

How to create an expungement application

AKA: Where the heck do I begin?

Judge Michelle Rick MI COA



Client interview

Confirm full name, including any aliases

Obtain DOB

Verify current & former addresses

Reconstruct client's understanding of past criminal contacts resulting in a criminal charge, including convictions, dismissals, set-asides, and deferrals. Are any result of being HT victim?

Determine if client has any charges pending.



Trust, but verify

Run an ICHAT (Internet Criminal History Access Tool)

<https://apps.michigan.gov/>

ICHAT

INTERNET CRIMINAL HISTORY ACCESS TOOL

BROUGHT TO YOU BY



HOME

ABOUT

GET STARTED

RESOURCES -

HELP





ICHAT

INTERNET CRIMINAL HISTORY ACCESS TOOL

BROUGHT

[HOME](#) [ABOUT](#) [USER REGISTRATION](#) [R](#)

Log into ICHAT

You may enter your credentials, click [here](#) to register as a new user, or you may log in as a Guest User.

* = Required

Log in as a Returning User

Username/Email*

Password*

I accept the [Terms and Conditions](#) of using ICHAT as a Registered User.


Log In

Forgot Username? [Click here](#)

Forgot Password? [Click here](#)

New User? [Click here to register](#)

Log in as a Guest User

 I'm not a robot 
reCAPTCHA
Privacy - Terms

I accept the [Terms and Conditions](#) of using ICHAT as a Guest User.

Guest Log In

Retrieve Search Results



Background Search

* = Required

If a SID number is used, no other information is required to be provided, (any other information entered will be removed except the reason for the search)

Reason for Search*

First Name*

Middle Name

Last Name*

Suffix

Date of Birth*

Race*

Gender*

SID - [What's This?](#)

[Additional Names>>](#)

Miscellaneous Number (Maximum number of characters left - 30)

Information populated in the Miscellaneous Field will be printed on the individual record response, and may be used as an identifier specific to an individual for use by an agency. Example: State issued personal ID number, or U.S. Passport number, etc. A social security number should not be used in this field.

Submit

0

Clear



ICHAT

INTERNET CRIMINAL HISTORY ACCESS TOOL

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MICHIGAN.GOV



Method

Michigan State Police ICHAT Payment Request

Welcome to the CEPAS Credit Card Processing Payment Module for the Michigan State Police ICHAT.

This process is being used as a secure means of processing credit card authorizations.




Payment may be made with a valid Discover, MasterCard, or Visa.

To begin the payment process, click on "NEXT" in the box below.

* Indicates required field

Choose method of payment

Pay by credit card

Back
Next
Exit

[Print](#)

Name	[REDACTED]
Date of Birth	[REDACTED]
Gender	[REDACTED]
Race	[REDACTED]
Reason	: Would Prefer Not To Answer
Amount Paid	: \$10.00
Order Date	: 4/5/2021 12:06:27 PM
Miscellaneous No	: [REDACTED]
Order Number	[REDACTED]
Confirmation No	[REDACTED]

A SEARCH OF MICHIGAN'S CRIMINAL HISTORY FILE HAS NOT LOCATED A CRIMINAL RECORD THAT EXACTLY MATCHES THE INFORMATION THAT YOU HAVE PROVIDED.

[Print](#)

Information Provided

Name : [REDACTED]
Date of Birth : [REDACTED]
Gender : [REDACTED]
Race : [REDACTED]
Reason : Would Prefer Not To Answer
Amount Paid : \$10.00
Order Date : 3/22/2021 8:15:41 PM
Miscellaneous No :

Based on the information provided, the following is a result of a search of the Michigan State Police criminal history files as of 3/22/2021 8:15:41 PM:

