

CLEARING YOUR RECORD IN TEXAS, 2^D

A Practical Guide to Expunction
and Non-Disclosure



STEPHEN HAMILTON

Board-Certified Criminal Defense Attorney

James Publishing

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By Stephen Hamilton

Board-Certified in Criminal Law by
the Texas Board of Legal Specialization

The Texas Criminal Defense Group

Authors:

Stephen Hamilton
Texas Criminal Defense Group
<https://texascriminaldefensegroup.com/>
806-444-4444

Publisher:

James Publishing, Inc.
3303 Harbor Blvd., Suite F-8
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866-725-2637

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The Texas Criminal Defense Group
www.texascriminaldefensegroup.com

About this New Edition

This guide was originally written to help Texans understand expunctions and non-disclosures — two of the most important tools in Texas criminal law for clearing or sealing a criminal record. A great deal has changed since the original edition, and this updated version reflects those changes.

Most significantly, effective January 1, 2025, the Texas Legislature completely replaced the old Chapter 55 of the Code of Criminal Procedure with a new Chapter 55A. This was not a minor adjustment — it was a comprehensive recodification of the entire expunction statute. Every case citation, every article number, every waiting-period calculation that appeared in the prior edition has been updated accordingly.

In addition, two landmark Texas Supreme Court decisions have expanded expunction eligibility in ways that matter enormously for clients:

- *Ex parte R.P.G.P.*, 623 S.W.3d 313 (Tex. 2021): Established that misdemeanor expunctions are evaluated offense-by-offense, not arrest-by-arrest. This means a dismissed DWI can often be expunged even when another misdemeanor from the same arrest resulted in a conviction.
- *Ex parte K.T.* & *Ex parte C.F.* (Tex. 2022): Confirmed that an acquittal is not a 'commission of an offense' for criminal-episode purposes, meaning a prior DWI conviction does not block expunction of a later DWI acquittal.

The non-disclosure section has also been substantially expanded to cover the full range of statutory pathways – including DWI non-disclosure, felony deferred adjudication, veterans court, and specialty program completions – none of which were adequately addressed in earlier editions.

Nothing in this guide should be construed as legal advice. Every case is different, and eligibility for expunction or non-disclosure depends on the specific facts of your situation. What this guide can do is help you understand how Texas law works, what questions to ask, and why speaking with an experienced criminal defense attorney as early as possible is so important.

At Texas Criminal Defense Group, we handle expunction and non-disclosure cases across the state. Our practice is led by Stephen Hamilton, who is Board Certified in Criminal Law by the Texas Board of Legal Specialization – a credential held by fewer than one percent of Texas attorneys. If you have questions about your specific situation, we encourage you to contact us.

Google Reviews

4.9 rating, 500+ reviews

Jeremy Belvin ★★★★★

My attorney was phenomenal and wrapped up the entire felony case and had it reduced to a misdemeanor in in 3 months time start to finish. The office personnel were just as amazing and messaged me about any updates. I wasn't a bargaining chip like most attorneys use clients for. Everything was laid out plain and simple, and I had to do my part.

Kevin Mosansky ★★★★★

I am grateful to the Texas Criminal Defense Group for getting my case dismissed.

Carlos Per ★★★★★

The attorney assigned to my case was not only knowledgeable but also genuinely cared about my situation. He took the time to explain the implications of my charges, the potential outcomes, and the strategy they would employ to advocate for me.

When the day of my court appearance arrived, I felt prepared and supported. The outcome was far better than I had anticipated, and I left the courtroom relieved. I learned a valuable lesson about responsibility and the importance of making better choices.

Brandon Wright ★★★★★

They kept me informed the whole time. Anytime I had questions they were quick to give me answers. Very knowledgeable and professional. Definitely recommend to everyone.

Freddie Young ★★★★★

Very professional lawyers, they weren't afraid to step in the middle of the prosecutors' circle and talk them down to a lesser charge. I'm very satisfied with the outcome of my case. Hopefully I won't have to, but if I do I will call them for their service again.

