

New Expungement Laws Pass



New laws have expanded opportunities to remove criminal convictions from your record:

1. In 2020-21 more types of crimes can be expunged through an application process
2. And in 2022 many crimes will be automatically expunged—this is called “Clean Slate”

2020-21 Changes

- You can expunge up to 3 felonies and any number of misdemeanors in your lifetime, unless you have a conviction for an assaultive crime, and then the limit will be 2 felonies and 4 misdemeanors
- Some convictions still require an application (using the same process as before)
 - This part of the law will go into effect in April of 2021
 - You must apply for expungement if:
 - You do not qualify for automatic expungement
 - You have multiple felonies
 - Waiting periods for applications
 - 7 years for multiple felonies*
 - 5 years for serious misdemeanors or single felonies*
 - 3 years for other “non-serious” misdemeanors*
 - Marijuana convictions for crimes that would have been legal after December 6, 2018 can be expunged by application starting in April of 2021

2022: Clean Slate (automatic expungements)

- Will go into effect in October 2022
- No application will be needed to clear your record if your conviction(s) qualify
- Qualifying misdemeanors will be automatically expunged after 7 years*
- Qualifying felonies will be automatically expunged after 10 years*
- There can be no convictions or pending charges in the 7/10 year waiting period
- Many offenses are removable, with exceptions listed below

* From the sentencing date or when the sentence/probation was completed, whichever is later

Convictions that cannot be expunged include (this list is not inclusive):

- Felonies with a maximum sentence over 10 years
- Child pornography, human trafficking, certain types of child abuse and domestic violence
- Operating while intoxicated



Need help to figure out if you qualify? Call Legal Aid (616) 774-0672

Visit Michigan Legal Help to learn more about these changes: <https://michiganlegalhelp.org>

