:

- You were pardoned and had your rights restored
- You've waited 180 days since the pardon
- It was not a violent offense, sex offense, or crime of moral turpitude
- You've had not had any prior felony convictions expungements granted

Next Steps!

Visit our website, where you can find:

- More detailed information about expungements, including the forms that you will need to fill out
- A link to sign up for our clinic waitlist (**PLEASE NOTE that the wait time to get into a clinic can be 6–12 months**)

 Visit: www.vlbham.org/get-help/expungements