Kendall Anderson ★★★★★

Texas Criminal Defense Group came through for me in one of the scariest times of my life. Having representation that is familiar with the process was very important to me. I had that with them, and would recommend and use them again.

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INTRODUCTION

If you are reading this, there is a good chance something from your past is still following you.

Maybe it was an arrest that never led to a conviction. Maybe a case that was dismissed, or a charge that was reduced and resolved years ago. Whatever it was, it felt like it was over, and in a legal sense, it may well have been. But the record did not disappear when the case ended.

And that record has a way of showing up at exactly the wrong moments: on a job application, in a background check, on a rental screening. Not as something that needs to be explained, but as something that quietly closes a door before you ever had the chance to open it.

This book was written for people in that situation. Not for lawyers, and not for people who want to wade through legal code. For people who want clear answers about what can actually be done.

Why a Dismissed Case Is Not a Cleared Record

One of the most common and most costly misunderstandings in this area of law is the belief that a dismissed case is a clean record. It is not. A dismissal ends the legal proceedings — it

does not erase the record of the arrest or the charge. That record continues to exist in law enforcement databases, court systems, and the background check services that employers and landlords rely on. People discover this the hard way, often years after the fact, when something they believed was behind them surfaces and costs them an opportunity they had worked hard to reach.

The same is true of cases that ended in deferred adjudication. Completing probation successfully is a real accomplishment, but it does not seal or remove the record. For most people, the record remains fully visible until something is done about it.

You May Have More Options Than You Think

The other side of this problem is that many people who have a record also have a legal path to addressing it – and do not know it. Texas law provides two primary tools for this purpose. Expunction erases a record entirely, as if the arrest never happened. Non-disclosure seals a record from public view, so that most employers, landlords, and background check companies can no longer access it. These are not obscure or rarely used remedies. They are available to a significant number of people, and they produce real, lasting results.

The challenge is knowing which option applies to your situation, when you are eligible to pursue it, and how the process actually works. The eligibility rules are specific, the timing requirements are precise, and the details matter. Most people who qualify do not take action simply because they do not have enough information to know where to start.

What This Book Will Do for You

By the time you finish this book, you will understand the difference between expunction and non-disclosure, what each one actually accomplishes, and which situations call for which option. You will understand how the process works from start to finish, what the most common mistakes are and how to avoid them, and what changes in practical terms once your record has been cleared or sealed.

The goal is not to turn you into a legal expert. The goal is to give you enough accurate information to understand your situation clearly and to take the next step with confidence. Some people who read this book will learn that they qualify and can act now. Some will learn they need to wait a bit longer. Some will discover an option they had written off as unavailable. Almost everyone will finish with a clearer picture than they started with.

A Practical and Honest Approach

This book does not make promises it cannot keep. The law is specific, and eligibility depends on the facts of your case. What it does offer is an honest explanation of how the system works, written in plain language, so you can assess your own situation accurately rather than relying on guesswork or outdated information picked up from unreliable sources.

A record is something that happened. It is not who you are, and in many cases, it does not have to define what comes next. There are legal tools designed to help people move past it — and this book will show you how they work.

The first chapter looks at the hidden consequences of a criminal record and why it does not simply fade on its own. That foundation makes everything that follows easier to understand.

CHAPTER 1

THE HIDDEN CONSEQUENCES OF A CRIMINAL RECORD

1.1 Why an Arrest Never Really “Goes Away”

If you have ever been arrested — even if the case was dismissed, even if you were found not guilty, even if it was a complete misunderstanding — there is something important you need to understand: the arrest does not simply disappear.

Most people assume that if their case was dismissed or never filed, the system fixes itself. That is not how it works.

When an arrest happens, it creates a record. That record is entered into multiple systems — local police databases, court records, and the statewide criminal history system maintained by the Texas Department of Public Safety. In many cases, that information is also shared with federal databases. Once that record exists, it stays there unless you take action to remove it.