Important: Information Contained in this Record

THE RECORD RESULT PROVIDED IS BASED ON A DATA MATCH AS EXPLAINED ON THE ICHAT HOME PAGE. THE ICHAT SYSTEM HAS LIMITATIONS THAT MAY CAUSE FALSE POSITIVES OR FALSE NEGATIVES. PLEASE REVIEW THE RESULTS CAREFULLY AND DO NOT TAKE ADVERSE ACTION BASED SOLELY ON THIS RECORD. IF YOU CANNOT DETERMINE THESE RESULTS DO NOT BELONG TO THIS INDIVIDUAL, AND THE INDIVIDUAL IS DISPUTING THE RECORD, PLEASE PROVIDE THAT INDIVIDUAL WITH A COPY OF THIS REPORT AND OFFER THAT INDIVIDUAL THE OPPORTUNITY TO PERFORM A RECORD CHALLENGE BY SUBMITTING FINGERPRINTS. THE PROCEDURES ARE EXPLAINED AT THE BOTTOM OF THIS PAGE. SINCE ARREST CONVICTIONS, OR CRIMINAL RECORD DELETIONS MAY OCCUR AT ANY TIME, DO NOT USE THIS INFORMATION FOR FUTURE CLEARANCES.

ADDITIONAL IDENTIFIERS AND COMMENTS:

CRIMINAL TRACKING NUMBER: [REDACTED]
 TCN/OCA: [REDACTED]
 NAME USED: [REDACTED]

INCIDENT DATE: [REDACTED]

ARREST SEGMENT	CHARGE SEGMENT	JUDICIAL SEGMENT
DATE: 06/22/2014	DATE: 06/23/2014	DATE: 08/11/2014
MI6816800	MI680013A	MI680025J
OSCODA COUNTY SHERIFF DEPARTMENT	OSCODA COUNTY	23RD CIRCUIT COURT
OCA: 68-1141-14	PROSECUTING ATTORNEY	CFN: 14-001335-FH
1 CNT OF 1300	1 CNT MCL 750.136B5	
MISDEMEANOR	MISDEMEANOR	CNT-1 MCL 750.812
ASSAULT EXCLUDING SEXUAL	CHILD ABUSE - 4TH DEGREE	MISDEMEANOR
DISP: CHGD BY PROSECUTOR	1 CNT MCL 750.812	DOMESTIC VIOLENCE
	MISDEMEANOR	DISP: PLED GUILTY
	DOMESTIC VIOLENCE	SENT/REMARKS:
	2 CNT MCL 750.81D1	SEN- 2/06/2017 JAIL- MN
	FELONY	001-000-000 MX
	POLICE OFFICER - ASSAULTING/RESISTING/ OBSTRUCTING	001-000-000
		F/C/R-1075
	1 CNT MCL 750.841B	CNT-3 MCL 750.81D1
	FELONY	FELONY
	ASSAULT BY	POLICE OFFICER - ASSAULTING/RESISTING/

DATE: 06/27/2016
MI0991500
HAMPTON TOWNSHIP DPS
OCA: 16915-00571
1 CNT OF 2000
FELONY
ARSON
1 CNT OF 1300
MISDEMEANOR
ASSAULT EXCLUDING
SEXUAL

DISP: CHGD BY PROSECUTOR

DATE: 06/28/2016
MI090013A
BAY COUNTY PROSECUTING
ATT
1 CNT MCL 750.781A1
MISDEMEANOR
ARSON OF PERSONAL
PROPERTY-\$200 OR
MORE BUT LESS THAN
\$1,000
1 CNT MCL 750.81A2
MISDEMEANOR
DOMESTIC VIOLENCE -
AGGRAVATED
1 CNT MCL 750.82

DATE: 10/20/2016
MI090015J
18TH CIRCUIT COURT
CFN: 16-010424-FH
CNT-2 MCL 750.82
FELONY
ASSAULT WITH
DANGEROUS WEAPON
DISP: PLED GUILTY
SENT/REMARKS:
SEN-12/28/2016 JAIL- MN
000-000-365 MX
000-000-365 36M PROB

DATE PRINTED: 3/22/2021

Page 2

FELONY
ASSAULT WITH
DANGEROUS WEAPON
1 CNT MCL 750.84
FELONY
CNT-3 MCL 750.81A2
MISDEMEANOR
DOMESTIC VIOLENCE -
AGGRAVATED
DISP: PLED GUILTY



PROCEDURES FOR CORRECTING A RECORD

THE STEPS FOR CORRECTING A MISTAKEN OR INACCURATE RECORD ARE AS FOLLOWS:

