

## WHO ARE WE?

Kansas Legal Services is a private, non-profit law firm. We provide legal assistance for individuals and families with legal problems where there is no ability to obtain legal assistance or representation. Providing equal access to justice, through the legal system, for persons who cannot afford to retain a private attorney, is our primary mission.

## APPLY FOR SERVICES

Individuals seeking representation in expungement cases can contact our application line for assistance at:

**1-800-723-6953**

Or apply online at:

**[kansaslegalservices.org](http://kansaslegalservices.org)**

*Disclaimer: This is general information. For specific advice on individual matters, you should consult an attorney.*



# KANSAS LEGAL SERVICES

Serving all of Kansas since 1977

## EXPUNGEMENT: Seal Your Criminal Record



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## WHAT IS AN EXPUNGEMENT?

Expungement is the removal of an arrest or conviction from a person's criminal record.

When a person's record is expunged, no information related to the arrest or conviction may be disclosed, with certain exceptions.

## WHAT RECORDS CAN BE EXPUNGED?

Arrest records, criminal convictions, and juvenile adjudications can all be expunged in Kansas.

## CAN ARREST RECORDS BE EXPUNGED IN KANSAS?

An arrest record can be expunged if:

- The arrest occurred because of mistaken identity;
- A court found there was no probable cause for the arrest;
- You were found not guilty in court proceedings; or
- The expungement would be in the best interests of justice *and* either charges have been dismissed or no charges are likely to be filed.

Any arrest record can be expunged and no time limit is required.

## CAN JUVENILE ADJUDICATIONS BE EXPUNGED IN KANSAS?

Most juvenile adjudications can be expunged if:

- The juvenile has reached the age of 23 or it has been 2 years since the sentence was completed;
- Since the sentence was completed, there are no pending criminal cases; and
- The circumstances and behavior of the juvenile warrant expungement.

## WHAT JUVENILE ADJUDICATIONS CANNOT BE EXPUNGED IN KANSAS?

- Murder
- Manslaughter
- Rape
- Indecent liberties
- Criminal sodomy
- Indecent solicitation
- Sexual exploitation
- Aggravated incest
- Endangering a child
- Abuse of a child

## CAN CRIMINAL CONVICTIONS CAN BE EXPUNGED IN KANSAS?

A criminal conviction can be expunged if:

- Your conviction qualifies
- You have not been convicted of a felony in the past 2 years and no such proceeding is pending
- Your circumstances and behavior warrant the expungement
- The expungement is consistent with the public welfare

## HOW LONG DO I HAVE TO WAIT?

Misdemeanors, traffic infractions, and some felonies can be expunged **3 years** after the completion of the sentence.

Other felonies and motor vehicle offenses, such as driving while suspended, can be expunged **5 years** after the completion of the sentence.

## WHAT CRIMINAL CONVICTIONS CANNOT BE EXPUNGED IN KANSAS?

- Capital murder
- Murder in the first or second degree
- Voluntary and involuntary manslaughter
- Rape
- Aggravated sexual battery
- Sexual battery of underage victim
- Indecent liberties with a child
- Criminal sodomy
- Indecent solicitation of a child
- Sexual exploitation of a child
- Aggravated incest
- Endangering a child
- Abuse of a child