Where Your Record Lives

Your arrest record is not stored in just one place. It exists in multiple locations simultaneously: the police department that made the arrest, the county jail and booking system, the court where the case was filed or could have been filed, the Texas Department of Public Safety, and federal databases such as the FBI. And that is just the government side.

Private background check companies also collect this information. They gather records from courts and public databases, store them, and sell them to employers, landlords, and anyone willing to pay for a report. That means your record is not sitting quietly in one file somewhere. It is being copied, shared, and distributed.

SIDEBAR: WHERE YOUR RECORD EXISTS

Your arrest may appear in all of these places at the same time: the police department that made the arrest; county jail and booking systems; court files; the Texas Department of Public Safety (DPS); FBI databases; and private background check companies. Clearing your record means dealing with all of them, not just one.

Why Dismissed Cases Still Show Up

One of the most frustrating realities for people is this: a dismissal does not erase the arrest. A dismissal simply means the government chose not to move forward with the case. It does not mean the arrest never happened. The record of the arrest is still there, and that is what shows up on most background checks.

So when someone runs your name, they may see “Arrested – Assault” without seeing that the case was dismissed. Or they

may see “Arrested – DWI” without understanding that you were found not guilty. From the outside, an arrest can look exactly the same as a conviction.

SIDEBAR: THE ONE SENTENCE YOU NEED TO REMEMBER

A dismissal does NOT clear your record. It only ends the case — not the arrest. If you want the arrest gone, you have to take action.

The Myth of “It Will Fall Off My Record”

Many people believe that if they wait long enough, the record will go away on its own. It will not. There is no automatic cleanup system, no timer that runs out, and no agency that goes back later and deletes old arrests because they were dismissed. Unless you take legal action — through expunction or non-disclosure — your record can remain visible indefinitely. That is why understanding your options is so important, and it is why waiting can cost you opportunities you may never even know you lost.

1.2 Background Checks: What Employers Actually See

Today, background checks are faster, cheaper, and more common than ever. In many cases, an employer can pull a report on you in a matter of seconds.

What Shows Up on a Background Check

Most background checks are not detailed legal documents. They are summaries. A typical report includes your identifying information, a list of arrests, and the charges associated with those arrests — sometimes with limited information about the outcome, and often without any context at all.

What the report usually does not include is an explanation of why you were arrested, whether the case was weak, whether the charges were dropped quickly, or whether you were actually innocent. To the person reading the report, it is just a line on a page.

SIDEBAR: WHAT A BACKGROUND REPORT OFTEN LOOKS LIKE

Most employers see something like this:

Arrest: Assault Disposition: (sometimes missing or unclear)

They usually do not see the full story, why the case was dismissed, or whether you were actually innocent. To them, an arrest can look like a problem — even when it isn't.

Why Employers Don't See the Full Story

Employers are not judges, and they are not investigators. They are not going to dig deeper into your case to find out what really happened. They are making quick decisions. If they see an arrest — especially for something that sounds serious — they may simply move on to the next candidate. Not because they know you are guilty, but because they do not have the time or information to figure it out.

SIDEBAR: WHY EMPLOYERS DON'T CALL TO ASK

Many people assume that if an employer has questions, they will simply reach out. In reality, most will not. There are too many applicants, too much potential liability, and too little time. It is easier for them to move on than to investigate.

How an Arrest Can Cost You a Job

In many hiring processes, background checks happen near the end – after interviews, after you have impressed the employer, after you believe you are about to receive an offer. Then the report comes back, and everything changes. You may never be told exactly why you were not hired. You may simply receive a generic rejection. But in many cases, the reason is sitting in that background report.

Timing Matters

Background checks are often run before a job offer is finalized, before a promotion is approved, and before access to certain responsibilities or clients is granted. That means your record can affect not only whether you get a job, but whether you can advance in the career you already have.

