

EXPUNGEMENT IN NEW JERSEY

A Guide to

# Clearing Your Criminal Record

A hand holding a gavel next to a scale of justice and an open book. The background is dark, and the objects are lit from the side, creating a dramatic effect.

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ROSENBLUM LAW

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## Disclaimer

This publication is intended as a general education guide to expunging criminal records in New Jersey. This publication does not intend to provide specific legal advice. Each case is unique and must be considered based on its own specific details. This publication is for informational purposes only and is based upon New Jersey law at the time it was published. Subsequent changes in the law may or may not affect your rights. For specific legal advice regarding your case, consult an experienced New Jersey expungement lawyer who will be able to review your situation and the specific details of your case.

# Table of Contents

<b>Chapter 1: What is Expungement?</b> .....	<b>6</b>
Expungement Process Overview .....	7
Benefits of Expungement .....	10
Future Uses of Expunged Records.....	11
<b>Chapter 2: Expungement Eligibility</b> .....	<b>19</b>
Expunging an Arrest Not Leading to a Conviction .....	19
Expunging Convictions .....	21
“Crime Spree” Exception.....	24
Early Pathway Expungement.....	25
Sale or Distribution of a Controlled Dangerous Substance or Possession with Intent to Sell.....	26
Expunging a Juvenile Record .....	27
Young Drug Offenders .....	29
Drug Court Graduates.....	30
Pretrial Intervention, Conditional Discharge, Conditional Dismissal, and Other Diversion Programs .....	30
Records Ineligible for Expungement.....	32
Effect of Out-of-State Convictions .....	34
Victims of Identity Theft and Human Trafficking.....	34
Summary of Expungement Eligibility .....	34
<b>Chapter 3: The Expungement Process</b> .....	<b>37</b>
Should I Hire a Lawyer to Handle my Expungement?.....	37
Step 1: Get Copies of Your Arrest Record and Criminal Record .....	38
Step 2: Draft Your Expungement Documents.....	41
Step 3: Sign and File Your Expungement Documents .....	42
Step 4: Distribute Copies of Your Filed Expungement Documents .....	43
Step 5: Attend Your Hearing (If Required) .....	45
Step 6: Distribute Copies of the Expungement Order .....	46
<b>Chapter 4: Costs of Expungement</b> .....	<b>49</b>
<b>Chapter 5: Conclusion</b> .....	<b>52</b>
<b>Appendix A:County Criminal Court Offices Handling Expungement</b> .....	<b>54</b>
<b>Appendix B:Family Division Offices (Juvenile Records)</b> .....	<b>55</b>
<b>Appendix C:County Prosecutor Offices</b> .....	<b>56</b>





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**Chapter 1:  
What is Expungement?**

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# Chapter 1: What is Expungement?

When faced with a criminal charge, many people don't think of the consequences beyond the sentence. But the official sentence is only one of the consequences — and sometimes not even the most difficult one to overcome.

Having any kind of criminal record can haunt you for the rest of your life. Even one arrest or conviction can stand in the way of getting a job, stable housing, financial aid, and more. And these barriers don't just affect you, but also your family and your community.

Many states, including New Jersey, recognize the importance of giving second chances in certain cases. This is achieved through “expungement” laws. These laws vary from state to state. But in general, “expungement” is the legal process of clearing an arrest or conviction from your record.

New Jersey's expungement laws are published in sections 2C:52-1 through 2C:52-32 of the official New Jersey Statutes Annotated (N.J.S.A.).

Under N.J.S.A. 2C:52-1, in New Jersey expunged records are “extracted and isolated” from the files of any court, detention or correctional facility, law enforcement agency, criminal justice agency, or juvenile justice agency.

“Records” may include complaints, warrants, commitments, processing records, fingerprints, photographs, index cards, “rap sheets,” and judicial docket records.

As a result of expungement, any record of your arrest or conviction will be removed from public view. This means background checks will no longer reveal them. But the records will not be destroyed. As described below under Future Uses of Expunged Records, your expunged record may still be used in limited circumstances.

## Expungement Process Overview

Every state has its own process for expungements. In New Jersey, you start the process by preparing an Expungement Petition, which includes certain required documentation.

You'll then file these documents with the Superior Court in the county where your arrest or conviction took place. If you have multiple cases in more than one county, you can generally contact the court in either county and ask if you can file for expungement of your entire record in that county. But if you're only seeking to expunge disorderly persons offenses, you must file your petition in the county where the most recent disorderly persons offense was adjudged.

After filing, a judge will be assigned to your case. The judge will set a hearing date for your expungement case by signing an "Order for Hearing." The hearing is usually set one to two months after you file your petition.

After receiving the Order for Hearing, you'll need to distribute (or "serve") copies of all your expungement documents to every government party involved with the record you want to expunge. This includes the county prosecutor and the New Jersey State Police. These parties will have the opportunity to object to the expungement – but you'll also have the opportunity to respond.

If the judge grants the expungement, you'll receive an Expungement Order. You'll need to send the Expungement Order to all relevant government parties. These parties will then remove your expunged records from their databases. You'll receive a confirmation letter from the New Jersey State Police once the process is complete.

The entire process generally takes about 6 months. Below is an approximate timeline.

<p><b>WEEKS 1-6</b></p>	<p>Your or your attorney:</p> <ul style="list-style-type: none"> <li>• get a copy of your criminal records; and</li> <li>• prepare and file your Expungement Petition and other documents.</li> </ul>
<p><b>WEEKS 2-10</b></p>	<p>Your expungement case is assigned to a judge, who sets the hearing date. You or your attorney serve copies of your documents to the relevant government parties. All parties conduct a review of your case and issue any objections.</p>
<p><b>WEEKS 11-18</b></p>	<p>The judge decides whether to grant your expungement. If granted, the judge issues an Expungement Order. Your or your attorney serve the Expungement Order on the appropriate government parties.</p>
<p><b>WEEKS 12-28</b></p>	<p>The government parties remove your records from their databases.</p>
<p><b>WEEKS 24-28</b></p>	<p>The New Jersey State Police confirms that your records have been expunged.</p>

The expungement process is discussed in more detail in Chapter 3: The Expungement Process.

It may take more or less time depending on the facts of your case and the county handling your expungement. In particular, the process may take longer if:

- a government party needs more time to review your case;
- the court handling your case has a backlog of expungement cases;
- If any government party objects to your case; or
- your case requires a “public interest” analysis (see Chapter 2: Expungement Eligibility – Early Pathway Expungement).



Unfortunately, you can't formally expedite an Expungement Petition in New Jersey. But you can help the process go as smoothly as possible by taking the steps below.

- **Hire an expungement lawyer.**

An expungement lawyer can guide you through the process as quickly as possible. There are many technical requirements, and every expungement case is slightly different. For example, even the process for getting a copy of a disposition (as described below) varies depending on the court that handled your case. An attorney can help you navigate complicated procedures and avoid mistakes that can delay your petition. They may also have contacts at the county prosecutor's office or New Jersey State Police that they can follow up with about your case.

- **Get copies of your criminal record.**

If possible, it's a good idea to go in person to the court that handled your offense to get a copy of the disposition. A disposition is an official document that shows the outcome of your case. If you go in person, you can usually get your record the same day. While you or your attorney can request a copy by mail, sometimes it can take days or even weeks to receive the copy. See Chapter 3: The Expungement Process for more information on getting copies of your criminal record.

- **Provide complete and accurate criminal history information.**

You must provide your full criminal history with your Expungement Petition. This includes all arrests, even if you weren't convicted. It also includes out-of-state criminal history information. Some minor offenses are not "crimes" in New Jersey, but they are "crimes" in other states. You should include any offenses that are criminal where they occurred.

If you don't disclose your full history, the county prosecutor and/or New Jersey State Police will object. You'll then need to amend your petition to include the missing information. You'll also need to re-serve the amended petition on the relevant government parties. As a result, your expungement will be delayed. If you have an attorney, you'll also incur additional attorney fees.

