

New Jersey Expungement Law

N.J.S.A. 2C:52-1, et seq.

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Special Thanks:
Legal Services of New Jersey, for the use of the slide
presentation

Purpose of Expungement

“. . . providing relief to the *reformed* offender . . . but not to create a system whereby persistent violators of the law . . . have a regular means of expunging their records.”

N.J.S.A. 2C:52-32

Effect of Expungement

- Unless otherwise provided by law, if an order of expungement is granted, the arrest, conviction and any proceedings related thereto shall be deemed **not to have occurred**, and the petitioner may answer any questions relating to their occurrence accordingly
 - Exceptions
 - employment with courts or law enforcement,
 - Applying for subsequent expungement
 - Applying for PTI

Types of Expungements

- “Regular”
- Marijuana
- Clean Slate
- Drug Court



Determining Eligibility

Initial Eligibility:

Statement to Accompany Petition

N.J.S.A. 2C:52-8



- You have no “pending” indictable or disorderly persons charges against you;
- If you are seeking the expungement of an indictable conviction or crime spree you have had no previous such expungement or similar relief in this State or any other State or Federal Court ;

**See N.J.S.A. 2C:52-8 for specific “crime spree” language*

Non-Expungeable Convictions, *N.J.S.A. 2C:52-2b*

- Criminal homicide (except death by auto as specified in *N.J.S.A. 2C:11-5* and strict liability vehicular homicide as in *N.J.S.A. 2C:11-5.3*)
- Kidnapping or Human Trafficking; Luring or enticing
- Sexual assault, aggravated sexual assault or aggravated criminal sexual contact
- Criminal sexual contact (if the victim is a minor)
- Criminal restraint or false imprisonment (if the victim is a minor and the offender is not the parent of the victim)
- Robbery
- Arson and related offenses
- Terrorism; Producing or possessing chemical weapons, biological agents or nuclear or radiological devices
- Endangering the welfare of a child by engaging in sexual conduct that would impair or debauch the morals of the child, ***or causing the child other harm***
- Endangering the welfare of a child by photographing or filming a child in a prohibited sex act or simulated sex act, or reproducing or reconstructing such an image

Non-Expungeable Convictions (2)

- ▶ Causing or permitting a child to engage in a prohibited sexual act, Selling, manufacturing or possessing child pornography, or Knowingly promoting the prostitution of the actor's child, leader of a child pornography network
- ▶ Perjury & False swearing
- ▶ Conspiracies or attempts and to attempt such crimes.

**Also, *if committed prior to September 1, 1979*, Manslaughter; Treason; Anarchy; Rape or Forcible Sodomy; Embracery cannot be expunged

This includes: murder, kidnapping, arson, perjury, false swearing and robbery;

- Conspiracies or attempts to commit any of the foregoing; or aiding, assisting, or concealing persons accused of the foregoing crimes.
- ▶ Sale or Distribution of CDS or possession with the intent to sell cannot be expunged,
- ▶ **EXCEPT .**
 - ▶ *Marijuana*
 - ▶ **Public Interest Exceptions**
 - ▶ For 3rd, 4th Deg drug sale/distribution/poss. w intent to sell
- ▶ Also, any crime committed by a person holding any public office cannot be expunged if the crime involved or touched such office.

Indictable Convictions

N.J.S.A. 2C:52-2

(as of June 15, 2020)



- One (1) “Expungeable” Indictable Conviction and up to three (3) DP convictions
- Multiple counts in one indictment may be expunged if considered a “single, uninterrupted criminal event or incident.” *See In Re J.S.*, 223 N.J. 54, 73 (2015). Otherwise *might* be expungeable as a “crime spree” (see next slide)
- No “Non-Expungeable” convictions and adjudications (see list)

Two types of Indictable “Crime Spree”

Convictions for multiple offenses:

- within a single judgment of conviction , or
- which are 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.

NOTE: If you have offenses “subsequent to” the “crime spree” you are ineligible for the relief

See In Re J.S. (2015) drug case (suggesting legislature might revisit “crime spree” eligibility)

Disorderly Persons
N.J.S.A. 2C:52-3
As of June 15, 2020



DP

- For those with no Indictable convictions, no more than (5) five DP convictions may be expunged.

Two Types of DP level “Crime Spree”

N.J.S.A. 2C:52-3

Convictions for multiple offenses:

- entered within a single day; or
- which are interdependent closely related in circumstances and committed as part of a sequence of events that took place within a comparatively short period of time.

