

**DOROTHY BROWN
CLERK OF THE CIRCUIT COURT OF COOK COUNTY**

CRIMINAL AND TRAFFIC SEALING GUIDELINES



Petitions to Seal Records May Be Filed With or Without An Attorney

If you want an attorney and need assistance locating one, the Clerk's Office has a list of "Legal Service Providers" available for your reference.

Visit Us At:

www.cookcountyclerkofcourt.org

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**DOROTHY BROWN
OFFICE OF THE CLERK OF THE CIRCUIT COURT
COOK COUNTY, ILLINOIS**

**CRIMINAL AND TRAFFIC
SEALING GUIDELINES**

PLEASE READ CAREFULLY

The law allows certain misdemeanor or municipal ordinance violation records in Criminal and Traffic cases to be sealed ([20 ILCS 2630/5](#)). If you believe that you are eligible for this process, you may file a Petition to seal your records. You may file this Petition on your own ("*pro se*") - you are not required to have an attorney.

The Clerk of the Circuit Court of Cook County will make the Petition forms available, collect the \$60.00 filing fee(s) ([705 ILCS 105/27.2a](#)), process the forms when they are presented for filing, and notify you when the judge has made a decision.

It is the responsibility of the party filing the Petition to ensure that proper forms are used, documents are prepared correctly, fees are paid, appropriate cases are listed on the Petition, copies of the Petition are provided to the Clerk's Office for service by the Clerk on the necessary parties, and that all legal requirements have been met.

It is recommended that the party filing the Petition fully understands the proper procedures and requirements for filing the Petition. The State Appellate Defender's Office (400 S. 9th St., Suite 201, Springfield, IL 62705; 1-866-431-4907 (toll-free); <http://state.il.us/defender/exp.html>) can also provide you with information about the sealing of records. If you have any questions regarding any aspect of the process, please contact an attorney or obtain a legal referral from a Bar Association. The Clerk's Office can provide you with a List of Legal Service Providers.

**THE CLERK'S OFFICE IS PROHIBITED FROM GIVING LEGAL ADVICE,
PREPARING THE FORMS, OR ADVISING THE PARTIES
ON HOW TO COMPLETE THE REQUIRED FORMS**

705 ILCS 110/1; 705 ILCS 205/10; Illinois Supreme Court Rule 756(b)

Unless the State's Attorney, Prosecutor, Illinois State Police, arresting authority, or chief legal officer objects to the Petition **WITHIN 90 DAYS** from the date of notice of the Petition, the court shall enter an Order granting or denying the Petition. If an objection is filed by any of the law enforcement agencies listed on the Notice of Filing, the court shall set a date for hearing. At the hearing, the court shall hear evidence on whether the sealing of records should or should not be granted.

After the judge grants or denies your Petition, the Clerk's Office will mail you the judge's Order. If the judge grants your Petition, the Clerk's Office will also mail a copy of the Order to (1) the arresting authority, (2) the Illinois State Police, (3) the State's Attorney or Prosecutor, and (4) such other criminal justice agencies as may be ordered by the judge. If the judge grants your Petition, you must mail to the Clerk's Office the \$40.00 fee required by the Illinois State Police to process the court's Order. The local agency that arrested you may also request that you pay a fee.

CASE TYPES THAT CAN AND CANNOT BE SEALED

Pursuant to 20 ILCS 2630/5

Cases that CANNOT be sealed:

- a. **Any and all felonies;**
- b. Driving under the Influence ([625 ILCS 5/11-501 et. seq.](#));
- c. Article 11 of the Criminal Code, including Adultery, Fornication, Public Indecency, Marrying a Bigamist and/or Obscenity;
- d. Dog Fighting ([720 ILCS 5/26-5](#));
- e. Crimes under the Victim Compensation Act ([740 ILCS 45/2](#)), including
 - Assault ([720 ILCS 5/12-1](#));
 - Aggravated Assault ([720 ILCS 5/12-2](#));
 - Battery ([720 ILCS 5/12-3](#));
 - Domestic Battery ([720 ILCS 5/12-3.2](#));
 - Reckless Conduct ([720 ILCS 5/12-5](#));
 - Criminal Sexual Abuse ([720 ILCS 5/12-15](#));
 - Violation of an Order of Protection ([720 ILCS 5/12-30](#));
- f. Class A Misdemeanor, Humane Care of Animals Act ([510 ILCS 70/1](#)); and
- g. Sex Offender Registration Act Offenses ([730 ILCS 150/1](#)).