- **Carefully review your expungement documents.**  
Your entire petition must be accurate. Even if an attorney prepares your documents, you should still review them carefully. Be sure to let your attorney know of any errors. If you file a petition with mistakes, you may need to amend it and re-serve it, causing delay.
- **Respond to questions and issues as soon as possible.**  
If you have an attorney, make sure you respond to their questions and requests as soon as possible. This will avoid unnecessary delays in the process.

While these tips can help, many aspects of the timeline are out of your or your attorney's control. This is why it's a good idea to file for expungement as soon as you're eligible.

Even if your record hasn't caused any problems yet, you never know what changes lie ahead. You may need to change jobs or move. Or you may want to take advantage of new opportunities. It will be a lot less stressful if you start the process before it's urgent.

## **Benefits of Expungement**

Once your record is expunged in New Jersey, under N.J.S.A. 2C:52-27 the arrest or conviction is "deemed not to have occurred." You can legally deny that the expunged record exists in most cases. The records will also not be revealed through background checks conducted through the New Jersey State Police or the FBI. Your records will only be used in the limited circumstances described in "Future Uses of Expunged Records" below.

Expungement can help in many situations, including when applying for:

- jobs (subject to exceptions for jobs in law enforcement and the judiciary);
- enrollment in an educational institution;
- financial aid;
- professional licenses (except a license to practice law);
- housing;
- loans; or
- insurance.

It may also help when applying for a permit to purchase or carry a handgun or for a Firearms Purchaser Identification Card. These applications may be denied if you have:

- an indictable offense conviction (known as a “felony” in many other states);
- a disorderly persons offense conviction (known as a “misdemeanor” in many other states) involving domestic violence; or
- certain juvenile adjudications.

But if you expunge these records, they will no longer be a barrier to getting a firearms permit. One caveat: all firearms applications ask if you’ve ever had a prior application denied or revoked. If you’ve ever had a permit denied because of a record that you later expunged, you must disclose that information.

## **Future Uses of Expunged Records**

Although the expunged arrest or conviction is “deemed not to have occurred,” as noted above the related records will not be destroyed. They may still be used in the following circumstances.

## ***Future Legal Proceedings***

If you're arrested after expungement, the court can access your expunged records. The court can take them into account when:

- setting bail;
- determining eligibility for supervisory treatment or diversion programs (you may only participate in these programs once – even if the records of such program are expunged);
- authorizing pretrial release;
- preparing a pre-sentence report; and
- determining your sentence.

Expunged records may also be considered:

- if a victim of your crime files a claim with the Victims of Crime Compensation Office;
- if you're incarcerated, to classify and assign you in prison; or
- if you're incarcerated, to determine eligibility for parole.

## ***Immigration Matters***

Non-citizens of the United States are eligible to expunge their records in New Jersey. The expungement process is the same, regardless of citizenship status.

But even expunged records are considered for immigration purposes. This includes applications for a visa, residency, or citizenship. You must disclose all run-ins with the law – including expunged records.

Certain crimes can cause you to be “inadmissible” to the United States. This is true regardless of whether such crimes were expunged. But if your record includes any of the following crimes, it may be possible to get a waiver of inadmissibility:



- prostitution or other unlawful commercialized vices
- crimes of moral turpitude, other than murder or torture
- simple possession or being under the influence of 30 grams or less of marijuana (or an equivalent amount of hashish)
- involvement in serious criminal activity where you asserted immunity from prosecution
- multiple criminal convictions with a total sentence of at least five years

Your waiver application asks the U.S. government to overlook your conviction. It also attests that you're not a safety or security threat. Waivers are granted as a matter of discretion.

To qualify for a waiver, you must also be:

- the spouse, parent, son, or daughter of a U.S. citizen or permanent resident who will face extreme hardship if you're removed from the United States;
- a Violence Against Women Act ("VAWA") self-petitioner;
- inadmissible only under the prostitution ground; or
- inadmissible based upon a conviction or event that took place more than 15 years before filing your waiver application.

For the last two categories, you must prove that you're rehabilitated and that your admission isn't contrary to U.S. interests. Getting an expungement may help show that you're rehabilitated. You can also use testimony and other materials you used to get the expungement to increase your chances of getting a waiver. Getting a waiver will, in turn, increase your chances of getting your visa, residency, or citizenship.

Even if you don't have any pending immigration matters, it's still a good idea to expunge eligible records. Expungement is helpful in many other areas of life, regardless of citizenship status, such as employment and housing. If you have questions about how your criminal record may affect your immigration status, you should consult an immigration attorney.

## ***Employment in Law-Related Jobs***

Once your record is expunged, you don't have to disclose it on most job applications. The exception is law-related jobs, including those in:

- law enforcement;
- state, county, and local correctional facilities; and
- the judicial system.

You must also disclose expunged crimes when applying for a license to practice law.

A criminal record doesn't automatically bar you from employment in these jobs. But you do have to disclose it. Expungement may still be useful when applying for these jobs because it shows:

- you didn't commit any disqualifying crimes (such as murder or sex crimes);
- you likely haven't had more than four convictions in your lifetime;
- you've satisfied all sentencing requirements; and
- a judge has reviewed your history and considers you rehabilitated.

## ***Joining the Military***

Every branch of the military has strict moral character standards for enlistment. Before you enlist, you'll undergo a strict screening process. The process includes interviews and a review of your credit and criminal history. The purpose of the screening process is to weed out recruits who are likely to have disciplinary problems or pose security risks.

During the screening process, you must disclose any arrests or convictions — even if they were expunged. It's illegal under federal law to withhold or falsify information during enlistment. If you withhold information about your record, you may:

- be dishonorably discharged;
- lose all pay and allowances; and/or
- face up to two years confinement.

While a criminal record may initially cause you to be rejected, you may still be able to join if you get a waiver. But you'll have to prove that you're suitable to enlist, despite your record. The military will take into account factors such as:

- the severity of the offense;
- your character and conduct following the offense;
- how long since the offense you've maintained a clean record; and
- your age at the time of the offense.

The military will also look at whether the offense has been expunged. Expungement will not guarantee that you get a waiver, but it's still helpful because many view it as evidence of rehabilitation.

It's important to remember that there is no appeal process for a denied waiver. The waiver itself is an appeal of your initial rejection for not meeting moral character standards. This is why it's important to have your record expunged, if possible, before trying to enlist.

### ***Future Expungement Petitions***

Generally, you can't expunge more than one indictable offense conviction. But it is possible to file more than one Expungement Petition for:

- up to four disorderly persons offenses;
- municipal ordinance violations; or
- records relating to any charges for which you were not convicted.

When applying for expungement, you must disclose all previous expungements.

## ***Use of Expunged Records by Other Entities***

Only certain entities in New Jersey are required to follow an Expungement Order, including:

- courts;
- detention or correctional facilities;
- law enforcement and criminal justice agencies; and
- juvenile justice agencies.

Under federal law, the FBI also must follow the Expungement Order.

But there may be other entities that have information about your expunged record. And they're not required to remove it. They may even make such records available to the public. Such entities may include:

- non-law enforcement agencies (such as the New Jersey Department of Banking and Insurance);
- federal agencies other than the FBI (such as Immigration and Customs Enforcement); and
- non-government entities, like news agencies or websites.

Also keep in mind that while private background checking companies get their information from the public record, such companies only update their databases periodically. This means it can take months or even years for them to remove expunged records – if they do it at all. And there are countless private databases, which means it's almost impossible to ensure that your record is removed from all of them.

To reduce the possibility of your record showing up through private background checks, you can try contacting a nonprofit like the Foundation for Continuing Justice. The goal of their Expungement Clearinghouse project is help remove expunged records from the largest and most trusted private background checking



companies. There are paid services that claim to do the same.

You can also contact private entities directly. For example, if you find information about your expunged record online, you can ask the website owner to remove it. A letter from your attorney can be very effective in getting the information removed. Under N.J.S.A. 2C:52-30, a person can be fined if they:

- knew about an expungement; and
- disclosed the existence of the expunged arrest, conviction, or related legal proceeding.

If you let the website owner know of this law, they may agree to remove the information. But unfortunately, there's no guarantee.