NOTE: If you have offenses outside of the “crime spree” you are ineligible for the relief

For more, see In Re J.S. (2015) (suggesting legislature might revisit “crime spree” eligibility)

Municipal Ordinance Violations

N.J.S.A. 2C:52-4

- Municipal Ordinances May be Expunged If No Indictable Convictions and No More than Two (2) DP Convictions

But see, *N.J.S.A. 2C:52-14* (Grounds for Denial of Relief) (“expungement . . . Shall be denied when . . . A person has had a previous criminal conviction expunged.” But the provision shall not apply “when the person is seeking expungement of a municipal ordinance violation.”

- Technically, no limit to the number of municipal ordinance violations which may be expunged

Juvenile Records

N.J.S.A 2A § 4a-60(f)

Juvenile adjudications of delinquency are “strictly safeguarded” but may be released in certain situations:

Name, offense, and sentence may be disclosed to the public if the juvenile is found delinquent for :

- A crime of the first, second, or third degree
- Aggravated assault; or
- Property damage greater than \$500.

You can prevent this information from being disclosed if you can show that it is very likely that specific and extraordinary harm would result from the disclosure – or expunge the record.

Juvenile Delinquency

N.J.S.A. 2C:52-4.1

- Typically does not appear on a criminal record
- General Eligibility: An entire juvenile record may be expunged after **three** years (release from custody, supervision, other disposition), provided:
 - No new offenses;
 - No non-expungeable offenses;
 - “One shot only” -- No prior “criminal” expungements or “criminal” diversionary program/ dismissals.

Young Drug Offenders

N.J.S.A. 2C:52-5

- Those 21 or younger at time of offense for possession or use of CDS, certain paraphernalia and prescription drug offenses
- No sale, distribution or PWIS CDS except marijuana (under one ounce) or hash (under 5 grams);
- No other crimes or drug offenses;
- No violations of probation or parole; and
- No dismissal of criminal charges after a supervisory treatment program.

Dismissals

N.J.S.A. 2C:52-6



Arrests that did not lead to conviction may be expunged at any time

Exceptions:

- Not Guilty by Reason of Insanity Cannot be Expunged
- Charges dismissed as part of a plea deal (Unless and until the conviction pleaded to is expungeable)
- Supervisory treatment programs: PTI, Conditional discharge, Conditional dismissal may be expunged six (6) months **after dismissal** (Veteran's diversion program dismissals may be expunged immediately)
- No filing fee
- Procedure: Get application from judge at time of dismissal (Superior or Municipal) or file a standard petition. *See AOC Memo re: Drug Court Expungements and Dismissed Cases*

Municipal Court Dismissals

1. Currently should be done by the court at the time of discharge or dismissal, acquittal.
2. Older dismissal must file traditional petition:
 1. Conditional discharge (*N.J.S.A. 2C:36A-1*) or conditional dismissal (*N.J.S.A. 2C:43-13.1*) cases; and
 2. Non-conviction cases dismissed prior to April 18, 2016

Eligibility: Standard Waiting Times



Level of Offense	Waiting Period
Indictable Conviction (and up to 3 DPS)	5 years (early pathway after 4)
Disorderly Persons Convictions	4 years (early pathway after 3)
Entire Juvenile Record	3 years
Municipal Ordinance Violations	2 years
Young Drug Offenders Conviction	1 Year
Supervisory Treatment, Conditional Discharge, Diversion program (Dismissal)	6 Months
Arrests not Leading to Conviction (and Veterans Diversion Program)	Immediately

Early Pathway: Compelling Circumstances

N.J.S.A. 2C:52-2a2

You may be eligible if:

- ▶ At least four years (if indictable) or three years (for Disorderly persons) have passed since conviction, payment of fine, incarceration, probation or parole (which ever comes latest),
- ▶ You have no new convictions; and
- ▶ Court finds Compelling circumstances
 - ▶ Character since conviction
 - ▶ Hardship from conviction

Compelling Circumstances for Drug Crimes

N.J.S.A. 2C:52-2c3

Third and Fourth degree drug convictions for sale, distribution, and possession with intent to sell may be expunged but must show **compelling circumstances**

****Warning:** Possession with intent to *distribute*, not technically required to meet the public interest. If so, be prepared to present evidence no sale was involved or intended.