Cases that CAN be sealed:

- a. You are an **adult** or **minor prosecuted as an adult** for a **misdemeanor** or **municipal ordinance violation** in which you were **acquitted**; **released without being convicted** (including cases in which you were not charged), **your conviction was reversed**; or **you received a sentence of supervision for a misdemeanor AND you have not been convicted of a felony or misdemeanor or placed on supervision for a misdemeanor for three (3) years after being acquitted, or released, or your conviction being reversed, or having completed the terms and conditions of your supervision.** (Use the "Petition to Seal Arrest Record form, #CCCR-0322A/B)
- b. You are an **adult** or **minor prosecuted as an adult** for a **misdemeanor** which resulted in a **conviction AND you have not been convicted of a felony or misdemeanor or placed on supervision for a misdemeanor for four (4) years after completing your sentence.** (Use the "Petition to Seal Conviction form, #CCCR0323A/B)

**DOROTHY BROWN
OFFICE OF THE CLERK OF THE CIRCUIT COURT
COOK COUNTY, ILLINOIS**

FREQUENTLY ASKED QUESTIONS

1. HOW MUCH DOES IT COST TO FILE MY PETITION TO SEAL?

The non-refundable filing fee of **\$60.00 per Petition** is payable to the Clerk of the Circuit Court. ([705 ILCS 105/27.2a](#)) The fee may be paid by cash, check, money order, or cashier's check. If you pay by check, your Driver's License, State I.D., or Matricula Consular number, telephone number, and case number should be written on the face of the check.

If you qualify based on your personal financial circumstances, you may ask the court for a "298" fee waiver. ([735 ILCS 5/5-105](#)) If you qualify, you will not have to pay the \$60.00 fee(s). A "298" Petition form is available from the Clerk's Office or online at www.cookcountyclerkofcourt.org.

2. I AM NOT SURE OF ALL THE CASES I WISH TO HAVE SEALED. HOW DO I MAKE SURE I AM LISTING ALL THE CASES INVOLVING ME ON MY PETITION?

You may ask the Chicago Police Department or Illinois State Police to conduct a criminal record search for your fingerprint number or name. This is an effective way to confirm that you are listing ALL of the cases you wish to have sealed.

It is your responsibility to list ALL of the cases you wish to seal on your Petition. The Clerk of the Circuit Court of Cook County is not responsible for confirming that you have listed all pertinent cases on your Petition.

For Records in the City of Chicago Only:

Chicago Police Department

Access and Review Division

3510 South Michigan Avenue, First Floor

Chicago, Illinois 60602

312-745-5570

Fingerprints taken: Monday – Friday, 8:00 a.m. – 12:00 p.m.

Pick-up criminal history results: Monday – Friday, 2:00 p.m. – 3:30 p.m.

Fee: \$16.00

For Records in the State of Illinois:

Illinois State Police (in Joliet, Illinois)

Division of Administration

Bureau of Identification

260 North Chicago Street

Joliet, Illinois 60431

815-740-5160, extension 2743

Order forms online at www.isp.state.il.us

Fee for non-fingerprint conviction information: \$12.00

Fee for fingerprint conviction information: \$14.00

3. WHICH FORMS DO I FILL OUT?

Use the "Petition to Seal Arrest Record," the "Order to Seal Arrest Record," and the "Notice of Filing" forms if you are an adult or minor prosecuted as an adult for a misdemeanor or municipal ordinance violation in which you were acquitted; released without being convicted (including cases in which you were not charged), your conviction was reversed; or you received a sentence of supervision for a misdemeanor AND you have not been convicted of a felony or misdemeanor or placed on supervision for a misdemeanor for three (3) years after being acquitted, or released, or your conviction being reversed, or having completed the terms and conditions of your supervision.

Use the "Petition to Seal Conviction," "Order to Seal Conviction," and the "Notice of Filing" forms if you are an adult or minor prosecuted as an adult for a misdemeanor which resulted in a conviction AND you have not been convicted of a felony or misdemeanor or placed on supervision for a misdemeanor for four (4) years after completing your sentence.