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# Chapter 2: Expungement Eligibility

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# Chapter 2:

## Expungement Eligibility

New Jersey has strict eligibility requirements for expungement. Not everyone with a record is eligible. Whether you can expunge your record will generally depend on the number of arrests and/or convictions on your record, the type of offense you want to expunge, and how long has passed since you've completed your sentence.

In most cases, you're "presumptively entitled" to expungement if you meet the statutory requirements. That means once you show you've met these requirements, it's up to the State to show that there's a statutory bar to expungement or that your expungement shouldn't be granted. The exception is "early pathway" expungements. As described in Early Pathway Expungements below, in these cases, you must show that you deserve expungement.

### **Expunging an Arrest Not Leading to a Conviction**

Many people assume that if you were arrested but not convicted, the record goes away. This is a mistake. An arrest record never goes away on its own. This is true whether the charges were dismissed, you were found not guilty, or you were discharged without a conviction.

An arrest record can still cause problems with employment, housing, and other matters. If you want to be sure the arrest record won't show up on background checks, you must apply to have it expunged.

### ***Eligibility of Arrest Records for Expungement***

Under N.J.S.A. 2C:52-6, you can generally expunge arrests that didn't lead to a conviction *immediately*. It doesn't matter how many such arrests are on your record, or how long it's been since the disposition.

There are two exceptions to this:

- **Plea bargain.**

You weren't convicted of a charge because you pleaded guilty to another charge as part of a plea bargain. In this case, you can only expunge the arrest record if the conviction on the other charge is eligible for expungement.

- **Insanity or lack of mental capacity.**

You were found not guilty by reason of insanity or lack of mental capacity. In this case, expungement is not permitted at all.

### ***Expungement Process for Arrests Not Leading to a Conviction***

The process for expunging an arrest not leading to a conviction is expedited.

From April 18, 2016, if a Superior Court dismisses your case, the court must, upon your application for expungement, expunge your records related to the dismissed charge *at the time of dismissal*.

If a municipal court dismisses your case, you can ask the court for an application for expungement to send to the Superior Court to get the expungement.

In either case, you have the right to expungement, but you must specifically ask for it at the time of dismissal (or when you're acquitted or otherwise discharged without a finding of guilt). Otherwise, the records will not be expunged.

For this type of expungement, the Superior Court will send a copy of the Expungement Order to the appropriate court and prosecutor. The prosecutor will then send copies of the Expungement Order to the relevant government parties.

You should follow the expungement procedures outlined in Chapter 3: The Expungement Process if:

- you had an arrest not leading to a conviction before April 18, 2016;
- you had an arrest not leading to a conviction after April 18, 2016, but didn't ask for expungement at the time of dismissal; or
- you want to expunge an arrest not leading to a conviction along with other arrests and convictions.

There is no filing fee if you're only seeking to expunge an arrest not leading to a conviction. If you want to expunge an arrest not leading to a conviction along with conviction records, you must pay the filing fee.

## Expunging Convictions

Expunging a conviction in New Jersey is more complicated than expunging an arrest not leading to a conviction. There are generally three types of convictions in New Jersey:

- **Indictable Offenses.**  
These are what many other states call "felonies." They're the most serious type of crime and generally punishable by six months or more of jail time.
- **Disorderly Persons Offenses or Petty Disorderly Persons Offenses.**  
These are what many other states call "misdemeanors." They're generally punishable by less than six months of jail time.

A petty disorderly persons offense is less serious than a disorderly persons offense. Disorderly persons offenses and petty disorderly persons offenses are both referred to as "disorderly persons offenses" in this eBook.

- **Municipal Ordinance Violations.**  
These are violations of township or city laws. They usually only result in a fine, but some may incur jail time or a driver's license suspension.

### ***Number of Convictions Eligible for Expungement***

You can submit an Expungement Petition and use the expungement process outlined in Chapter 3: The Expungement Process if you only have:

- one indictable offense;
- one indictable offense and up to three disorderly persons offenses;
- up to four disorderly persons offenses; or
- municipal ordinance violations, no indictable offenses, and up to two disorderly persons offenses.

These limits are subject to the exception described below under “Crime Spree” Exception.

Note that out-of-state convictions and expunged records do count towards the number of permitted convictions. You also can’t have any pending indictable offense or disorderly persons offense charges.

You can submit more than one Expungement Petition, so long as you meet all other requirements. As an example, if you only have four disorderly persons offenses, it’s possible to:

- expunge three disorderly persons offenses in one petition, then
- later expunge the fourth disorderly persons offense.

### ***Expungement Waiting Periods***

Expunging a conviction requires a waiting period, which varies based on the nature of the offense. As part of the changes to New Jersey’s expungement laws that took effect on October 1, 2018, the waiting period for an indictable offense was shortened from ten to six years. The waiting period is five years for a disorderly persons offense and two years for a municipal ordinance violation. The waiting periods for all types of expungements are included in the Summary of Expungement Eligibility table below.



The applicable waiting period begins to run on the latest of the date you:

- are convicted;
- pay off all fines;
- complete probation; or
- are released from incarceration.

A “fine” includes court fines, restitution, or any other court-ordered financial assessment.

Under N.J.S.A. 2C:52-2, if you still owe a fine for an indictable offense, you may still be eligible for expungement if:

- you still owe the fine for reasons other than willful noncompliance;
- the waiting period is otherwise satisfied; and
- the court either 1) provides for the continued collection of the fine, or 2) enters a civil judgment for the outstanding amount.

This exception is not available for a disorderly persons offense conviction. But under N.J.S.A. 2C:52-2 and 2C:52-3, if you’ve paid your fines *in full* for either an indictable offense or a disorderly persons offense, but less than the required waiting period has passed since you’ve finished paying, the court may still grant expungement if:

- the waiting period is otherwise satisfied; and
- the court finds that you 1) substantially complied with the payment plan, or 2) couldn’t do so due to compelling circumstances affecting your ability to pay the fine.

To decide if there were “compelling circumstances,” the court will look at:

- the amount of your fines;
- your age at the time of the offense;
- your financial condition; and
- any other relevant circumstances regarding your ability to pay.

## **“Crime Spree” Exception**

As noted above, generally you can only expunge:

- one indictable offense conviction and up to three disorderly persons offenses, or
- up to four disorderly persons offenses.

But under N.J.S.A. 2C:52-2 and 2C:52-3, it’s possible to expunge more than this number of convictions if:

- all convictions are included on a single judgment of conviction (for indictable offenses) or entered on the same day (for disorderly persons offenses); or
- all the offenses “were interdependent or closely related in circumstances and were committed as part of a sequence of events that took place within a comparatively short period of time, regardless of the date of conviction or sentencing for each individual offense.”

This is the “crime spree” exception. To take advantage of this exception:

- you must have committed all offenses in New Jersey; and
- you can’t have any convictions outside of the “crime spree” – whether before or after – in New Jersey or elsewhere.

## Early Pathway Expungement

Under N.J.S.A. 2C:52-2 and 2C:52-3, it's possible to apply for "early pathway" expungement. Early expungement is possible after five years instead of six years for indictable offenses, and after three years instead of five years for disorderly persons offenses. To get early expungement:

- you can't have any convictions since the most recent conviction that you're seeking to expunge; and
- the court must find that early expungement would be *in the public interest*.

For the court to find early expungement is "in the public interest," you must show that you deserve early expungement. The judge will look at many factors, such as:

- the nature of the offense;
- the circumstances around the offense, such as your age;
- your character and conduct before and after the conviction;
- your participation in activities that help reduce the risk of re-offending (such as education, community involvement, and sports);
- your compliance with any other legal obligations, like child support;
- your ties with your family and community;
- whether you still have ties with people with criminal involvement;
- your behavior while in prison or during probation;
- how long you've kept a clean record;
- whether you've been arrested since your conviction, and the circumstances around any arrests; and
- evidence that your conviction has harmed your ability to lead a productive life (like being unable to get a job or housing).

