

WHO ARE WE?

Kansas Legal Services is a private, non-profit law firm. We provide legal assistance for individuals and families with legal problems where there is no ability to obtain legal assistance or representation.

APPLY FOR SERVICES

Individuals seeking representation in expungement cases can contact our application line for assistance at:

1-316-267-3975

Individuals can find additional information about expungements clinics by scanning this QR Code:



Disclaimer: This is general information. For specific advice on individual matters, you should consult a licensed attorney.



KANSAS LEGAL SERVICES



EXPUNGEMENTS

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WHAT IS AN EXPUNGEMENT?

Expungement is the removal of an arrest or conviction from a person's criminal record. When a person's record is expunged, it is sealed from the view of the public and in only limited circumstances must they be disclosed.

WHAT RECORDS CAN BE EXPUNGED?

Arrest records, criminal convictions, and juvenile adjudications can all be expunged in Kansas.

CAN ARREST RECORDS BE EXPUNGED IN KANSAS?

An arrest record can be expunged if:

- The arrest occurred because of mistaken identity;
- A court found there was no probable cause for the arrest;
- You were found not guilty in court proceedings; or
- The expungement would be in the best interests of justice *and* either charges have been dismissed or no charges are likely to be filed.

Any arrest record can be expunged and no time limit is required.

CAN CRIMINAL CONVICTIONS CAN BE EXPUNGED IN KANSAS?

A criminal conviction can be expunged if:

- Your conviction qualifies;
- You have not been convicted of a felony in the past 2 years and no such proceeding is pending;
- Your circumstances and behavior warrant the expungement; and
- The expungement is consistent with the public welfare

HOW LONG DO I HAVE TO WAIT?

Misdemeanors, traffic infractions, and some felonies can be expunged **3 years** after the completion of the sentence or probation.

Other more serious felonies and motor vehicle offenses, such as driving while suspended, can be expunged **5 years** after the completion of the sentence or probation.

A first offense of Driving Under the Influence (DUI) can be expunged **5 years** after the completion of the sentence, and after **10 years** for second and subsequent convictions.

WHAT CRIMINAL CONVICTIONS CANNOT BE EXPUNGED IN KANSAS?

- Capital murder
- Murder in the first or second degree
- Voluntary and involuntary manslaughter
- Rape
- Aggravated sexual battery
- Sexual battery of underage victim

- Indecent liberties with a child
- Criminal sodomy
- Indecent solicitation of a child
- Sexual exploitation of a child
- Aggravated incest
- Endangering a child
- Abuse of a child
- Commercial DUI (including diversion)

SPECIALTY COURTS

Specialty court programs are an alternative form of justice for specific crimes and specific circumstances.

These programs help participants by providing services, like mental health and substance abuse treatment, with the goal of helping the participant learn how to work through their problems.

Kansas has three main types of specialty courts:

- Drug Courts
- Behavioral Health Courts
- Veterans' Treatment Court

SPECIALTY COURTS & EXPUNGEMENT

With the recent change in Kansas law, most specialty court graduates are eligible to have the crime that got them into the specialty court program expunged the moment they graduate.