

# Eight Steps to Cleaning Up Your Criminal Record in Utah

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A criminal record can make finding a job impossible. Even misdemeanor convictions can make it difficult to get a lease on an apartment or a house. But residents of Utah who avoid arrests and convictions for new crimes for several years have options for cleaning up their records and getting on with their lives through a process called expungement.

**Expungement is a process that seals your criminal record from public view.** Some Utah state agencies, such as the Division of Occupational and Professional Licensing, may still have access to your records, but you won't have to worry about access by potential employers and landlords. After you have your record expunged:

- You don't have to tell potential landlords you have been convicted of a crime,
- You don't have to tell potential employers you have been convicted of a crime, and
- State and federal agencies are required to treat you as if the crime never occurred.

And the good news is that recent changes in the law in Utah make expungement easier than ever before.

Here's what you have to do.

## Determine If You Are Eligible for Expungement in Utah

Utah has a complicated system for determining who can have their record wiped clean. Here are some of the highlights:

- If you have been arrested more than 30 days ago and no charges are pending, or if you have entered an agreement for abeyance of charges with the prosecutor based on your continuing good behavior, you can apply to have your arrest record expunged, You can also have your arrest record expunged if you were tried and acquitted.
- If you were arrested for marijuana possession and you can show that you had a medical condition for which cannabis is legally prescribed, and you only possessed an amount appropriate for medical use, you may be able to apply for expungement.
- If you did time for your criminal conviction, you can apply for expungement three to ten years after your last incarceration, probation, or parole, depending on the crime, if you have had no new convictions since the end of your punishment.

Some crimes cannot be expunged unless they have been pardoned. If you have a pardon, then you can file for expungement.

## **Next, Apply for a Certificate of Eligibility From the Utah Bureau of Criminal Investigations**

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You will have to get fingerprinted (again) and pay a \$65 fee,

## **Then, Pay to Have Your Certificate of Eligibility Issued.**

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You'll pay a \$56 fee to the appropriate agency,

## **Once You Have Been Issued Your Certificate of Eligibility, Draft a Petition for Expungement and Submit It to the Appropriate Court**

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Not every court will have the power to hear your case. You will have to pay another \$135 fee.

## **Serve the Prosecutor's Office With a Copy of Your Petition**

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“Service” isn't dropping off paperwork. You will need legal documentation that the prosecutor has received your petition for expungement (not your certificate of eligibility) before your case can proceed.

## **Wait for the Court to Rule on Whether a Hearing Is Needed in Your Case**

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If the Court calls for a hearing, you will have to tell the judge why you believe your record should be expunged.

## **Request the Court to Issue Your Order of Expungement**

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You still have to ask the Court to give you the order.

## **And File Copies of the Order of Expungement With All the Appropriate Agencies**

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Your record won't be clean until all the required agencies get the required paperwork in the required form by the required method of delivery.

## **Contact a Criminal Defense Lawyer Salt Lake City, Utah**

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There's an easier way. Get a criminal defense lawyer in Salt Lake City, Utah. And if you need expungement of federal criminal charges or convictions, you need a Utah defense lawyer who is also a federal defense attorney.

Wasatch Defense Lawyers offers a free, confidential case review and payment arrangements if needed. Our attorneys offer interviews in English, Spanish, and German. Contact the Wasatch Defense Lawyers. Our aggressive approach gets positive results.