Meeting the Compelling Circumstances test

- Only in effect since 2020, no judicial guidance yet
- Former standard was “public interest”
 - See In re Kollman 210 NJ 557 (2012), In re Lobasso 423 NJ Super. 475 (2012)
 - Put substantial burden on Petitioners
 - Documentary evidence requirement
 - Judgment of conviction, Pre Sentence Report, Trial, plea, & sentencing transcripts
 - Petitioner bears burden of proof – Request hearing/ submit certification
 - May admit proven or undisputed facts even from dismissed case
 - No unproven claims or allegations or categorical denials
 - Show rehabilitation (conduct and character)
 - Purpose of expungement: premium on volunteer / helping professions
- Unclear if Compelling Circumstances test will retain Kollman requirements.
 - Will likely be a more personal need, than a public need

Early Pathway: Special Circumstances (Financial) *N.J.S.A. 2C:52-2a1*

- ▶ Less than five (5) years has elapsed since payment of fine, BUT the other requirements have been met and:
 - You were in “substantial compliance” with payment plan;
 - Your financial situation created a difficulty to pay on time; or
 - Other circumstances affecting your ability to pay including age at time of offense, financial condition, and other relevant “ability to pay” circumstances.

Eligibility Despite Failure to Pay *N.J.S.A.* 2C:52-2a

- If a fine which is currently subject to collection is not yet satisfied “due to reasons other than willful noncompliance,” but the time requirement of five years is otherwise satisfied, the court may grant expungement
- But the court shall provide for the continued collection of any outstanding amount owed that is necessary to satisfy the fine or the entry of civil judgment for the outstanding amount

Marijuana Related Reform

- Immediate expungement of certain marijuana convictions.

No Longer a “Conviction”

- Any conviction for possession, using, being under the influence, or failing to make lawful disposition of marijuana or hashish in violation of *N.J.S.A. 2C:35-10* (simple possession); or use or possession with intent to use drug paraphernalia in violation of *N.J.S.A. 2C:36-2* is “not a conviction” [and presumed expungeable under *N.J.S.A. 2C:52-6* (arrests not leading to conviction)].

Regrading to Disorderly Persons

These crimes are regraded as disorderly persons offenses for the purposes of expungement petition:

- Distribution or possession or having under control with intent to distribute one ounce to five pounds of marijuana in violation of *N.J.S.A. 2C:35-5(11)*; or up to one ounce in violation of *N.J.S.A. 2C:35-5(12)*; or
- Violation of either and a “school zone” or “public housing” marijuana violation under *N.J.S.A. 2C:35-7a* or *N.J.S.A. 2C:35-7.1*; or
- Possession of more than 50 grams of marijuana or more than 5 grams of hashish in violation of *N.J.S.A. 2C:35-10a(3)*.

No Longer a crime = no longer barred as a “non-expungeable” crime

Expedited Expungement and Sealing

Individuals with such convictions will be eligible for relief after payment of fine, completion of probation or parole or release from incarceration or legal custody or supervision. The following offenses are included:

- Distribution or possession or having under control with intent to distribute less than one ounce of marijuana or less than five grams of hashish in violation of *N.J.S.A. 2C:35-5b(12)* or such violation and a “school zone” or “public housing” violation under *N.J.S.A. 2C:35-7a* or *N.J.S.A. 2C:35-7.1a* (i.e., distributing, or possessing or having under control with intent to distribute, on or within 1,000 feet of any school property or within 500 feet of public housing facility, public park or public building); or
- Obtaining, possessing, using, being under the influence of, failing to make lawful disposition of marijuana or hashish in violation of *N.J.S.A. 2C:35-10a(3)*, *N.J.S.A. 2C:35-10a(4)* or *N.J.S.A. 2C:35-10b* or *N.J.S.A. 2C:35-10c*; or
- A violation involving marijuana or hashish as above, and using or possessing with intent to use drug paraphernalia in violation of *N.J.S.A. 2C:36-2*.

Convictions prior to the effective date of the bill must be petitioned. On or after the effective date of the bill, the court will order an “order of non-disclosure” covering relevant court, probation and law enforcement records and having similar effect as expungement. Will seem to benefit greatest those with only such offenses on their record.

