

# Record Expungement Utah

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Having a criminal record expunged opens up tremendous opportunities for a person in terms of employment and social status. **A standing criminal record hinders opportunities** from renting an apartment to coaching a child's little league team. In today's information age, prospective employers and clients can easily check on a person's criminal history so it's important to have them sealed as soon as it is lawfully possible. At the law firm of [Schmidt & Gladstone](#), we can provide advice and assistance to help you navigate the legal system effectively.

## What is Record Expungement?



Criminal record expungement is the filing of a type of lawsuit so that past arrests and convictions can be sealed. In Utah, people must fill out an application through the Department of Public Safety, specifically [Criminal Identification \(BCI\)](#), provide a valid ID, fingerprints and pay \$50 to start the process. **It can take anywhere from 10 to 12 weeks to receive a response about an application.** After you receive a letter indicating that you are eligible, you can take that to the court clerk and proceed to get an order of expungement from a judge. **While the state doesn't require an attorney, it is generally a good idea to have legal representation in Utah.** Judges are not required by law to provide an order and they can exercise judicial discretion and deny any application. Keep in mind that, **if successful, each particular agency and police department must be notified in order to seal the records;** it doesn't happen automatically.

Common offenses that can be expunged in Utah include misdemeanors ranging from motor vehicle infractions such as driving with a suspended license to disorderly conduct. **Generally, any charge that carries a sentence of one year or less can be expunged in Utah after five years or fewer have passed from the end of the sentence.** In felony convictions, a person must wait at least seven years before starting the expungement process. If a case is dismissed, the statutes of limitations run out, a defendant is acquitted, or charges are not filed with a court, then an arrest record can be expunged after 30 days have passed.

**There are also certain crimes that the State of Utah will not expunge if convicted** of, such as capital or violent felonies, automobile homicide, felony driving under the influence and the records of registered sex offenders. Also, if a person has been convicted of two or more felonies or multiple misdemeanors, they may not be eligible. The process of having a criminal record expunged can be complicated and may present unexpected hurdles.

## Benefits of Record Expungement

Having a clean record has many perks. When filling out job applications, you can now lawfully check the box that you have no prior criminal arrests or convictions. **It may not revise history, but for all intents and purposes, your**

**record is clean.** The same holds true for apartment applications and participation in school and community activities that require background checks. Once your record has been sealed, access to joining the military, gaining professional licenses and many other doors will suddenly be open that were previously closed.

## **Professional Representation for Record Expungement**

If you have been arrested or convicted of a crime, it may be in your best interest to hire an attorney to represent you. At Schmidt & Gladstone Law Firm, we have 18 years of experience representing people in cases such as record expungement, [DUI](#), [criminal](#) and [family law](#), [personal injury](#) and [estate planning](#), and more. Call us today at 801-895-3113 to set up a consultation or [contact us here](#) for more information.