



An Overview of Sealing Conviction Records in Colorado

v3 updated 4-1-26

Under current Colorado law, there are now two pathways to sealing conviction records.

Expunge Colorado has created this document to provide:

- A general overview of Colorado's eligibility for sealing conviction records
- Information on the two pathways for sealing conviction records:
 - 1) the petition-based process and
 - 2) the new automated process within the Clean Slate Act, in effect July 2024.
- Answers to frequently asked questions.

Note: This guide is for County & District Conviction Records, it does not cover Municipal cases.

Eligibility for Sealing Conviction Records in Colorado

For a conviction to be eligible to seal, the following must be true (at the minimum):

1. The offense qualifies for record sealing. Violent offenses, sexual offenses, domestic violence felonies, crimes against children, and Class 1, 2 or 3 felonies are not eligible. Traffic offenses are not eligible. An attorney can help determine offense eligibility.
2. The required waiting period has passed since the person has completed their sentence, including probation or parole. During this waiting period, the person must have no new convictions. (See more information below and on Page 2).
3. Any restitution owed has been paid in full.

Understanding Waiting Periods

If the conviction type is eligible and restitution has been paid, the next step is to look at the waiting period to see that enough time has passed.

A person must have no new convictions for a number of years following the completion of supervision in order to seal their record.

There are different waiting periods for automated record sealing (Clean Slate) vs. petition-based sealing (putting a petition before the court). The conviction's level of offense will determine the waiting period.



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Waiting Periods (continued)

Petition-based Process for Convictions*

Level of Offense (Generally)	Waiting Period (from final release from supervision, without new conviction)
Civil infractions, Petty offenses	1 year
M2, M3, DM1, DM2	2 years
M1 & Eligible Felonies: F4, F5, F6, DF3, DF4	3 years

* M = Misdemeanors, DF = Drug Felony, F = Felony | The number indicates the level of offense

Waiting periods for the NEW AUTOMATED PROCESS (Clean Slate Act, SB22-099)

Implementation of automated record sealing for convictions begins July 2024. A new batch of cases will be auto-sealed on a quarterly basis and added to the Judicial Sealed-Case website:

<https://www.coloradojudicial.gov/sealed-case>.

Automated Process For Convictions

Level of Offense	Waiting Period (from final release from supervision, without new conviction)
Civil Infractions	4 years
Petty offenses or Misdemeanors (drug and non-drug): M1, M2, M3, DPO, DM1, DM2	7 years
Felonies: F4, F5, F6 Drug Felonies: DF3, DF4	10 years

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FAQ: Frequently Asked Questions about Automated Record Sealing (Clean Slate Act):

I. How were the lists made and where do they go?

When were these automated (computer generated) lists made? The initial lists were created February 1, 2024, and automated sealings should take place by July 1, 2024.

Who makes the automated list? State Court Administrator's Office (Judicial Branch).

Where does the list go after it is made? To the district attorney's (DA) office of each judicial district.

II. Can a District Attorney object to automated sealing and how will I know if they do?

Can the DA object? Yes, in certain circumstances.

The DA may, within 45 days of receiving the list, object to auto-sealing a conviction for FOUR reasons only:

1. A condition of the plea was the person agreed to not have the record sealed;
2. If the person has a pending criminal charge
3. Convictions that are not eligible for sealing (offense is not eligible)

THE FOLLOWING OBJECTION ONLY APPLIES TO FELONY CONVICTION (NON-DRUG):

4. When the DA has "reasonable belief, grounded in supporting facts, that the public interest and public safety in retaining public access to the current record or case *outweighs* the privacy interest of, or adverse consequence to, the person. (aka "public safety" exception)

Note: *The DA cannot object to sealing a civil infraction.*

Does the DA have to provide notice if they object? The DA does not have to provide notice if they are objecting for reasons 1-3 above. For objections based on reason 4, the DA must explain the basis for the objection and include supporting documents. The court will then serve that notice on the person at the person's last known address.

Can I request a hearing if the DA files an objection? If the DA objects based on reason 4 for "public safety" reasons, the person may request a hearing. The person will need to contact the court to schedule the hearing.

What if there is no objection? The Judicial branch makes their final list, removing objected cases, and sends that updated list to the chief judge for each judicial district. The courts then enter sealing orders within 14 days of receiving the list. The Judicial branch then will send notice to CBI (Colorado Bureau of Investigations) to seal the records on their end.

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FAQ: About Automated Record Sealing (Clean Slate Act): (continued)

III. How do I know if my type of conviction is eligible to be sealed?

What types of offenses are excluded from record sealing? Many types of offenses are not eligible to be sealed under Colorado law. The following is a brief, non-exhaustive list of the most common types: Domestic violence cases; traffic convictions; child abuse; DUI/DWI; identity theft, crimes of violence, extraordinary risk crimes, controlled substance distribution; felonies class 1, 2, or 3; drug felonies class 1, assault, menacing, kidnapping, sexual assault, unlawful sexual contact, robbery, first & second degree burglary.

What if my conviction was for an offense excluded above, but it was a misdemeanor? Your case will not be eligible for automated record sealing, but you may be able to apply through the petition-based process. Misdemeanors that are otherwise ineligible may be sealed if the person with the record can meet a higher standard than normal, showing through “clear and convincing” evidence that the need to seal the record is substantial, among other things.

IV. How do I find out if my record was auto-sealed and what if it wasn't?

How do I know if my case was sealed? You will most likely not receive a mailed notification from the courts that your case was sealed. The judicial branch created a website that allows a person to confidentially determine whether their conviction has been sealed and information about how to receive a copy of the sealing order. You will need your Case Number (aka Case Sequence Number) in order to check the website that your record was sealed. That website can be found here: <https://www.coloradojudicial.gov/sealed-case>

Will the Judicial branch continue to review cases? Yes, beginning July 1, 2024, Judicial will compile a list of drug convictions, misdemeanors and petty offenses on a quarterly basis. Beginning July 1, 2025, judicial will begin to include felony convictions (non-drug).

Are there resources available to go about sealing my own record? Yes! Visit the Resources page at expungecolorado.org and <https://www.coloradojudicial.gov/self-help/seal-my-case> for more information.

V. What does it mean to seal a record in Colorado?

What is the difference between sealing vs. expungement? Sealing criminal records does not deny access to the criminal records of a petitioner or defendant by any court, law enforcement agency, criminal justice agency, prosecuting attorney, or party or agency required by law to conduct a criminal history record check on an individual. Expungement is only available for juvenile convictions in Colorado. Adult conviction records cannot be expunged, but can be sealed.

Will sealing a record restore my right to possess a firearm? No. Sealing a record does not restore the right to possess a firearm.

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