Certain Offenses Expungeable in Three Years

- For convictions for distribution of marijuana one ounce or more but less than five pounds or hashish over five grams but less than one pound in violation of *N.J.S.A. 2C:35-5(11)*, an automatic order of non-disclosure will not be issued, however, will be expungeable after a three year waiting period.
- This offense also now considered a DP

Clean Slate Expungement Petition

- Individuals “not otherwise eligible for relief” may petition to expunge an entire record of convictions **ten years** after their most recent conviction, payment of fine, satisfactory completion of probation or parole or release from incarceration whichever comes later. N.J.S.A. 2C:52-5.3
- Individuals with convictions for non-expungeable crimes will not be eligible for this relief. Petitioners with certain drug offenses will need to meet compelling circumstances.
- Also subject to non-payment of fine provision
- NOTE: Relief is available even if granted a prior criminal conviction

Drug Court Expungement

N.J.S.A. 2C:35-14m (1) through (5)

- Individuals successfully discharged from drug court and satisfactorily completed court-ordered rehabilitation are eligible to expunge all 2C offenses if:
 - No non-expungeable convictions;
 - No indictable or DP convictions (during) or crime or offense (after) special probation; and
 - No pending charges.
- Need for records must outweigh the desirability of granting expungement (“14b”)
- No Filing Fee
- *Subsequent (Not a PRIOR) criminal conviction revokes the expungement and future eligibility*

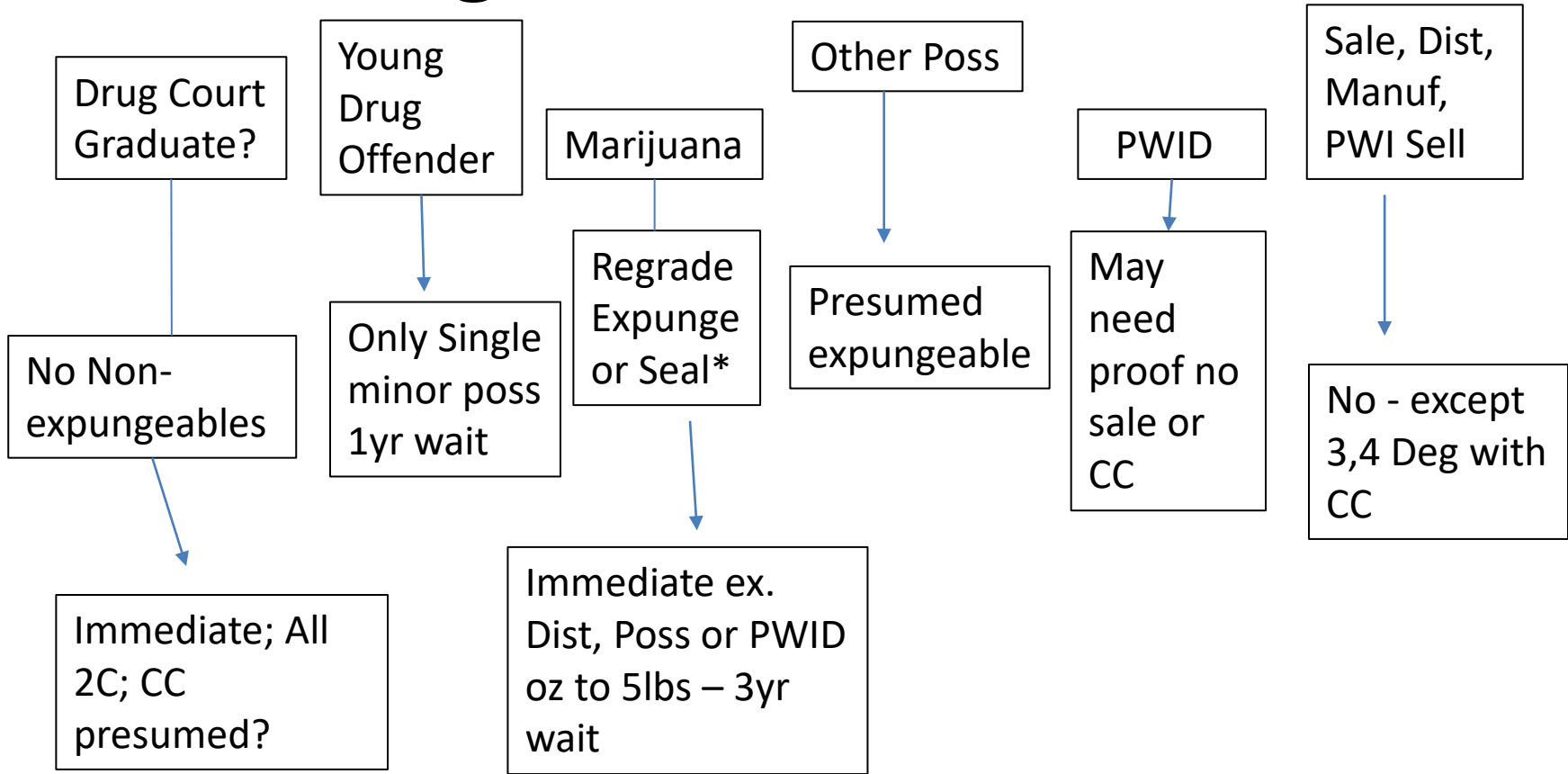
**5,800 graduates since April 2002; nearly 90% employed by time of graduation*