You should discuss as many of these factors as possible in a "public interest" certification and submit it with your Expungement Petition. You should also include evidence of these factors as exhibits, such as:

- character reference letters;
- diplomas;
- awards;
- evidence of volunteer work, charitable activities, or other activities that reduce your risk of re-offending; and
- documentation of the obstacles the conviction has caused in your life.

You must also include the pre-sentence report, judgment of disposition/conviction, and plea and sentencing transcripts for each conviction.

Keep in mind that the county prosecutor will likely object to early expungement. This means you'll need to attend a hearing and possibly testify.

Early expungement cases are complex. It's important to talk to an experienced expungement attorney to make sure you get it right. An attorney can effectively present your arguments for why you deserve early expungement. They'll also respond to any objections for you.

## **Sale or Distribution of a Controlled Dangerous Substance or Possession with Intent to Sell**

Convictions for the sale or distribution of a controlled dangerous substance ("CDS") or possession with intent to sell are generally not eligible for expungement. There are exceptions where the conviction involved:

- marijuana in a total quantity of less than 1 ounce;
- hashish in a total quantity of less than 5 grams; or
- any other CDS, if the conviction was in the third or fourth degree and the court finds that the expungement is "in the public interest."

The "public interest" analysis is described above under Early Pathway Expungement. But in short, the court will look at the nature of the offense and your character and conduct since the conviction.

Note that expungement is possible for a conviction for possession with intent to distribute. And it doesn't require a "public interest" analysis. But this charge is broad – it can cover both sales and other types of distribution, such as gifts. If the county prosecutor believes that the crime actually involved a sale or intended sale, he or she will object to expungement. The court will then look at the facts underlying the conviction to determine intent.

This means you may need to prove that the crime didn't involve a sale or intended sale. You can do this by submitting proof from your case, pre-sentence reports, testimony, and transcripts.

If the court finds your intent was to sell, expungement will be barred. If the court finds your intent was to distribute without a sale, expungement will not be barred. This is another situation where an expungement attorney will be especially helpful.

## **Expunging a Juvenile Record**

There are two ways to expunge a juvenile record.

The first way is to file an Expungement Petition as if the juvenile offense were the corresponding adult offense with the same elements. In this case, you'd need to meet the same requirements as you would for expunging the adult offense.

The second way is to expunge your entire juvenile record. You're eligible to expunge your entire juvenile record if:

- three years have passed since you were discharged from custody or supervision, or three years have passed since the entry of any court order not involving custody or supervision (not counting periods of post-incarceration supervision);
- you haven't been convicted of any indictable offense or disorderly persons offense or adjudged a juvenile delinquent or in need of supervision during the 3 years before filing your Expungement Petition (not counting periods of post-incarceration supervision);

- no proceeding or complaint is pending against you for any indictable offense, disorderly persons offense, or adjudication of delinquency;
- you were never adjudged a juvenile delinquent for an act that, if committed by an adult, would be a non-expungeable offense (see Records Ineligible for Expungement below);
- you've never had an adult conviction expunged; and
- you've never had any adult indictable offenses charges dismissed following the completion of a supervisory treatment or other diversion program.

If you have a charge for an act of delinquency that was dismissed, you can expunge the record as if it were an arrest not leading to a conviction. The process is the same as described above under Expunging an Arrest Not Leading to a Conviction.

If your juvenile record is not eligible for expungement, you may be able to “seal” the record under N.J.S.A. 2A:4A-62. “Sealing” generally requires that:

- at least two years have passed since 1) you were released from custody or supervision, or 2) the entry of any other court order not involving custody or supervision;
- you haven't been convicted or adjudicated delinquent during the two years before filing your sealing application; and
- you don't have any pending criminal or juvenile matters.

You can also apply to seal your juvenile records at any time if you show that you've enlisted in the military. But if you don't actually enter the military, the court will revoke the sealing order.

If your juvenile records are sealed, they're put into a sealed records file. Your record will show “not available” or “no record.” Law enforcement agencies must also respond that you have no record if anyone asks. And as with expungement, you can legally answer that you have no record in most cases. This includes applications for most jobs and schools.

But the sealed records won't be destroyed. They can still be used for identification and law enforcement purposes. And if you're later adjudicated delinquent or convicted of a crime, the sealing order will be void. This is one major difference between sealing and expungement.

An attorney can help you determine if expungement and/or sealing of your juvenile records is right for you.

## Young Drug Offenders

New Jersey has special rules for the expungement of certain drug offenses committed by someone under the age of 21. These offenses include:

- an offense under Chapter 35 (CDS) or Chapter 36 (drug paraphernalia) for the possession or use of a CDS;
- sale of a hypodermic needle or syringe or possession or control of such without a prescription; or
- unlawful possession of prescription legend drugs.

Offenses for the sale or distribution of a CDS or possession with the intent to sell any CDS are not eligible except offenses involving sell less than 1 ounce of marijuana or less than 5 grams of hashish.

Under N.J.S.A. 2C:52-5, you can have a conviction for one of these offenses expunged one year after completing your sentence (including probation and payment of fines), if:

- you were 21 years old or younger at the time of the offense;
- you didn't violate any conditions of your probation or parole;
- you have no prior or subsequent convictions for any of the above offenses or an indictable offense; and
- you've never had an indictable offense dismissed through a supervisory treatment or other diversion program.



If you don't meet these requirements, you may still be able to expunge your record under the general expungement statutes. New Jersey also has special expungement laws for Drug Court graduates, as described below.

## **Drug Court Graduates**

New Jersey Drug Court is a special probation sentence focusing on substance abuse treatment instead of incarceration. The program is available to non-violent offenders whose criminal behavior was motivated by drug and/or alcohol problems. After a screening process, participants enter a strictly-monitored substance abuse treatment program as part of the probationary term. Judges, attorneys, prosecutors, probation officers, and substance abuse professionals all work together to monitor and encourage the recovery of participants. Participants who successfully complete the program are released from probation and avoid any prison time.

Under N.J.S.A. 2C:35-14(m), Drug Court graduates can take advantage of special expungement rules. You can expunge your criminal record *immediately* after graduation if:

- you were successfully discharged from New Jersey Drug Court;
- you were not convicted of an indictable offense or disorderly persons offense during the Drug Court program; and
- you have not been convicted of any offense ineligible for expungement (see Records Ineligible for Expungement below).

There is no filing fee for Drug Court graduates applying for expungement under these statutes.

## **Pretrial Intervention, Conditional Discharge, Conditional Dismissal, and Other Diversion Programs**

Charges are sometimes dismissed after you complete supervisory treatment or another diversion program. Such programs may include:

- Pretrial Intervention (“PTI”);
- conditional discharge;
- conditional dismissal; and
- veterans diversion.

Under these programs, offenders can avoid a criminal conviction and prison time. Instead, they receive support designed to reduce the risk of reoffending. Once participants finish the program, the charges are dismissed.

Unfortunately, the arrest and record of the program will stay on your record. If you don’t want these records to show up on background checks, you’ll need to expunge them.

Under N.J.S.A. 2C:52-6, if your charges were dismissed in connection with PTI, conditional discharge, or conditional dismissal, you can apply for expungement after six months from the completion of the program.

If your charges were dismissed after completing a veterans diversion program, and your record was not expunged at the time of dismissal, you can seek expungement at any time.

There is no filing fee to expunge records relating to supervisory treatment or diversion programs.

## Records Ineligible for Expungement

In New Jersey, records relating to the offenses below can never be expunged. This may seem like a long list, but it doesn't cover many common offenses – including simple drug possession, shoplifting, weapons violations, and burglary. An expungement attorney can help confirm whether your records are eligible for expungement.