The Clerk's Office has the following forms available for your use (these forms are also available online at www.cookcountyclerkofcourt.org):

	Form #
✓ Petition to Seal Arrest Record	CCCR-0322A/B
✓ Petition to Seal Conviction	CCCR-0323A/B
✓ Order to Seal Arrest Record	CCCR-0320A/B
✓ Order to Seal Conviction	CCCR-0321A/B
✓ Notice of Filing	CCCR-0324A-B

Multiple cases that arise in the same Division, Department or District may be filed on one Petition for a single fee of \$60.00. When filing multiple cases on one Petition, please note if one case is denied, all cases filed on that particular Petition are denied.

If you have separate cases that arose in more than one of the Departments, Divisions, or Districts listed below, you must file separate Petitions for each location. ([Circuit Court of Cook County General Order 17.7](#)) A \$60.00 fee must be paid for each Petition filed.

For every Petition you file, you should also file an Order and a Notice of Filing.

4. WHERE DO I GO TO FILE MY PETITION?

◆ If your **Criminal case** arose in the **City of Chicago**, your Petition and Order should be filed in the Criminal Department or in the Criminal Division:

DISTRICT 1 -- CRIMINAL DEPARTMENT – CHICAGO

Richard J. Daley Center
 50 West Washington Street
 Room 1006
 Chicago, Illinois 60602
 General Information: 312-603-4641 or -4642
 Criminal Manager: 312-603-4648
 Traffic Manager: 312-603-2923

DISTRICT 1 -- CRIMINAL DIVISION – CHICAGO

2650 South California Avenue
 Chicago, Illinois 60608
 General Information: 773-869-3140

◆ If your **Traffic case** arose in the **City of Chicago**, your Petition and Order should be filed in the Traffic Division:

DISTRICT 1 – TRAFFIC DIVISION – CHICAGO

Richard J. Daley Center
 50 West Washington Street
 Room LL-20, Lower Level
 Chicago, Illinois 60602
 General Information: 312-603-2926
 Criminal Manager: 312-603-2959
 Traffic Manager: 312-603-2924

◆ If your **Criminal or Traffic case** arose in **any of the five Suburban Districts**, the Petition and Order should be filed in the respective District:

DISTRICT 2 – SKOKIE

5600 Old Orchard Road
 Skokie, Illinois 60077
 General Information: 847-470-7250
 Criminal Manager: 847-470-7269
 Traffic Manager: 847-470-5088
 Assistant Traffic Manager: 847-470-7546

Cities and Villages within District 2:

Deerfield, Des Plaines, Evanston, Glencoe, Glenview, Golf, Kenilworth, Lincolnwood, Morton Grove, Niles, Northbrook, Northfield, Park Ridge, Prospect Heights, Skokie, Wilmette, Winnetka, Cook County Sheriff, Cook County Forest Preserve, Illinois State Police Districts 3 and 15.

DISTRICT 3 – ROLLING MEADOWS

2121 Euclid Avenue
 Rolling Meadows, Illinois 60008
 General Information: 847-818-3000
 Criminal Manager: 847-818-2701
 Traffic Manager: 847-818-2193
 Assistant Traffic Manager: 847-818-2578

Cities and Villages within District 3:

Arlington Heights, Barrington, Barrington Hills, Bartlett, Bensenville, Buffalo Grove, Elgin, Elk Grove Village, Hanover Park, Harwood Heights, Hoffman Estates, Rolling Meadows, Roselle, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Cook County Sheriff, Cook County Forest Preserve, Illinois State Police Districts 2, 3, and 15.

DISTRICT 4 - MAYWOOD

1500 Maybrook Avenue
Maywood, Illinois 60153

General Information :	708-865-4937
Criminal Manager:	708-865-4978
Traffic Manager:	708-865-5195
Assistant Traffic Manager:	708-786-2445

Cities and Villages within District 4:

Animal Control, Bellwood, Berkeley, Berwyn, Broadview, Brookfield, Burlington North/Sante Fe Railroad, Cicero, Cook County Sheriff, Elgin/Joliet, Elmhurst, Elmwood Park, Forest Park, Forest Preserve, Franklin Park, Hillside, Hines Hospital, Illinois Commerce Commission, LaGrange Park, Maywood, Maywood Park District, Melrose Park, Memorial Park, Metra Police Department, Northlake, North Riverside, Public Safety, Oak Park, River Forest, River Grove, Riverside, Secretary of State Police, Stone Park, Triton College, Union Pacific Railroad, Water Reclamation, Westchester.

