



**PROJECT
Clean Slate**

PROJECT CLEAN SLATE

PRO BONO ATTORNEY TRAINING

**CITY OF DETROIT
LAW DEPARTMENT**

Revised - January 2022

Project Clean Slate Overview

- Project Clean Slate is a City of Detroit initiative that began in 2016 to help Detroiters get their criminal convictions expunged and connect them with housing, employment, and educational opportunities.
- The City of Detroit Law Department employs attorneys and legal assistants who specifically work on Project Clean Slate, providing free legal services.
- Detroiters can apply for our program online.

Scope

- 215,000 Estimated # of Detroiters with criminal backgrounds
- 168,000 Estimated # of Detroiters eligible for expungement



Barriers for those with criminal convictions

- 67% of parolees in Detroit are unemployed
- 50% of probationers in Detroit are unemployed
- Of those who work, formerly incarcerated take home 40% less pay



Restrictions to Employment

Roughly 85% of employers conduct background checks and some industries bar hiring individuals with criminal records.



State Licensing Restrictions

13 professions impacted, including barbers & contractors



Other Collateral Consequences

Driver's responsibility fees, housing restrictions and federal student aid are all impacted by criminal records



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WHY DO PEOPLE SEEK EXPUNGEMENT:

Over 90%

of PCS clients cite new or better employment opportunities as their reason for seeking expungement.



WAGE INCREASE ONE YEAR POST-EXPUNGEMENT

23%

University of Michigan Empirical Expungement Study, 2019



THE EXPUNGEMENT PROCESS:



1 REQUEST AN EXPUNGEMENT SCREENING

Detroiter registers online on the PCS website. Staff pulls ICHAT and attorneys review for eligibility.

2 SIGN APPLICATION AND GET FINGERPRINTED

Resident meets with PCS attorney, signs Application to Set Aside Conviction, and is fingerprinted free of charge at DPD 3rd Precinct.

3 ORDER COURT RECORDS

PCS orders certified court records and attorneys review to confirm eligibility.

4 FILE APPLICATION

PCS files Application with court and serves copies on prosecutor, Attorney General, and Michigan State Police. MSP runs a criminal history report and forwards to parties. Based on report, AG serves approval letter or files opposition brief.

5 ATTEND HEARING

Resident and attorney attend hearing to convince judge that Resident's post-conviction circumstances and behavior warrant setting aside the conviction and that setting it aside is consistent with the public welfare.

6 EXPUNGEMENT GRANTED

Court sends expungement order to Michigan State Police to seal the record.



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Effect of Expungement

- In Michigan, records are sealed, not destroyed. The general public cannot see sealed convictions.
- Clients may truthfully answer on employment and housing applications that arrest(s)/conviction(s) that were set aside have not occurred.
- Certain government agencies still have access to records for certain purposes, i.e. courts, Michigan Department of Corrections, law enforcement agencies, the Attorney General, prosecutors, the governor



FROM OUR CLIENTS:

LaCorsica:

This wouldn't be possible without you all! **Thank you all so much from the bottom of my heart.** I promise [not] to let you all nor myself down.

With my expungement, my goals are: Nursing school and any other classes, to help me obtain my goal of opening a low-income daycare.

Niyah:

I can't thank you all enough again, I'm crying right now – **it's like a new start of life.** Thank you, thank you with this entire process and keeping me posted about everything. You all do great work believing everyone deserves a second chance, and most do!

Ebony:

Thank you, thank you, thank you!!!! You rock! Aww, **a new life and back to my career.** God bless you.

LaTonya:

Hello, I don't know if you remember me but you helped me with my expungement. I want to say thank you because I just got hired at ... They did the background check and everything was clear. **Now I can move forward and take care of my girls and live a normal life.** Thank you again for being a part of my journey for success.

Corey:

Thank you so, so much. I really appreciate the effort that you and your colleagues put forth in order to make this possible for me. **You are truly a blessing touching many lives in Detroit.** Thanks again.

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HOW CAN YOU HELP?



ATTORNEY SIGN UP

www.detroitmi.gov/pcsprobono



City of Detroit PROJECT CLEAN SLATE Pro Bono Hearing Opportunities

Thank you for your interest in representing a Project Clean Slate client at an expungement hearing. Please follow the instructions below to sign up:

- Review the hearing schedule below.
- If you receive a message indicating you are not shared to the view, we need to add your firm's domain to our Portal. Please email us at the address below to be added.
- Click on the row containing the hearing you would like to attend.
- When you are prompted to log in to Smartsheet, enter your email address and create a password.
- In the details panel, fill in your name and email address.
- When you receive an automated email from Smartsheet providing you with the hearing information, you are confirmed.
- You may then visit www.detroitmi.gov/pcsprobonoportals to access the client's information and PCS electronic file.

If you have any questions, please contact us at PCSattorney@detroitmi.gov.

Pro Bono

☆ **Hearing Schedule** ⓘ

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Hearing Date	Hearing Time	Court	Judge	First Name at Conviction	Last Name at Conviction
02/01/22	1:00 pm	45th District Court	Jaimie Powell Horowitz	Thomas	Cunningham
02/01/22	9:00 am	45th District Court	Jaimie Powell Horowitz	Adeus	Turner
02/02/22	1:30 pm	46th District Court	Sheila Johnson	Pamela	Magee
02/03/22	8:45 am	46th District Court	Cynthia Arvant	Nicola	Davis
02/03/22	8:30 am	46th District Court	Cynthia Arvant	Desiree	Henderson



Pro Bono Attorney Role

After signing up for a hearing, PCS will notify the client that you are standing in as their hearing at the attorney. You will have access to the client's electronic file in our Pro Bono Portal (www.detroitmi.gov/pcsprobonoportals). The portal contains:

- Client's name and contact information
- Hearing information
- Electronic copies of pleadings (Application to Set Aside Conviction, Michigan State Police Report, opinion letter from the Attorney General's Office, proposed Order).
- Information about the client relevant to the judge's determination of whether the client's post-conviction circumstances warrant setting the conviction aside and whether it would be in the public's interest to do so.



Pro Bono Attorney Role (cont'd)

Prior to Hearing

- **Reach out to client to introduce yourself. If the hearing is proceeding via Zoom, please make sure the client can access Zoom and schedule a practice session. The client should be prepared to advise the judge why he/she is seeking expungement.**

Hearing

- **The morning of your scheduled hearing, you will receive a Smartsheet update request.**
- **Before/after the hearing, provide the proposed Order to court. When entering your appearance on the record, state that you are standing in for the attorney of record (Stephani LaBelle or Christina Guirguis) and confirm the client's consent.**

Post-hearing

- **Obtain true copy of Order from clerk for client and PCS. If hearing was conducted via Zoom, ask clerk to email Order to PCShearings@detroitmi.gov or attorney of record.**
- **Update the Smartsheet request you received the morning of the hearing to reflect the outcome (Expunged – Closed, Hearing Conducted – Awaiting Decision, Denied – Closed). Type any notes/comments about the Order in the Follow Up field.**



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Next Steps for Clients

- Clients can access their case file and case documents, including the Order, by logging into the Client Portal (www.detroitmi.gov/pcsclients).
- Approximately 8 weeks post-expungement, PCS will pull another ICHAT to confirm that the conviction is no longer appearing on their public record.
- After PCS confirms conviction has been sealed, PCS will send client an updated ICHAT and congratulatory closure email.



QUESTIONS?

Legal questions

PCSattorney@detroitmi.gov

Smartsheet/portal questions:

projectcleanslate@detroitmi.gov

Court/procedural questions:

PCShearings@detroitmi.gov