- Title 39 motor vehicle-related violations such as speeding violations and DWI/DUI arrests and convictions (these are not part of your criminal record; they're instead part of your Motor Vehicle Commission record)
- Not guilty by reason of insanity or not guilty for lack of mental capacity (though it may be possible to expunge a commitment to a mental health facility)
- Final Restraining Order relating to a domestic violence situation (these are civil in nature, not criminal)
- Criminal Homicide (Murder), except death by auto or strict vehicular homicide
- Kidnapping
- Luring or enticing
- Human trafficking
- Sexual Assault or Aggravated Sexual Assault
- Aggravated Criminal Sexual Conduct
- Criminal Sexual Contact where the victim was a minor
- Criminal Restraint or False Imprisonment where the victim was a minor and the offender was not a parent
- Robbery
- Arson and Related Offenses
- Endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child, or causing the child other harm

- Photographing or filming a child in a prohibited sexual act or for portrayal in a sexually suggestive manner
- Causing or permitting a child to engaged in a prohibited sexual act or the simulation of an act, or to be portrayed in a sexually suggestive manner
- Distributing, possessing with intent to distribute, or using a file-sharing program to store items depicting the sexual exploitation or abuse of a child
- Possessing or viewing items depicting the sexual exploitation or abuse of a child
- Leader of a child pornography network
- Knowingly promoting the prostitution of the actor's child
- Terrorism
- Producing or possessing chemical weapons, biological agents, or nuclear or radiological devices
- Perjury & false swearing
- Abuse of public office, position, or employment in New Jersey
- Conspiracies or attempts to commit any of the crimes listed above
- First or second degree convictions for sale or distribution of a CDS or possession with intent to sell
- Certain additional crimes *committed prior to September 1, 1979*:
  - Manslaughter
  - Treason
  - Anarchy
  - Rape or forcible sodomy
  - Embracery
  - Conspiracies or attempts to commit any of the above crimes, or aiding, assisting, or concealing persons accused of the above crimes

## **Effect of Out-of-State Convictions**

New Jersey courts can only expunge records from New Jersey. So if you have an arrest or conviction in another state, you can't ask for expungement of that record in New Jersey. But the state of your arrest or conviction may have its own processes for expungement.

Also keep in mind that convictions from other states do count for expungement purposes in New Jersey.

If an out-of-state offense would be an indictable offense if committed in New Jersey, then it will count as an indictable offense on your record.

If an out-of-state offense would be a disorderly persons offense if committed in New Jersey, then it will count as a disorderly persons offense on your record.

This means out-of-state convictions can affect expungement eligibility. As an example, if you have a felony in another state and an indictable offense in New Jersey, you would not be able to expunge the indictable offense in New Jersey. This is because the out-of-state felony counts as a second indictable offense — and you can only have one indictable offense to be eligible for expungement.

## **Victims of Identity Theft and Human Trafficking**

Under N.J.S.A. 2C:44-1.1, if you were the victim of identity theft or human trafficking, you may be eligible to have certain arrests or convictions expunged. This type of expungement is completed through special procedures. You should contact an attorney for guidance.

## **Summary of Expungement Eligibility**

Below is a summary of the expungement eligibility requirements. If you have questions about your eligibility, you should contact a New Jersey expungement attorney.

NATURE OF RECORD	NUMBER ELIGIBLE	WAITING TIME
Indictable Offense (Felony)	1 if you only have 1 indictable offense and no more than 3 disorderly persons convictions (subject to the “crime spree” exception”)	6 years  (5 years for early expungement. See Early Pathway Expungement above.)
Disorderly Persons Offense or Petty Disorderly Persons Offense (Misdemeanor)	Up to 4 if no indictable offenses, or  Up to 3 if 1 indictable offense	5 years  (3 years for early expungement. See Early Pathway Expungement above.)
Municipal Ordinance	No limit if no indictable offenses and no more than 2 disorderly persons violations	2 years
Individual Juvenile Adjudication	Same as for adult offenses	Same waiting period as corresponding adult offense
Entire Juvenile Record	Entire juvenile record eligible for expungement	3 years
Certain Offenses for Young Drug Offender (21 years of age or younger at the time of the offense)	No limit	1 year
Dismissal following successful completion of diversion program (PTI, Conditional Discharge, or Conditional Dismissal)	No limit	6 months from the date of dismissal
New Jersey Drug Court Graduate	No limit	Immediately eligible after graduation
Arrest not resulting in conviction (dismissed charges, acquittal, discharge without finding of guilt); Veterans Diversion Program	No limit	None – immediately eligible



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**Chapter 3:  
The Expungement Process**

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# Chapter 3:

## The Expungement Process

Once you're ready to start the expungement process, you'll need to take the steps outlined below.

The expungement process can be confusing. There are a lot of requirements to keep track of, and the laws are complex. If you make any mistakes in your documents or don't follow the right procedures, your expungement will be delayed – or worse, the judge may deny your expungement completely.

### Should I Hire a Lawyer to Handle my Expungement?

An expungement lawyer will help the process go much more smoothly. In particular, he or she can help by:

- gathering information;
- drafting documents;
- filing and mailing documents;
- navigating court procedures;
- keeping track of notices;
- avoiding common mistakes;
- responding to any objections; and
- appearing and making arguments in court, if needed.

It's particularly important to hire a lawyer in the more complex cases, such as:

- early pathway expungement;
- expungements for the sale or distribution of a CDS or possession of a CDS with intent to sell;
- when you have more than three convictions on your record;
- when you have out-of-state convictions; or
- when you want to expunge your record as a Drug Court graduate.

Document preparation services are best avoided. These companies do little more than fill in forms. They don't provide legal advice. You still must make sure you're meeting all requirements, including filing and mailing. And if you need to attend a hearing or respond to objections, you'll also be on your own. So if you need help with your expungement, contact an attorney – they'll be able to guide you through the entire process.

## **Step 1: Get Copies of Your Arrest Record and Criminal Record**

To prepare your Expungement Petition, you'll need the following information:

- the date of the arrest (or, if you were a juvenile, the date you were taken into custody);
- the statute(s) and the offense(s) for which you were arrested and/or convicted (or, if you were a juvenile, taken into custody and adjudicated delinquent);
- the original indictment, summons, or complaint number;
- the date of conviction or other disposition (such as a not guilty verdict or dismissal); and
- the court's disposition of the matter and any punishment imposed, including the dates you paid any fines and the date you completed probation or parole, if applicable.

This information will be used to determine whether your record is eligible for expungement – so it's important that it's accurate.

You also need to disclose your entire record in your Expungement Petition. If you don't, a government party may object. An objection will delay your expungement. It may also decrease your chances of receiving the expungement. See Step 4: Distribute Copies of Your Filed Expungement Documents below for more information about objections.

Even if you think you know what's on your record, it's still a good idea to get an official copy. This way, you can make sure 1) that there aren't any errors, and 2) that you aren't forgetting anything. If you find any errors, you should try to correct them before filing for expungement.

### ***Getting Individual Records***

If you need information about a specific conviction, you can ask for a record directly from the court. In a municipal court, the record is called the "Disposition," and you can request it from the court clerk. In a Superior Court, it's called a "Judgement of Conviction," and you can request it from the Criminal Records Division.

You'll need to make the request in person and bring proper identification (like a driver's license or birth certificate).

If you were an adult at the time of your offense, you should go to the court in the county you were arrested, charged, or convicted. If you were a juvenile, you should go to the family court in the county you were taken into custody, charged, or adjudicated delinquent.

The information you receive from the court won't be a full criminal history. It will only cover the matters handled by that particular court. So if you have multiple convictions in multiple courts, you'll need to go to each court separately.

If you were arrested but no charges were filed, you should contact the law enforcement agency handling your arrest.

If you had a lawyer at the time of your arrest or conviction, he or she may also have your record information.

### ***Getting Complete Records***

Going to the court directly is usually a good option if you know exactly what your convictions are, and which courts handled them. If you have multiple arrests or convictions, or you're not sure what's on your record, it's a good idea to get a complete record. To do this, you generally have three options:

- **New Jersey State Police.** This option is available if you only have a record in New Jersey.

You'll need to complete an application, schedule a fingerprinting appointment, and pay a fee. Your fingerprints will be taken by a third-party company. Instructions are on the New Jersey State Police website. If you've already gone through this process for an employer, you still have to go through the entire process again. The new report will be used only for expungement purposes.

Results typically come back in about two weeks and will only cover counties in New Jersey.