DISTRICT 5 - BRIDGEVIEW

10220 South 76th Avenue
Bridgeview, Illinois 60455

General Information:	708-974-6500
Criminal Manager:	708-974-6387
Traffic Manager:	708-974-6906
Assistant Traffic Manager:	708-974-6520

Cities and Villages within District 5:

Alsip, Bedford Park, Bridgeview, Burbank, Burr Ridge, Chicago Ridge, Countryside, Crestwood, Evergreen Park, Forest View, Hickory Hills, Hinsdale, Hodgkins, Hometown, Indian Head Park, Justice, LaGrange, Lemont, Lyons, Merrionette Park, McCook, Oak Lawn, Orland Hills, Orland Park, Palos Hills, Palos Park, Stickney, Summit, Tinley Park, Western Springs, West Haven, Willow Springs, Worth, Cook County Sheriff, Cook County Forest Preserve, and Illinois State Police Districts 3 and 15.

DISTRICT 6 - MARKHAM

16501 South Kedzie Parkway
Markham, Illinois 60426

General Information:	708-210-4551
Criminal Manager	708-210-4217
Assistant Criminal Manager:	708-210-4604
Traffic Manager:	708-210-4486
Assistant Traffic Manager:	708-210-4577

Cities and Villages within District 6:

Blue Island, Burnham, Calumet City, Calumet Park, Chicago Heights, Country Club Hills, Crete, Dixmoor, Dolton, East Hazelcrest, Flossmoor, Ford Heights, Glenwood, Harvey, Hazelcrest, Homewood, Lansing, Lynwood, Markham, Matteson, Midlothian, Oak Forest, Olympia Fields, Park Forest, Phoenix, Posen, Richton Park, Riverdale, Robbins, Sauk Village, South-Chicago Heights, South Holland, Steger, Thornton.

5. ONCE I'VE FILED MY PETITION(S) WITH THE COURT, WHO SENDS COPIES TO THE LAW ENFORCEMENT ENTITIES?

Pursuant to [20 ILCS 2630/5\(h\)](#) and (i), the Clerk of the Circuit Court will serve copies of the Petition on the following entities:

- ✓ The State's Attorney or Prosecutor(s) charged with the duty of prosecuting each offense;
- ✓ The Department of Illinois State Police;
- ✓ The arresting agency or agencies; and
- ✓ The chief legal officer(s) of the unit(s) of local government where you were arrested.

The Clerk's Office has provided a "Notice of Filing" form for you to list all the agencies that must be served. The Clerk will send the Petition to all of the agencies **you** list on the Notice.

6. WHAT HAPPENS AFTER COPIES OF MY PETITION(S) HAVE BEEN SENT TO ALL REQUIRED ENTITIES?

After the Clerk's Office serves copies of your Petition(s) on the State's Attorney/Prosecutor, the Illinois State Police, the agency that arrested you, and the unit of local government where you were arrested, these agencies have **90 days** within which to object to your Petition(s). If these agencies do not object to your Petition(s) within this 90-day period, the court shall enter an Order granting or denying the Petition(s). ([20 ILCS 2630/5\(h\)](#) and (i)) You do not have to come back to court or file any additional documents for the court to enter this Order. You will know whether or not your Petition(s) was granted or denied when you receive a copy of the Order in the mail at the address you provided on the forms.

Once more than 90 days have passed since you filed your Petition(s), you may telephone the Clerk's Office at 312-603-4641 or 773-869-3140 for an update on the status of your case.