<u>Graduation Before April 18, 2016</u>	<u>Graduation After April 18, 2016</u>
<i>File a traditional petition. Individuals convicted of any crimes or offenses after discharge from special probation are ineligible for relief</i>	<i>Upon graduation, complete an Expungement Order and present it to the sentencing judge (See Public Defender)</i>

Drug Court & the Public Interest: *In re T.B.*

- Successful completion of Drug Court entitles applicant to presumption of “public interest” for drug offenses.
 - But “public interest” becomes “compelling circumstances” as of 6/15/2020. Same presumption applies?
- *In the Matter of T.B.* , 236 N.J. 262 (2019), the New Jersey Supreme Court held that successful drug court graduates presumptively meet the “public interest” when the court considers their expungement applications under *N.J.S.A. 2C:35-14(m)*. Additionally, they are not required to provide copies of all relevant transcripts and reports otherwise required under *In re Kollman* for those convicted of third or fourth degree drug sale or distribution offenses.

Drug-Related Convictions



Regraded DP = Dist, Poss or PWID up to 5lbs.; School, Public Zone

Poss > 50G

Non-Conviction = Poss & Para



GATHERING RECORDS

What Information must be included: N.J.S.A. 2C:52-7



Note: You need to detail each and every arrest in your petition, even out of state matters and dismissed cases

- Date of birth
- The date of the arrest, conviction, and/or dismissal;
- The statute(s) and offense(s) for which you were arrested or convicted;
- The *original* indictment, summons, or complaint number;
- The date of conviction or disposition
- The sentence imposed, if any,
- The date of fines paid, probation or parole completed, release from incarceration or custody.*

Getting Documents From the Court:

- Criminal Case Management Office (Indictable)
- Clerk of the Municipal Court (DP/MOV)
- Family Court (Juvenile)
- Police Department involved in your arrest(non-fingerprinted)

State Police Records

- CCH - A fingerprint report from State repository
- See State Police website for instructions:
<https://www.njsp.org/criminal-history-records/>
- Current cost is \$42.80 by credit card, prepaid debit, electronic debit
- Call options, 1-877-503-5981 (Monday through Friday; 8:00 a.m. to 5:00 pm and Saturday 8:00 am to 12:00 noon) to schedule an appointment.
- Out of State applicants must use fingerprint cards.

SAMPLE CCH REPORT

***** ARREST 005
ARRESTED 05/17/1999 AGENCY CASE NO: 1999-11144
AGENCY: NJNPD0000 PD NEWARK ESSEX
NAME USED: [REDACTED] DOB USED: [REDACTED]
OFFENSE DATE: 05/17/1999 VENUE: NEWARK CITY PART I CRIMINAL
001 CNT 2C:24-4 ENDANGER WELFARE OF CHILDREN
001 CNT 2C:29-7 BAIL JUMPING

INDICTMENT/ACCUSATION PROMIS/GAVEL NO: ESX99004320-001
NO: ESX990600735A DISPOSITION DATE: 06/15/1999
AGENCY: NJ007053J ESSEX CO SUPERIOR COURT

DISPOSITION: GUILTY FELONY CONVICTION
001 CNT: 2C:24-4 DEG: 3 ENDANGER WELFARE OF CHILDREN

AGGREGATE SENTENCE DATE: 07/30/1999
COURT: NJ007053J ESSEX CO SUPERIOR COURT
PROBATION 3Y CMTY SERVICE 0075 HRS
JAIL TIME CREDIT 54D AMOUNT ASSESSED \$ 155

AGGREGATE RESENTENCE DATE: 10/18/2002 PROBATION REVOKED-SENT JAIL
COURT: NJ007053J ESSEX CO SUPERIOR COURT
CONFINEMENT 364D
INCARCERATION: COUNTY JAIL JAIL TIME CREDIT 61D
AMOUNT ASSESSED \$ 155

RECEIVED 10/18/2002 AGENCY CASE NO: 76026
AGENCY: NJ007013C ESSEX CO ANNEX/PEN

Can You Rely on a CCH Alone?