Also keep in mind that you won't have a record sheet with the State Police if you weren't fingerprinted and only a complaint was signed against you. In that case, the police department or court that handled the complaint will have a copy of your record.

- **FBI.** This method provides nationwide information. You'll need to submit an application, fingerprints (usually taken at local law enforcement offices), and a fee. The FBI's website includes instructions. The website also includes current processing times. Results usually come back a few days after the receipt of the fingerprint card for electronic applications. Results for mailed applications take a few weeks.
- **Your attorney.** If you hire an expungement attorney, they can help you get a copy of your records. Usually you'll need to send a completed application and fingerprints to your attorney, and they'll handle the rest.

Unfortunately, it's possible that the records you receive through the procedures above will still be incomplete. Sometimes the results omit juvenile records or municipal court matters.

If you have a juvenile or municipal court record, you can get the information directly from the court that handled the matter. Even though the matter may not show up

on a State Police or FBI record, the county prosecutor will still object if you don't include it in your Expungement Petition.

Some websites or private companies also offer services to retrieve your criminal record. It's not a good idea to rely on these – the records they produce have a higher risk of being incomplete or inaccurate.

## Step 2: Draft Your Expungement Documents

Once you've gathered all your information, you'll need to prepare several documents. These include:

- **Expungement Petition.** This document requests expungement and states facts showing that your records are eligible.
- **Proposed Order for Hearing.** The judge assigned to your expungement will use this document to schedule your hearing.
- **Expungement Order.** If the judge grants the expungement, he or she will sign this document. It orders all criminal justice and law enforcement agencies in New Jersey to remove and isolate your record.
- **"Public Interest" Certification.** You should submit this certification if you're applying for early expungement. You should also submit it if you're applying to expunge a conviction for sale or distribution of CDS or possession with intent to sell in the third or fourth degree. This certification explains why you want expungement and why you should be granted expungement. You should attach evidence showing that granting expungement would be in the public interest. See Chapter 2: Expungement Eligibility – Early Pathway Expungement for more information about the "public interest" analysis.
- **"Modified Payment of Fine" Certification.** You should submit this certification if the waiting period has not been met with respect to the payment of fines, but is otherwise satisfied. It includes information about your fine and states that you either 1) substantially complied

with the payment plan, or 2) couldn't do so due to compelling circumstances (and explains such circumstances). See Chapter 2: Expungement Eligibility – Expunging Convictions – Expungement Waiting Periods for more information.

- **Proof of Notice.** This document certifies that you sent copies of your expungement package to the appropriate parties. You must sign the Proof of Notice and submit it to the court. You should also enclose copies of the return receipts. See Step 4: Distribute Copies of Your Filed Expungement Documents below for more information.

If you have an attorney, he or she will draft your documents for you. If filing on your own, the New Jersey Courts website provides forms with instructions. All documents must be typed or clearly printed on 8.5 x 11 inch white paper only.

### **Step 3: Sign and File Your Expungement Documents**

Once you've drafted your expungement documents, you'll need to sign the Expungement Petition in front of a notary public. The notary public will notarize the petition and stamp it with an official seal.

You should make three copies of all your application documents. Keep one copy for yourself. Your filing package should include:

- a cover letter explaining the contents and purpose of your application package;
- the original documents listed in Step 2 above and two copies;
- the filing fee, if applicable, payable to the Treasurer, State of N.J. (money order or certified check); and
- two large self-addressed envelopes with postage stamped on each envelope (these will be used to send the filed copies of your documents back to you).

You'll then file the package by mailing it to the court in the county where your arrest or conviction occurred. You can also file in person. A list of the criminal court offices handling expungements is included as Appendix A.

If your arrests or convictions took place in more than one county, you can contact the court in either county and ask if you can petition to expunge your entire record in that county. But if you're only seeking to expunge disorderly persons offenses, you must file your petition in the county where the most recent disorderly persons offense was adjudged.

After you file the package, your expungement case will be assigned to a judge. The assigned judge will sign the Order for Hearing, which will state the time and date for your hearing. The hearing date is generally one to two months after you file your Expungement Petition.

A copy of your documents, including the signed Order for Hearing, will be mailed back to you marked "Filed." You'll also get a "Docket Number." The Docket Number is an identifying number for your case as it moves through the court system.

#### **Step 4: Distribute Copies of Your Filed Expungement Documents**

After you receive the filed documents back from the court, you'll need to distribute (or "serve") copies of these documents to each government entity involved with your case. This will include the county prosecutor and New Jersey State Police.

You should send the copies right away by certified mail, return receipt requested. Under New Jersey law, you have to mail these copies within five days from the date the Order for Hearing was signed.

##### **Recipients should include:**

- Superintendent of the State Police, Expungement Unit
- Attorney General of New Jersey
- County Prosecutor
- Head of the police department (such as Chief of Police) where your arrest or the offense took place



- Chief law enforcement officer of any other law enforcement agency that participated in the arrest
- Warden or superintendent of any institution in which you were incarcerated
- If a municipal court heard the matter to be expunged, the magistrate of the municipal court
- County Probation Division if you:
  - were granted a conditional discharge
  - were enrolled in PTI
  - were enrolled in a juvenile diversion program
  - were granted a deferred disposition
  - performed community service
  - owed fines or restitution
  - served probation
- If your case was processed through the State Grand Jury, the Division of Criminal Justice, Records and Identification Unit
- If you're seeking expungement of a juvenile record, the County Family Division

Once you receive the return receipts, you should call the court handling your expungement. Ask whether the Proof of Notice should be sent to the court before the hearing, or if you should bring it to the hearing. If you need to send them in before the hearing, you should follow the court clerk's instructions.

### ***Objections to Expungement***

The parties listed above have the right to object to your expungement. They'll review Expungement Petitions on a first come, first serve basis.

If anyone needs more time to review your file, they may ask the judge to move the hearing to a later date. It's a good idea to call the court the day before your scheduled hearing to confirm it's still on the calendar. Sometimes hearing dates change unexpectedly.

If someone does object, you or your attorney will usually get a letter explaining why they object. Sometimes the objector will appear at the hearing as well.

Some reasons for objections may include:

- failure to disclose your entire criminal record
- incomplete or inaccurate information
- too many convictions or offenses on your record
- you were convicted of an offense not eligible for expungement
- the requisite waiting period hasn't passed
- you have a pending criminal matter

An attorney can be extremely helpful in the case of objections. He or she can review the objection and determine the best way to address it. The appropriate response depends on the reasons for the objection and whether the prosecutor's reasoning is accurate.

An objection also does not mean your expungement will be denied. But you do need a formal response. If you have an attorney, they'll prepare the response for you. You also usually need to appear in court and answer questions from the judge. You may need to correct and re-serve your expungement paperwork as well.

If you take too long to respond to the objection and make any required corrections, the court may dismiss your expungement petition. This means you'll have to start the entire process over.

If there are no objections, the judge will, in most cases, grant your expungement — sometimes without a hearing. If you get an expungement without a hearing, you (or your attorney) will receive a signed Expungement Order in the mail instead.

### **Step 5: Attend Your Hearing (If Required)**

If you have a hearing, the judge will decide whether to grant your request for expungement at the hearing.

If you have an attorney, you usually don't have to attend the hearing unless there's an objection. If you don't have to appear, you'll have to make sure you submit all necessary paperwork (such as the Proof of Notice) before the hearing. If you have an attorney, they'll help you prepare.

If you do have to attend, make sure you dress appropriately and arrive at least 15 minutes early. You should let the court clerk know when you arrive. Also remember to bring copies of all your paperwork.

## **Step 6: Distribute Copies of the Expungement Order**

If the judge grants your expungement, he or she will sign the Expungement Order. The Expungement Order will direct all New Jersey criminal justice and law enforcement agencies to remove and isolate your record from their databases. This means your expunged record will no longer appear on background checks.

Once you receive the Expungement Order, you'll need to serve a copy of it on all the government parties involved with the expunged matter listed above in Step 4. You should send these copies by certified mail, return receipt requested.