7. IF MY PETITION(S) IS GRANTED, WHAT HAPPENS NEXT?

The Clerk's Office will mail a copy of the Order(s) to you and to the four law enforcement agencies served with the Petition(s). ([20 ILCS 2630/5\(h\)](#) and (i)) You will receive a letter from the Clerk's Office enclosed with your copy of the Order(s). The letter will instruct you to send payment to the Clerk in the amount of \$40.00 for the fee required by the Illinois State Police to seal your records. The check, money order, or cashier's check should be made payable to the Clerk of the Circuit Court. Your Driver's License, State I.D., or Matricula Consular number, telephone number, and case number should be written on the face of the check. The Clerk's Office will transfer payment to the Illinois State Police. **The Illinois State Police will not seal your records unless you pay the \$40.00 fee.**

The Illinois State Police will then forward information to the FBI, so that the FBI can also process the court's Order. In about 30 days, the Illinois State Police will receive notice from the FBI that it has completed its processing. You will not receive anything from the FBI directly. You may call the Illinois State Police to check on the status of your FBI record at 815-740-5160. If at any time you want to know what is on your FBI record, you may call the FBI at 304-625-3878 (there is an \$18.00 fee for this service).

Your records will also be sealed by the agency that arrested you. Depending on the local agency and local unit of government involved, you may need to pay a fee to have your records sealed. To ensure that your record is sealed with these local agencies, please follow all directions from the local police agency regarding this process.

8. WHAT IS THE DIFFERENCE BETWEEN SEALING AND EXPUNGING RECORDS?

When a Clerk's Office record is sealed it is no longer available to employers or other members of the public, and can be viewed by the public only if a judge orders that they can see it. When an Illinois State Police or local police agency record is sealed, it is no longer available to your employer or other members of the public, but can still be seen by law enforcement agencies.

When a record is expunged, it is physically destroyed, as if it never existed.

If you were charged with a felony, misdemeanor, or municipal ordinance violation, you may qualify for an expungement under [20 ILCS 2630/5\(a\)-\(g\)](#). Ask the Clerk's Office for the "*Criminal and Traffic Expungement Guidelines*."

Under the expungement legislation, [20 ILCS 2630/5\(a\)-\(g\)](#), if you qualify and were acquitted, released without conviction, never charged, or had an order of supervision entered and two years has elapsed since discharge and dismissal of supervision, the agency that arrested you and the Illinois State Police will "expunge" your records. The Clerk's Office will "seal" your records and remove your name from the electronic index.

If you qualify for an expungement and were placed on supervision or probation for certain offenses and five years has elapsed since the Order terminating supervision or probation was entered, the agency that arrested you will "expunge" your records, and the Illinois State Police and the Clerk's Office will "seal" your records and remove your name from the electronic index.

9. IF MY PETITION IS DENIED, CAN I APPEAL THAT DECISION?

Once the judge makes his/her ruling, the Clerk’s Office will notify you at the address you provided on the forms. If your Petition(s) was denied, you may ask the Presiding Judge of the Division(s), Department(s), or District(s) in which your case was heard to reconsider your Petition(s). To do this, you must file a Motion and a Notice of Motion and serve a copy of these on the four required agencies (see answer to Question #6, above). These forms are available in the Criminal Department, Criminal Division, or Suburban Districts and online at www.cookcountyclerkofcourt.org.

10. DO I NEED A “CERTIFIED” COPY OF THE ORDER SEALING MY RECORDS?

A “certified” copy is a copy containing a Clerk’s Office seal verifying it to be an authentic court document. You may need a certified copy of your Order, for example, to show to an employer who, with prior knowledge of your criminal history, has asked for verification that your record is sealed. The Clerk’s Office charges a fee of \$4.00 for a certified copy of the Order sealing your records. ([705 ILCS 105/27.2a](#))

11. WHAT IS THE TOTAL AMOUNT I WILL HAVE TO PAY TO GET MY RECORD(S) SEALED?

If you do not have a 298 fee waiver (see answer to question #1 on page 3), you will have to pay \$60.00 for each Petition you file. If your Petition(s) is granted, you will also have to pay \$40.00 for the Illinois State Police processing fee plus any amount required by the local agency or agencies that arrested you. If you want a certified copy of the Order sealing your records from the Clerk’s Office, the fee is \$4.00 per certification. ([705 ILCS 105/27.2a](#))