- Only Fingerprinted Offenses (N.J.S.A. 53:1-15)
 - Indictable offenses
 - CDS
 - Shoplifting or prostitution
 - Questionable identity
 - Those believed to be wanted for a crime or believed to be a habitual criminal
 - Many domestic violence offenses
- Minor DPs or Municipal Ordinance Violations?
- Out of State arrests or matters?
- Compilation May Need Updating or Verification or More details

FBI Reports

For out of state matters, may wish to obtain Identity History Summary Check (FBI) Report

- Requires fingerprint cards or through IDEMIA
- Electronic submission (fingerprinting via participating post office location)
- Also mail options or approved channeler? (only U.S. resident or lawful permanent residents)
- <https://www.fbi.gov/services/cjis/identity-history-summary-checks/list-of-fbi-approved-channelers-for-departmental-order-submissions>
- Cost \$18 – no personal checks or cash. Money order -- ok
- Timing ?

Searchable Public Access Databases:

Criminal Cases: PROMIS/Gavel Public Access - Google Chrome
https://njcourts.judiciary.state.nj.us/web15z/ExternalPGPA/index.jsp

COURTS PUBLIC ACCESS
Criminal Cases: PROMIS/Gavel Public Access: Search Menu

COMPLETE FIELDS FOR ONE SEARCH TYPE, THEN SELECT SEARCH

Name
Last Name First Name M

OR

INDICTMENT/
ACCUSATIONS # 0000000001
0401001231 County

OR

Search

CDR # 0000 000000 0000
W 2004 000123 0101

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PROMIS/GAVEL (criminal)

- Public database
- Contains detail case information for those with indictable convictions and sentenced in the Superior Court
- No Juvenile records, dismissed cases or lesser offenses

NOTE: You must disable your pop-up blocker to access Promis/Gavel-PA otherwise you will be denied access.

Municipal Court Case Search (MCCS)

New Jersey Courts
Independence - Integrity - Fairness - Quality Service

Welcome Search

Case Search

Please enter first and last name for Defendant Name search.

Please select your search criteria

Search By: Complaint Number Court Prefix Year Number

Court Prefix Year Complaint Number

COMPLAIN - SUMMONS

Court Code	Complaint Prefix	Year	Complaint Number
0313	S	2005	097882

THE STATE OF NEW JERSEY
VS.
ROBERT W. JENKINS

Please click "I'm not a Robot" and follow the instructions provided. Once you have finished successfully, you will see a green checkmark. Click Search to continue and view case information.

I'm not a robot

Search

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MCCS – Municipal Court Case Search

- Contains detail case information for municipal court level summons / tickets
- Sensitive search function – multiple names and known aliases
- Note: Most cases begin with a complaint-summons or complaint-warrant

PREPARING THE EXPUNGEMENT APPLICATION



Automated Expungement Portal

- Up and running since January 2021
- No need for paper filings anymore
- No need for certified mailings anymore
- BUT
 - Still working out the bugs in the system

Starting page

- <https://www.njcourts.gov/selfhelp/expungement.html>

CREATE ACCOUNT

The screenshot shows a web browser window with the URL njcourts.gov/selfhelp/expungement.html. The page header features the New Jersey Courts logo and navigation links: SELF-HELP CENTER, ATTORNEYS, PAY MUNICIPAL CASE, JURORS, COURTS, and PUBLIC/MEDIA. A secondary navigation bar includes Opinions, Notices, eCourts, Attorney Registration, and Rules of Court.

Expunging Your Court Record

An expungement is the removal, sealing, impounding, or isolation of all records on file within any court, detention or correctional facility, law enforcement or criminal justice agency. A court-ordered expungement can remove the following information:

- your arrest
- all court proceedings related to your case
- your criminal or juvenile conviction
- the outcome of your case, including your sentence

You can apply for an expungement using the eCourts Expungement System. It's free. You will need your case number to get started.

[First-time User](#) [Returning User](#)

Create eCourts Account [Log in to eCourts](#)

Don't know your case number?