Once the New Jersey State Police receives the Expungement Order, they'll remove the records from their database. They'll also send an electronic notice of the expungement to the FBI. The FBI maintains the federal National Crime Information Center (NCIC). NCIC is a central database linked with federal, state, and local agencies.

When the FBI receives the notice of expungement, it's required under federal law (28 C.F.R. 16.34) to update its records accordingly. This means that the FBI will no longer report the existence of your expunged record.

Once the State Police has finished removing and isolating your record, they will send a letter confirming the process is complete. This typically occurs in 90-120 days. You should not assume your record was successfully expunged until you've received this confirmation letter.

If you want to verify that the FBI has expunged your record, you can request an FBI criminal history check as described above in Step 1. But keep in mind that the FBI may have also shared information about your record with other federal agencies before expungement. This may include the Department of Homeland Security and Immigration and Customs Enforcement.

The law requiring the FBI to adjust its records doesn't cover other federal agencies. And it's not likely that these agencies would follow a New Jersey Expungement Order. You should assume that such agencies will keep any record of your arrest or conviction. See Chapter 1: What is Expungement? – Future Uses of Expunged Records for more information about future uses of your expunged record.

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# Chapter 4: Costs of Expungement

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# Chapter 4:

## Costs of Expungement

For the vast majority of people with criminal records, the benefits of expungement will far outweigh the financial costs. But it's important to know what to expect. The total cost of expungement varies based on several factors, including whether:

- you hire a lawyer to help you;
- your expungement has special issues (such a “public interest” analysis); and
- anyone objects to your Expungement Petition.

If you hire a lawyer, you should ask about their fee structure.

In most cases, you'll also have to pay a court filing fee of \$75. Under N.J.S.A. 2C:52-6, there is no fee for expungements for arrests not leading to a conviction or dismissal of charges based on participation in a diversion program. Under N.J.S.A. 2C:35-14(m), there is no fee for Drug Court graduate expungements.

If you can't afford to pay the filing fee, you can request a fee waiver from the court. The waiver application is available on the New Jersey Courts website. You can also get an application from the court handling your expungement. You'll need to submit financial documents so the court can decide if you should receive the waiver.

Regardless of whether you get a waiver for the filing fee, you'll also need to pay for other costs, including:

- certified mailing with return receipts;
- photocopies;
- envelopes and stamps; and
- any fees to get copies of your records.

Keep in mind that, as described in Chapter 3: The Expungement Process, you'll need to send copies of your expungement documents to several government parties. This means copying and mailing costs can add up quickly.



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# Chapter 5: Conclusion

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# Chapter 5:

## Conclusion

If you're feeling overwhelmed by the expungement process, you're not alone. New Jersey expungement requirements are very strict, and the process is complex and time-consuming. Even technical mistakes can cause your expungement to be denied, dismissed, or at least delayed.

An experienced expungement lawyer can make sure you're meeting all technical requirements and give you the best chances of success.

But choosing a lawyer can also seem overwhelming. Here are a few things you should look for when hiring a lawyer:

- **Experience.** Expungement laws are complicated. They've also changed over time. Your attorney should have extensive expungement experience. This will help ensure they have the skills to handle any issues that may arise with your case. Ask about how long they've been practicing and how many cases they've handled. You can also ask about how often the expungements they've handled have been successful.
- **Attentiveness.** An attorney who pays proper attention to your case is crucial. Otherwise, you may face unnecessary delays in getting your expungement. Ask during your initial consultation how you'll be able to communicate with them if needed, and how long they typically take to return your messages. Try to get a feel for how quickly they'll respond to you.
- **Fees.** More often than not, expungements are worth the investment. But unexpected fees are never welcome. When choosing a lawyer, be sure to ask about their fee structures. They should be able to give you a straightforward answer so you can plan accordingly.

At Rosenblum Law, we've seen the effect a criminal record can have on a person's quality of life. The consequences can last a lifetime. With over 50 years of collective education and experience, our attorneys have helped clients all across New Jersey get a fresh start by expunging their criminal records.

If you're interested in expungement, call us today at 888-235-9021 or contact us through our website at [www.rosenblumlaw.com/contact](http://www.rosenblumlaw.com/contact). We're passionate about protecting the rights and future of every one of our clients – and our consultations are always free.

## Appendix A:

# County Criminal Court Offices Handling Expungement

<p><b>Atlantic County</b>  Superior Court of Atlantic County  Expungement Clerk  4997 Unami Blvd  Mays Landing, NJ 08330  (609) 401-0100, ext. 47310</p>	<p><b>Bergen County</b>  Criminal Case Management Office  Bergen County Justice Center  Rm 124  10 Main St  Hackensack, NJ 07601  (201) 221-0700, ext. 25054/25055</p>	<p><b>Burlington County</b>  Burlington County Courthouse  Processing Office  49 Rancocas Rd, 1st Fl  Mount Holly, NJ 08060  (609) 288-9500, ext. 38081</p>
<p><b>Camden County</b>  Hall of Justice  Expungement Section  101 South 5th St  Camden, NJ 08103  (856) 379-2230</p>	<p><b>Cape May County</b>  Criminal Case Management  9 North Main St  Cape May Court House, NJ 08210  (609) 402-0100, ext. 47530</p>	<p><b>Cumberland County</b>  Criminal Division – Expungement Unit  Cumberland County Courthouse  60 W Broad St  Bridgeton, NJ 08302  (856) 453-4300</p>
<p><b>Essex County</b>  Veterans Courthouse  Criminal Records Office  50 West Market St, Rm 912  Newark, NJ 07102  (973) 776-9300, ext. 55965</p>	<p><b>Gloucester County</b>  Criminal Division – Expungement Unit  Gloucester County Justice Complex  70 Hunter St  Woodbury, NJ 08096  (856) 686-7500</p>	<p><b>Hudson County</b>  Criminal Records  Criminal Case Management  Administration Bldg.  595 Newark Ave, Rm 101  Jersey City, NJ 07306  (201) 748-4400, ext. 60170</p>
<p><b>Hunterdon County</b>  Criminal Division  Hunterdon Justice Center  65 Park Ave  Flemington, NJ 08822  (908) 824-9750, ext. 13110</p>	<p><b>Mercer County</b>  Mercer County Criminal Courthouse  Criminal Records, Expungement Unit  400 South Warren St, Rm 109 Trenton,  NJ 08650  (609) 571-4200, ext. 74048</p>	<p><b>Middlesex County</b>  Middlesex County Court House  Criminal Records  56 Paterson St  PO Box 964  New Brunswick, NJ 08903  (732) 645-4300, ext. 88155</p>
<p><b>Monmouth County</b>  Monmouth County Superior Court  Criminal Division  71 Monument Park  PO Box 1271  Freehold, NJ 07728  (732) 677-4500</p>	<p><b>Morris County</b>  Superior Court of New Jersey  Criminal Records Department  PO Box 910  Morristown, NJ 07963  (973) 326-6950</p>	<p><b>Ocean County</b>  Ocean County Superior Court  Criminal Case Processing  120 Hooper Ave  Toms River, NJ 08753  (732) 929-4780</p>
<p><b>Passaic County</b>  Superior Court Criminal Division  77 Hamilton St, 2nd Fl.  Paterson, NJ 07505  (973) 247-8344</p>	<p><b>Salem County</b>  Criminal Division – Expungement Unit  Salem County Courthouse  92 Market St  Salem, NJ 08079  (856) 878-5050, ext. 15780</p>	<p><b>Somerset County</b>  Criminal Case Management  20 North Bridge St  PO Box 3000  Somerville, NJ 08876 (908)  332-7700, ext. 13720</p>
<p><b>Sussex County</b>  Sussex County Judicial Center  Criminal Division  43-47 High St  Newton, NJ 07860  (973) 579-0933</p>	<p><b>Union County</b>  Criminal Division  2 Broad St  Elizabeth, NJ 07207  (908) 787-1650, ext. 21250</p>	<p><b>Warren County</b>  Criminal Case Management  PO Box 900  Belvidere, NJ 07823  (908) 750-8100, ext. 13130</p>