NOTES: _____

**DOROTHY BROWN
OFFICE OF THE CLERK OF THE CIRCUIT COURT
COOK COUNTY, ILLINOIS**

**GUIDELINES FOR FILLING OUT FORMS FOR SEALING
OF CRIMINAL OR TRAFFIC RECORDS**

Please complete the Petition to Seal Arrest Record or Petition to Seal Conviction; the Order to Seal Arrest Record or Order to Seal Conviction; and the Notice of Filing:

	<u>Form #</u>
✓ Petition to Seal Arrest Record	CCCR-0322A/B
✓ Petition to Seal Conviction	CCCR-0323A/B
✓ Order to Seal Arrest Record	CCCR-0320A/B
✓ Order to Seal Conviction	CCCR-0321A/B
✓ Notice of Filing	CCCR-0324A-B

The following information on the Petition(s) should be completed:

1. The first and last name of the person who seeks to have his/her record sealed;
2. The case number(s) of the record(s) sought to be sealed;
 - ✓ This information may be obtained from the Chicago Police Department (312-745-5101) or the Illinois State Police (815-740-5160) (See page 3 of this packet).
 - ✓ If you have separate cases that arose in the City of Chicago and in one or more Suburban Districts, you must file separate Petitions and Orders for each location. ([Circuit Court of Cook County General Order 17.7.](#)) A \$60.00 fee must be paid for each Petition filed.
3. The charge(s), date(s) of arrest(s), and arresting authorities;
4. The date of birth, sex, and race of the person who seeks to have his/her record sealed;
5. The name and address of the person to whom the court Order should be sent;
6. Place a check mark or "x" in the appropriate check box(es), if any, on the form;
7. Print your name where it says "Prepared By." Print your address where you receive mail, including street number, street name, city, state and zip code. Print your telephone number where you can be reached. If you are filing the Petition on your own (*pro se*) without the assistance of an attorney, your attorney number is 99500;
8. Sign and date the Petition. **The Verification must be signed by the person who seeks to have his/her record sealed.** The Petition may be signed by the person who seeks to have his/her record sealed or his/her attorney.
9. Leave the "Received" line and State's Attorney/Prosecutor signature lines blank.

The following information on the Order(s) should be completed:

1. The first and last name of the person who seeks to have his/her record sealed;
2. The case number(s) of the record(s) sought to be sealed;
3. Place a check mark or "x" in the appropriate check box(es) on the Order and fill in the appropriate arresting police agency names; Print your name where it says "Prepared By" Print your address where you receive mail, including street number, street name, city, state and zip code; and print your telephone number where you can be reached. If you are filing the Order on your own (*pro se*) without the assistance of an attorney, your attorney number is 99500; and
5. Leave the date line and judge's signature line blank.

The following information on the Notice of Filing should be completed:

1. Fill in the addresses for the entities that must be served. The address for the Illinois State Police is pre-printed on the form. The addresses for the Cook County State's Attorneys Offices are located on the reverse-side of the Notice of Filing, or you may obtain these addresses by calling 312-603-5440. You are responsible for obtaining the addresses of the arresting agency or agencies and the Chief Legal Officer(s) of the Local Government(s) that arrested you;
2. Place check marks in the boxes which correctly list the documents you are filing with the court;
3. The Clerk's Office will complete the Proof of Service;
4. Print your name where it says "Printed Name of Defendant/Petitioner;"
5. Print your address where you receive mail, including street number, street name, city, state and zip code; and
6. Print your telephone number where you can be reached.

FILE THE COMPLETED FORMS AT THE APPROPRIATE COURTHOUSE(S)

After you have completed the forms, bring the following to the appropriate courthouse(s) for filing:

- ✓ The original and five* copies of each Petition;
- ✓ The original and one copy of the Notice of Filing;
- ✓ The original and one copy of each Order; and
- ✓ The filing fee of \$60.00 per Petition.

* *Please note:* If you have listed more than one offense on your Petition, then more than one arresting agency, prosecutor, or chief legal officer may need to be notified of the Petition. You would therefore need to bring an additional copy of the Petition for each arresting agency, prosecutor, or chief legal officer to the courthouse for filing. (See answer to question # 5 on page 7 of this packet.)

The Clerk's Office will retain the *original* Petition, Order, and Notice of Filing, and will file-stamp the *copies*. Please keep one file-stamped copy of the Petition, one file-stamped copy of the Order, and one file-stamped copy of the Notice of Filing for your personal records.

