

Below is what we have in our office procedure manual.

Kristi Cox, CCM
Chief Deputy County Clerk
Livingston County, Michigan
44th Circuit Court



Livingston County Clerk

Application to Set Aside a Conviction (Also called Expungment)

If someone with a criminal conviction in the circuit court wishes to apply to have that conviction set aside, they need to complete SCAO Form MC227 – “Application to Set Aside a Conviction”.

NOTE-Certain offenses cannot be expunged. A list of these charges is included with the instructions on the reverse side of the application. They may not apply if:

- They were convicted of a felony punishable by life imprisonment
- They were convicted of any CSC or attempted CSC.
- It was a traffic offense
- It is a HYTA case (because there is no conviction)

They may apply:

- 5 years after the date of conviction, or.
- 5 years after release from prison, if they were incarcerated for the offense.

After they obtain the form, they will need to do the following:

- Obtain fingerprints from the police agency in applicant’s jurisdiction or MSP.
- Obtain a certified copy of the judgment.

NOTE: Include copies of both of these documents w/the copy of the application sent to the MSP.

When paperwork is filled out:

- It is filed in the Circuit Clerk's office.
- Applicant sets hearing date far enough in advance to allow return of report from MSP – generally, you'll want it to be around 45 days.
- Applicant serves the Attorney General, MSP (\$50 fee), and the prosecuting attorney.
- Applicant files the proof of service with this office.

No one other than the MSP is to be given any information on a case once it has been sealed.

From: miadmin@googlegroups.com <miadmin@googlegroups.com> **On Behalf Of** Thom, Jen
Sent: Tuesday, February 23, 2021 9:31 AM
To: 'miadmin@googlegroups.com' <miadmin@googlegroups.com>
Subject: [EXT] RE: Expungement Procedures

"The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin."

Good question.

From: 'Carol Stocking' via MCAA Court Administrators Only <miadmin@googlegroups.com>
Sent: Tuesday, February 23, 2021 8:45 AM
To: District Court Administrator List <miadmin@googlegroups.com>
Subject: Expungement Procedures

Good morning

Does anyone have expungement procedures that they would be willing to share with me?

Thank you!

Carol Stocking
Court Administrator
86th District Court
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(231) 922-4454 (fax)
(231) 645-2692 (cell)