1. WRONG PERSON - RECORDS THAT DO NOT BELONG TO THE INDIVIDUAL WHOSE NAME HAS BEEN SEARCHED

- IF THE INDIVIDUAL BELIEVES THAT THE RECORD DOES NOT BELONG TO HIM OR HER, THE INDIVIDUAL SHOULD GO TO THE NEAREST LAW ENFORCEMENT AGENCY AND REQUEST TO BE FINGERPRINTED ON A STATE APPLICANT FINGERPRINT CARD FOR THE PURPOSE OF "RECORD CHALLENGE"; CALL AHEAD TO VERIFY FEES AND/OR SERVICE HOURS. THERE IS NO CHARGE FOR SUCH FINGERPRINTING IF IT IS DONE AT A MICHIGAN STATE POLICE POST.
- THIS CARD SHOULD BE MAILED TO THE CRIMINAL JUSTICE INFORMATION CENTER WITH A COPY OF THIS RECORD AND A LETTER REQUESTING THE CRIMINAL JUSTICE INFORMATION CENTER TO VERIFY THAT THE ENCLOSED CRIMINAL RECORD DOES NOT BELONG TO HIM/HER. THERE IS NO FEE. THE ADDRESS IS:

MICHIGAN STATE POLICE -- CJIC
ATTN: RECORD CHALLENGE
P.O. BOX 30634
LANSING, MI 48909

2. RIGHT PERSON - INACCURATE, INCOMPLETE, OR OUT-OF-DATE INFORMATION

- SOMETIMES RECORDS CONTAIN REPORTING ERRORS. FOR EXAMPLE, THE NATURE OR DATE OF THE CONVICTION WAS REPORTED INCORRECTLY, OR THE RECORD CONTAINS A CONVICTION THAT SHOULD HAVE BEEN REMOVED FROM THE RECORD.
- IN SUCH CASES THE INDIVIDUAL SHOULD OBTAIN CERTIFIED COPIES OF THE COURT JUDGEMENT OR OTHER DOCUMENTS WHICH SHOW THAT THE INFORMATION CONTAINED ON THE CRIMINAL RECORD IS INCORRECT. IF THE PROOF PROVIDED IS SATISFACTORY, THE MICHIGAN STATE POLICE WILL MODIFY THE RECORD ACCORDINGLY. YOU MAY SEND THE DOCUMENTS TO:

MICHIGAN STATE POLICE -- CJIC
ATTN: CRIMINAL HISTORY RECORD CORRECTION
P.O. BOX 30634
LANSING, MI 48909

Assuming
eligibility,
what
application
do you file
on behalf of
client

Multiple felonies? (SCAO form 277)

One bad night conduct? (SCAO form 277)

A mix of felonies & misdemeanors?
(SCAO form 277)

Marijuana misdemeanors only? (SCAO
form 277a)

Human Trafficking Victim? (SCAO form
277b)

Michigan Legal Help

The screenshot shows the homepage of the Michigan Legal Help website. The browser address bar displays "https://michiganlegalhelp.org". The website header is dark green with the text "MICHIGAN LEGAL HELP" and "Helping Michigan residents solve their legal problems". There are buttons for "Please Tell Us What You Think" and "Make a Donation", and language options for "English" and "Español". The main navigation bar includes "Welcome", "Self-Help Tools", "Organizations & Courts", and "Guide to Legal Help". The main content area features a "Welcome to Michigan Legal Help" section with a list of topics: "Are You Being Evicted? Select Your County to Get Legal and Financial Help", "How will the COVID-19 (Coronavirus) Emergency Affect My Legal Problem?", and "Living and Working in Michigan During the COVID-19 Pandemic". Below this is a paragraph explaining the website's purpose and a "Help for Your Legal Problem" section with a printer icon. At the bottom, there is a "Self Help Tools" section and a "Need Help?" chat button.

