COMMON TYPES OF EXPUNCTIONS IN NC

Expungement of ONE OR MORE Non-Violent Conviction for Offenses Committed BEFORE Age 18

"I have one or more non-violent felony or misdemeanor convictions that happened before I turned 18 years old"

Waiting Period

You must wait until your sentence is completed before you can file the expungement forms with the court.

Limitations

- Class A-G felonies cannot be expunged under this law
- Traffic violations (under chapter 20 of the NC laws) cannot be expunged under this law
- Any offense that requires you to register as a sex offender cannot be expunged under this law

Court filing fee

There is a $175.00 filing fee with the court. This fee may be waived upon filing a separate form explaining your financial status

Expungement of ONE OR MORE Non-Violent Misdemeanor Convictions

"I have one or more non-violent misdemeanor convictions that happened after I turned 18"

Waiting Period

If only have **ONE misdemeanor on your record, there is a 3-year waiting period** *after completing your sentence.* If you have multiple misdemeanors that were disposed of *on the same day of court*, they are treated as ONE misdemeanor. If you have **more than one misdemeanor on your record, disposed of on different court dates, there is a 7-year waiting period** *after completing your sentence*.

Limitations

- Class A-G felonies and A1 Misdemeanors cannot be expunged and having one of these convictions will block you from expunging otherwise eligible convictions.
- Your misdemeanor must be nonviolent in nature. For a full list of the offenses defined as "violent" for expungement purposes by the NC General Assembly, please see N.C.G.S. 15A-145.5(a).
- You cannot receive this type of expungement more than once, so if you already have received one, you cannot file this one again.

Court filing fee

There is a $175.00 filing fee with the court. This fee may be waived upon filing a separate form explaining your financial status.

FORWARD JUSTICE

COMMON TYPES OF EXPUNCTIONS IN NC

Expungement of ONE OR MORE Non-Violent Felony Convictions

"I have one or more non-violent felony convictions that happened after I turned 18"

Waiting Period

If you have **one felony conviction on your record, there is a 10 year waiting period** after completing your sentence. If you have multiple felonies that were disposed of on the same day of court, they are treated as one felony. If your one felony conviction is for a **breaking and entering offense, there is a 15 year waiting period** after completing your sentence. If you have **more than one felony on your record (up to 3), disposed of on different court dates, there is a 20 year waiting period** after completing your sentence AND the felonies must have been committed within the same 24 month period.

Limitations

- Class A-G Felonies cannot be expunged and having one of these convictions or an A1 misdemeanor will block you from expunging otherwise eligible convictions
- Your felony must be nonviolent in nature. For a full list of the offenses defined as "violent" for expungement purposes by the NC General Assembly, please see N.C.G.S. 15A-145.5(a).
- You cannot receive this type of expungement more than once, so if you already have received one, you cannot file this one again.

Court filing fee

There is a $175.00 filing fee with the court. This fee may be waived upon filing a separate form explaining your financial status.

Expungement of Charges that Did NOT Result in Conviction (Dismissed or Disposed "Not Guilty")

"I was charged with one or more offenses but when I went to Court, the Judge dismissed the charges or found me not guilty at my trial"

Waiting Period

There is no waiting period for this type of expunction. You can get this type of expunction as soon as your case gets *dismissed*, or you're found *not guilty*.

Limitations

There are none. You can qualify to expunge one or more of these charges as soon as your case is over.

Court filing fee

If your charge was dismissed due to a deferred dismissal, meaning you did something such as community service i*n exchange for the dismissal,* the filing fee is $175. This fee may be waived upon filing a separate form explaining your financial status. If your case was dismissed outright, then there is no filing fee.

For more information on the process of obtaining an expungement in NC, contact us at legal@forwardjustice.org.