*Information is for reference only. You or your attorney should confirm the correct filing address before filing.*

## Appendix B: Family Division Offices (Juvenile Records)

<p><b>Atlantic County</b> Family Division Manager Atlantic County Civil Court Building West Wing 1201 Bacharach Blvd., 2nd Floor Atlantic City, NJ 08401 (609) 402-0100, ext. 47503</p>	<p><b>Bergen County</b> Family Division Manager Bergen County Justice Center 10 Main St., Rm. 257 Hackensack, NJ 07601 (201) 221-0700, ext. 25103</p>	<p><b>Burlington County</b> Family Division Manager Burlington County Court Facility 49 Rancocas Rd. Mt. Holly, NJ 08060 (609) 288-9500, ext. 38830</p>
<p><b>Camden County</b> Family Division Manager Camden County Hall of Justice 101 South 5th St., 2nd Floor Camden, NJ 08103-4001 (856) 379-2200, ext. 3601 or 3602</p>	<p><b>Cape May County</b> Assistant Family Division Manager Superior Court of NJ Family Division 4 Moore Rd. Cape May Court House, NJ 08210 (609) 402-0100, ext. 47571</p>	<p><b>Cumberland County</b> Family Division Manager Cumberland County Courthouse 60 West Broad St. Bridgeton, NJ 08302 (856) 453-4580</p>
<p><b>Essex County</b> Family Division Manager Essex Family Court Robert N. Wilentz Bldg. 212 Washington Street 10th Floor – Rm. 1053 Newark, NJ 07102 (973) 776-9300, ext. 57060</p>	<p><b>Gloucester County</b> Assistant Family Division Manager Gloucester County Family Court Facility Justice Complex 70 Hunter St. Woodbury, NJ 08096 (856) 686-7400</p>	<p><b>Hudson County</b> Family Division Manager Hudson County Administration Bldg. 595 Newark Ave., Rm. 208 Jersey City, NJ 07306 (201) 748-4400, ext. 60860</p>
<p><b>Hunterdon County</b> Assistant Family Division Manager Hunterdon County Justice Center 65 Park Ave. Flemington, NJ 08822 (908) 824-9750, ext. 13330</p>	<p><b>Mercer County</b> Family Division Manager Mercer County Civil Courts Bldg. 175 South Broad St. P.O. Box 8068 Trenton, NJ 08650 (609) 571-4200, ext. 74390</p>	<p><b>Middlesex County</b> Family Division Manager Middlesex County Family Courthouse 120 New St., 1st Floor P.O. Box 2691 New Brunswick, NJ 08903 (732) 645-4300, ext. 88664</p>
<p><b>Monmouth County</b> Family Division Manager Monmouth County Courthouse 71 Monument Park P.O. Box 1252 Freehold, NJ 07728 (732) 677-4050</p>	<p><b>Morris County</b> Family Division Manager Morris County Courthouse P.O. Box 910 56 Washington St. Morristown, NJ 07963 (973) 656-4362 or 4313</p>	<p><b>Ocean County</b> Family Division Manager Ocean County Justice Complex P.O. Box 2191 120 Hooper Ave., Rm. 240 Toms River, NJ 08754 (732) 929-2037</p>
<p><b>Passaic County</b> Family Division Manager Passaic County Administration Bldg. 401 Grand St., 8th Floor Suite 819 Paterson, NJ 07505 (973) 247-8600</p>	<p><b>Salem County</b> Assistant Family Division Manager Salem County Family Court 92 Market St. Salem, NJ 08079 (856) 878-5050, ext. 15871</p>	<p><b>Somerset County</b> Family Division Manager Family Case Mgmt. Office Courthouse - 2nd Floor P.O. Box 3000 20 North Bridge Somerville, NJ 08876 (908) 332-7700, ext. 13730</p>
<p><b>Sussex County</b> Assistant Family Division Manager Sussex County Judicial Center 43-47 High St. Newton, NJ 07860 (973) 579-0610</p>	<p><b>Union County</b> Family Division Manager Union Co. Courthouse, Cherry St. Annex 2 Cherry St. Elizabeth, NJ 07207 (908) 787-1650</p>	<p><b>Warren County</b> Assistant Family Division Manager Family Case Management Warren County Courthouse PO Box 900 Belvidere, NJ 07823 (908) 750-8100, ext. 13015</p>

## Appendix C: County Prosecutor Offices

<p><b>Atlantic County</b> 4997 Unami Blvd PO Box 2002 Mays Landing, NJ 08330 Phone: (609) 909-7800 Fax: (609) 909-7802</p>	<p><b>Bergen County</b> Justice Center 2 Bergen County Plaza Hackensack, NJ 07601 Phone: (201) 646-2300 Fax: (201) 646-3794</p>	<p><b>Burlington County</b> County Courts Facility 49 Rancocas Rd PO Box 6000 Mount Holly, NJ 08060 Phone: (609) 265-5035 Fax: (609) 265-5007</p>
<p><b>Camden County</b> 200 Federal Street Camden, NJ 08094 Phone: (856) 225-8400 Fax: (856) 963-0080</p>	<p><b>Cape May County</b> Crest Haven Complex 4 Moore Rd 110 Justice Way Cape May Court House, NJ 08210 Phone: (609) 465-1135 Fax: (609) 465-1347</p>	<p><b>Cumberland County</b> 115 Vine Street Bridgeton, NJ 08302 Phone: (856) 453-0486 Fax: (856) 453-7707</p>
<p><b>Essex County</b> Veterans Courthouse 50 West Market St Newark, NJ 07102 Phone: (973) 621-4700 Fax: (973) 621-4560</p>	<p><b>Gloucester County</b> 70 Hunter Street PO Box 623 Woodbury, NJ 08096 Phone: (856) 384-5500 Fax: (856) 384-8624</p>	<p><b>Hudson County</b> Administration Building 595 Newark Ave, 6th Fl Jersey City, NJ 07306 Phone: (201) 795-6400 Fax: (201) 795-3365</p>
<p><b>Hunterdon County</b> Justice Center 65 Park Ave PO Box 756 Flemington, NJ 08822-0756 Phone: (908) 788-1129 Fax: (908) 806-4618</p>	<p><b>Mercer County</b> County Court House 209 South Broad St, 3rd Fl PO Box 8068 Trenton, NJ 08650 Phone: (609) 989-6350 Fax: (609) 989-0161</p>	<p><b>Middlesex County</b> 25 Kirkpatrick St, 3rd Fl New Brunswick, NJ 08901 Phone: (732) 745-3300 Fax: (732) 745-2791</p>
<p><b>Monmouth County</b> 132 Jerseyville Ave Freehold, NJ 07728 Phone: (732) 431-7160 Fax: (732) 409-3673</p>	<p><b>Morris County</b> Administration &amp; Records Building PO Box 900 Morristown, NJ 07963 Phone: (973) 285-6200 Fax: (973) 285-6226</p>	<p><b>Ocean County</b> 119 Hooper Ave PO Box 2191 Toms River, NJ 08754 Phone: (732) 929-2027 Fax: (732) 506-5088</p>
<p><b>Passaic County</b> Administration Building 401 Grand St Paterson, NJ 07505 Phone: (973) 881-4800 Fax: (973) 225-0155</p>	<p><b>Salem County</b> 87 Market St PO Box 462 Salem, NJ 08079 Phone: (856) 935-7510, ext. 8333 Fax: (856) 935-8737</p>	<p><b>Somerset County</b> 40 North Bridge St PO Box 3000 Somerville, NJ 08876 Phone: (908) 231-7100 Fax: (908) 704-0056</p>
<p><b>Sussex County</b> 19-21 High St Newton, NJ 07860 Phone: (973) 383-1570 Fax: (973) 383-4929</p>	<p><b>Union County</b> 32 Rahway Ave Elizabeth, NJ 07202-2115 Phone: (908) 527-4500 Fax: (908) 289-1267</p>	<p><b>Warren County</b> Court House 413 Second St Belvidere, NJ 07823 Phone: (908) 475-6275</p>





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