← → ↻ 🏠 🔒 https://michiganlegalhelp.org ⋮ 🛡️ ☆

English Español

Please Tell Us What You Think Make a Donation

🏠 Welcome 🔧 Self-Help Tools ⓘ Organizations & Courts 📍 Guide to Legal Help 🔍

Welcome to Michigan Legal Help

- Are You Being Evicted? Select Your County to Get Legal and Financial Help
- How will the COVID-19 (Coronavirus) Emergency Affect My Legal Problem?
- Living and Working in Michigan During the COVID-19 Pandemic

Michigan Legal Help is for people who are handling their legal problems without a lawyer. It can help you learn about your legal problems and get ready for court. There are many Do-It-Yourself tools to help you create court forms. This website does not give legal advice, and it is not a substitute for having a lawyer. If you need more help, search the website for a lawyer, community services, or a Self-Help Center nearby. The website does not cover all areas of law, but we add new topics all the time. Please [tell us what you think](#) and let us know if we helped and how we can improve this site. To learn more, try our new [Guide to Legal Help](#) or watch our [User's Guide](#) video.

📍 Help for Your Legal Problem

🖨️

Self Help Tools

Need Help? X

Self Help Tools



Family

Divorce, Custody, Parenting Time, Child Support, Child Protective Services, Paternity, Guardianship, Name Change, Emancipation.



Housing

Leases, Landlord/Tenant matters, Mobile Homes, Eviction, Security Deposits, Subsidized Housing, Home Ownership, Foreclosure.



Public Assistance

Food Stamps, Cash Assistance, Medicaid, Disability Benefits, Social Security, and others.



Crime, Traffic, and ID

Criminal Law, **Expungement**, Victims' Resources, Traffic Tickets, Drivers' Licenses/IDs, ID Theft.



Wills & Life Planning

Wills, Small Estates, Powers of Attorney, Elder Abuse, Probate Law, and Conservatorships.



Immigration

Family Based Immigration, Citizenship, Detention, Removal, Asylum, Refugees, Relief through VAWA.



Going to Court

Legal rules and processes including service, evidence,



Personal Safety

Domestic Violence, Stalking, Personal Protection Orders (PPO), Abuse/Neglect of Adults.



Money and Debt

Debts and Debt Collection, Garnishment, Small Claims, Financial Abuse, Installment Payment Plans and Bankruptcy.



Income Tax

Earned Income Tax Credit, Free Tax Preparation, Innocent Spouse Relief, Tax Refund Garnishment.



Employment

Unemployment Benefits, Payment for Work, Discrimination and Wrongful Termination.



Education

Special Education/Accommodations, Discipline, Student Rights, Students With Limited English.



Farmworkers

Employment, Housing, Know-Your-Rights, and other information for migrant and seasonal farmworkers.



Voting and Civil Rights

Voting rights and registration, information about protections



Q: Where is the application filed?

A: Each court where convictions occurred.

• Oscoda County:

- 1. 5 copies of the completed application (signature notarized)
- 2. 5 copies of Certified Conviction
- 3. Letters of community support**
- 4. Secure NOH

• Also stop by local police dept to get finger prints on RI-008 form.

• Bay County

- 1. 5 copies of the completed application (signature notarized)
- 2. 5 copies of Certified Conviction
- 3. Letters of community support**
- 4. Secure NOH

• Also stop by local police dept to get finger prints on RI-008 form

Service of completed application & attachments on interested entities

Michigan State Police: Mail a copy of the application packet, application fee (\$50), and the fingerprint card to the Michigan State Police by first-class mail to Michigan State Police, Criminal Justice Information Center - Criminal History, PO Box 30266, Lansing, Michigan 48909

Local county prosecutor by first class mail
(See www.michiganprosecutor.org/about-us-menu/prosecutor-directory for the addresses of county prosecutors.)

Attorney General of the State of Michigan by first-class mail to Office of the Attorney General, Criminal Trials and Appeals Division, PO Box 30212, Lansing, Michigan 48909.

Preparing your client for the Court Hearing (with or without you)

1. Be on time.

2. Dress properly.

3. Even if remote, it is a Court hearing. No eating, drinking, smoking, checking one's phone, going through drive-thru...

4. Your client should be prepared to testify. They must be ready to convince the judge why they are entitled to an expungement.

5. Provide the Court with the proposed order (& copies) granting expungement.

