

SECOND CHANCE PROBATION

SEALING

FROM THE ILLINOIS SUPREME COURT'S APPROVED EXPUNGEMENT FORM

Second Chance Probation that is successfully completed can be SEALED at any time.

What types of offenses CAN be sealed (hidden)?

Sealing hides your criminal record from most of the public. Law enforcement agencies can still see sealed records.

The following can be sealed at any time:

- Arrests and charges for misdemeanors and felonies that did not lead to a conviction.
- Successfully completed sentences of Second Chance Probation.
- Minor traffic offenses can only be sealed if you were released without being charged.

Find Illinois Supreme Court approved forms at: ilcourts.info/forms.

EXPUNGEMENT

Second Chance Probation is included in the definition of “Qualified Probation.”

The time frame to expunge a dismissal under “Qualified Probation” is 5 years (see 20 ILCS 2630/5.2).

Qualified Probation

(a)(1)(J) “Qualified probation” means an order of probation under Section 10 of the Cannabis Control Act,¹ Section 410 of the Illinois Controlled Substances Act,² Section 70 of the Methamphetamine Control and Community Protection Act,³ Section 5-6-3.3 (Offender Initiative Program) or 5-6-3.4 (Second Chance Probation) of the Unified Code of Corrections,⁴ Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act,⁵ Section 40-10 of the Substance Use Disorder Act,⁶ (Treatment as a Condition of Probation - TASC) or Section 10 of the Steroid Control Act.⁷ For the purpose of this Section, “successful completion” of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Substance Use Disorder Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(b)(2)(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.