Michigan Clean Slate Act Expungement Handbook

Legal Aid Community Clinic Procedural Guide (MCL 780.621)

Irongate College of Law & Public Service - Detroit, MI

STATUTORY FRAMEWORK & BACKGROUND

Michigan Public Act 193 of 2020 modernized the state’s criminal expungement laws, establishing automatic and application-based mechanisms to set aside eligible non-violent misdemeanor and felony convictions for reformed citizens.

ELIGIBILITY CRITERIA & TIMELINES

Misdemeanors: 3-year waiting period. Non-violent felonies: 5 to 7-year waiting period. Excluded offenses: offenses carrying life imprisonment, felony domestic violence, traffic offenses involving alcohol or death, and sex offenses.

CLINICAL STEP-BY-STEP FILING PROTOCOL

1. Obtain certified ICHAT criminal history. 2. Verify eligibility under statutory matrix. 3. Draft verified Motion to Set Aside Conviction [Form MC 227]. 4. Serve Attorney General, Prosecuting Attorney, and State Police. 5. Represent client at hearing.