

# Options for clearing criminal records in Delaware

Do you have a Delaware criminal record that is preventing you from obtaining housing, employment, or public benefits? **APEX or the Office of Defense Services might be able to help you.**

## Juvenile Record

- 1) Acts committed **before you turned 18**
- 2) Prosecuted in **Family Court**

## How do I clear a juvenile record?

Juvenile records are cleared through a **juvenile expungement**.

- If granted, a juvenile expungement **clears** juvenile arrests and charges from your record.

Except for some serious, violent felonies, **juvenile expungement is available regardless of the disposition.**

- This means that you are still eligible for a juvenile expungement even if you were found delinquent.

A juvenile expungement is not available if you have any pending criminal charges or if you have any adult **convictions**, unless your adult convictions are pardoned.

**For help with a juvenile expungement, call the Office of Defense Services at (302) 577-5120.**

*This handout is not a substitute for legal advice and is meant for informational purposes only. Exclusions, exceptions, and additional provisions may apply.*

## Adult Record

- 1) Acts committed when you were **18 or older**
- 2) Prosecuted in **JP Court, Court of Common Pleas, Family Court, or Superior Court.**

## How do I clear an adult record?

If the case was **decided in your favor** (for example, nolle prosequi, dismissed, or acquitted), with certain exceptions, you can apply for an **adult expungement**.

- If granted, an adult expungement **clears** arrests and charges from your record.

If you were **convicted** (you pleaded guilty or were found guilty by a judge or jury), you can apply for a **pardon**.

- A pardon is forgiveness from the state. The conviction will still be on your record, but your record will show the conviction was pardoned.
- With certain exceptions, a **pardon for a misdemeanor or violation** (minor offenses) makes you **eligible for an adult expungement** which, if granted, will clear the conviction from your record.
- If you have a juvenile record, a pardon **automatically expunges** your juvenile record.

**For help with an adult expungement or pardon, call APEX at (302) 333-7605 (New Castle County); (302) 233-6462 (Kent County); or (302) 333-7600 (Sussex County).**