Instructions

Once you have registered, you can follow the [user guide](#) to file an expungement petition.

Need Help?

[Video overview](#)
[Detailed instructions video](#)
[Email your local ombudsman](#) if you have any questions.

Learn More About Expungements

In most cases, you must wait five years after your sentence is served. All fines and fees must be paid. Sometimes, you can file for expungement after 4 years. You can expunge no more than one indictable conviction and up to three disorderly persons offenses or petty disorderly persons offenses.

Other Types of Expungements

- Arrests not resulting in convictions (Expedited Expungements) - N.J.S.A. 2C:52-6
The court can order an immediate expungement if a case is dismissed or the defendant is acquitted and found not guilty on all counts.
- Drug Court Expungement - N.J.S.A. 2C:35-14(m)

The Windows taskbar at the bottom shows the time as 9:06 AM on 5/17/2021.

Navigating the Automated Portal

- Courts have put out detailed instructions:
 - https://www.njcourts.gov/selfhelp/assets/expungement_userguide.pdf?c=jdQ
- And an instructional video:
 - https://www.youtube.com/watch?app=desktop&v=M10U3kN3s_A&feature=youtu.be

All agencies must receive copies of your petition

- SUPPOSED to be served automatically by portal
 - (I don't trust it yet)
- The Attorney General
- The Superintendent of the State Police, Expungement Unit
- The county prosecutor (if an indictable or criminal matter)
- The clerk of the municipal court (if a municipal matter)
- The chief of police where the offense was committed or arrest was made
- The chief law enforcement officer of any other law enforcement agency that participated in the arrest
- The warden of the institution in which the client was incarcerated
- For State Grand Jury Cases: Division of Criminal Justice, Records and Identification Unit
- For conditional discharge and PTI: the *county probation* department
- If applicable, *Drug Court coordinator*

Objections

- ▶ Any of the served parties may object to expungement. Common objections --
 - ▶ Prosecutor/State Police: DeMarco, ripeness or 14B.
 - ▶ Municipality: Cant find the info, incorrect complaint or monies owed
- ▶ If *further or amended information* required, file a response within time indicated or *immediately* contact the prosecutor, notice to court, for an opportunity to respond.
- ▶ Contact the court in case a hearing is required.
- ▶ Seek Counsel.

Final Order of Expungement

- ▶ SUPPOSED to be served automatically by automated portal
- ▶ Review and serve the order on all parties.
- ▶ Keep a copy for your records and future enforcement Wait for a confirmation letter from the State Police that records have been physically expunged
- ▶ Check public databases
- ▶ May need enforcement on CRA's; Employers (when cat out of the bag)



Post-Expungement : Release of Expunged Records

- Petitioner may obtain order or petition by application. N.J.S.A. 2C:52-19
- Only Specific Law Enforcement purposes:
 - By agencies to determine whether an applicant had a prior expungement (N.J.S.A. 2C:52-17)
 - In connection with related claims to the Violent Crimes Compensation Board (52-18)
 - To determine whether to grant or deny applications for supervisory treatment or diversion program for subsequent charges (52-20)
 - To set bail or pre-trial release determination , preparation of presentence report or sentencing on subsequent charges (52-21)
 - To evaluate parole eligibility on subsequent charges (52-22)
 - To classify evaluate and assign those in custody to correctional and penal institutions (52-23)
 - By the court for continued collection (52-23.1)
- Others on Motion: good cause shown and compelling need based on specific facts. Leave to inspect only granted where subject matter of the records is object of litigation or judicial proceedings.

Outstanding Collections by the State Treasurer

- Shifting responsibility of collection of fines reduced to judgment post-expungement to the State Treasurer.
- Elimination of 2017 willful failure “nullification” provision. (N.J.S.A. 2C:52-23.1)
 - AOC notes that only about 50 cases with amounts still owing fell into this category.
 - More than half continued to make voluntary payments.
 - AOC notes that no clients were referred to CEP for a compliance hearing and no cases were referred for nullification.

Other

- Expungement should be filed in the jurisdiction where the “most recent” conviction for a crime was located.
- Simplifying the necessary statement to accompany the petition per *N.J.S.A. 2C:52-8* to remove “crime spree”. It still requires disclosure of a past criminal conviction when an individual is seeking the expungement of a criminal conviction;
- Requires disclosure of name changes – Also, remember to include aliases.

QUESTIONS FOR ME

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