

CLEAN SLATE EXPUNGEMENT PROGRAM



Opening Doors to Better Jobs, Housing and Educational Opportunities

SEMCA Michigan Works! is now providing professional legal assistance to eligible participants for the **State of Michigan Clean Slate Expungement Program**.

Residents of the SEMCA Michigan Works! region, which include Monroe County and Wayne County (excluding the City of Detroit), can use this free service*, regardless of where the conviction occurred.

To determine your eligibility and to begin the application process you MUST complete an initial registration form found at www.SEMCA.org/cleanslate. The registration form requires you to provide certain information (name, home address, valid email address, etc.) to allow SEMCA to retrieve your Internet Criminal History Access Tool (ICHAT) and assess your eligibility for expungement. You MUST enter a valid email address. If you do not have an email address, you may obtain one for free at www.gmail.com or www.yahoo.com.

Go to www.SEMCA.org/cleanslate to complete registration.

Clean Slate participants will be introduced to all the services and resources of the Michigan Works! system including job fairs, resume writing, job search assistance and if eligible, training funds may be available.

**applicants may be responsible for fingerprinting fees*

FOR MORE INFORMATION

www.SEMCA.org/cleanslate | cleanslate@SEMCA.org | 734.229.3546

EXPUNGEMENT PROCESS

- Applicant applies by completing a screening tool at SEMCA.org
- Questionnaire is reviewed to see if preliminarily eligible
- ICHAT performed and reviewed to confirm eligibility
- Application filled out with applicant and then given instructions to get fingerprinted by police agency
- Certified copy(s) of conviction is ordered from the court where the conviction occurred
- Once all paperwork is received, it is filed with the court
- Copies of paperwork are sent to attorney general and prosecutor
- Copies of paperwork are sent to Michigan State Police for a lien check
- Once official lien is completed, eligibility is confirmed
- Hearing is scheduled
- Applicant and attorney appear in front of sentencing judge to present case
- Judge decided whether to grant expungement request and set aside the prior conviction(s)

CLEAN SLATE EXPUNGEMENT PROGRAM Q & A

WHAT IS EXPUNGEMENT?

An expungement is a court proceeding where a prior conviction can be removed from a person's criminal history helping them gain access to employment, housing, and financial aid which their prior criminal record may have prevented.

WHO IS ELIGIBLE?

Residents of the SEMCA region, Wayne County excluding the City of Detroit, and Monroe County regardless of where the conviction took place. State law determines which convictions are eligible for expungement. A detailed review of an applicant's files will determine if the person is eligible to have their conviction set aside based on the current law. The best tool that is available to determine this is an ICHAT record search done through Michigan State Police. This check is open to the public for a fee and does an unofficial check of a person's criminal history. Typically, IChat record checks are used for simple background reviews. SEMCA is considered an IChat agency of record.

IF ELIGIBLE, THEN WHAT?

Once it's determined a person is eligible, an application for expungement can be prepared and the applicant will need to be fingerprinted. Additionally, certified copies of the applicant's conviction (s) needs to be ordered from the court where they were convicted. Once received, it is attached to the application and the completed RI-8 fingerprint card. This paperwork is then filed in the court where the conviction took place (court that sentenced the applicant). Copies of the filed paperwork are then mailed to the Attorney General of Michigan and the prosecutor's office for the county in which the conviction occurred to serve as notice of intent for a hearing. Lastly, a copy is sent to the Michigan State Police (Criminal Justice Information Center) for them to conduct an OFFICIAL records check (Lien) and confirm the applicant's criminal history. Judges will only consider for expungement what appears on the official Lien document not ICHAT search results.

It is important to remember that though applicants are eager to have their expungement cases heard the expungement process can be take time and patience is important.

WHEN WOULD THEY HAVE A HEARING?

A hearing can be scheduled once Michigan State Police returns the Lien results. They provide a certified/ official copy of the lien check to the court of conviction, Attorney General's office, prosecutor's office and the applicant's attorney. This record check can take up to ninety (90) plus days to receive and the court will not schedule a hearing until it is complete. Once it is, the Attorney General or Prosecutor's office has an opportunity to file a response if they are opposing the application.

WHO HEARS THE CASE?

The expungement hearing is supposed to be conducted in front of the judge who sentenced the applicant on the underlying charge. If that judge is no longer with the court or otherwise assigned to a different division, the hearing will be in front of the judge who assumed the prior judge's docket. Other arrangements can be made at the discretion of the court hearing the case. The purpose of the hearing is to convince the judge that the applicant has endured hardships due to his/her prior conviction(s) and has learned from their actions in the past. These hearings are successful when the applicant can show that they have built a solid life and refrain from past destructive behaviors. Not all expungement requests are granted. Some judges hold applicants to a higher bar than others. But overall, most judges do want to see applicants succeed and be able to put past mistakes behind them.

HOW ELSE WILL SEMCA HELP?

All applicants, even if their expungement is not successful, will be referred to Michigan Works American Job Centers so they can avail themselves of all of the services in an effort to help them improve their employment and lives.