This happens every day. Qualified candidates lose opportunities. People are passed over for promotions. Careers are delayed or redirected. And in many cases, it is not because of a conviction – it is because of an arrest.

SIDEBAR: THE “INVISIBLE COST” OF A RECORD

The biggest losses are often the ones you never see: the interview you never got, the promotion you were passed over for, the apartment application that was quietly denied. You rarely get told the real reason.

1.3 Housing, Loans, and Licensing Problems

Employment is only one part of the picture. A criminal record can affect nearly every area of your life.

Housing Challenges

Landlords routinely run background checks on applicants. If an arrest appears — especially for offenses involving violence, drugs, or alcohol — it can raise concerns even if the case was dismissed. From the landlord’s perspective, it is about managing risk. From your perspective, it can mean denied applications, higher deposits, and sharply limited housing options.

Loans and Financial Barriers

Banks and lenders may also review your background, particularly for certain types of loans. While an arrest alone may not automatically disqualify you, it can raise questions about reliability, delay approval, and affect the terms or interest rates you are offered. Over time, these obstacles can add up in ways that are difficult to overcome.

Professional Licensing Issues

Many professions require licenses, including nursing, teaching, commercial driving, contracting, and real estate. Licensing boards routinely conduct background checks, and even a dismissed case can trigger additional review, requests for explanation, or delays in approval. In some situations, it can lead to an outright denial.

Long-Term Financial Consequences

When you combine lost job opportunities, housing limitations, and licensing delays, the financial impact can be substantial — and it often continues long after the underlying case is over. What began as a single arrest can quietly reshape the trajectory of a person’s financial life for years.

1.4 The Social and Emotional Toll

Not all consequences are financial. Some of the most difficult effects of a criminal record are deeply personal.

The Stress of a Public Record

Knowing that your arrest is out there – visible to employers, landlords, and others – can create constant, low-grade stress. You may find yourself wondering who has seen it, when it will come up again, and how it will affect your future. That kind of uncertainty takes a toll that is hard to put into words.

Reputation and Relationships

Even when people understand your situation, an arrest can change how others see you. It can affect personal relationships, professional reputation, and the way you are treated in everyday situations. Some of these changes are subtle. Others are not.

The Fear of Being “Found Out”

Many people describe a lingering fear that their past will resurface at the worst possible moment – during a job search, when applying for housing, or when pursuing a new opportunity. That fear can hold you back from taking chances you might otherwise embrace, and from moving forward in ways you deserve.

Impact on Family

A criminal record does not just affect you. It can affect your family as well, through stress in the household, financial strain, and uncertainty about stability and future opportunities. The people closest to you often carry a share of the burden, even if they never say so.

SIDEBAR: YOU ARE NOT ALONE

If you feel frustrated, embarrassed, or stuck, you are not the only one. Thousands of people are in the exact same position — dealing with records from cases that never led to a conviction. Many of them do qualify for relief.

Feeling Stuck

Over time, many people begin to feel stuck. They move forward in some areas of life, but the record keeps pulling them back. That feeling is more common than you might think, and it is one of the main reasons people begin looking for a way to clear their record.

1.5 Why Waiting Makes Things Worse

If you have a criminal record, it is natural to hope the problem will fade with time. In reality, the opposite is often true.

Records Spread Over Time

Once your arrest enters the system, it does not stay in one place. Background check companies copy it. Databases update and share it. New systems pick it up. The longer it sits there, the more places it can appear — and the harder it becomes to fully contain.

Online Data and Visibility

Some private websites collect and display arrest information online. Even when those sites are not accurate, they can still create problems. And once information is online, it can be difficult to control where it goes next.

SIDEBAR: THE INTERNET PROBLEM

Once your arrest is in the system, data companies collect it, websites may publish it, and it can spread across multiple platforms. Even if one source removes it, others may still carry it. That is why proper legal clearing — not just informal “removal” requests — is what actually matters.

Missed Opportunities

The biggest cost of waiting is often invisible. It is the job you never got, the apartment you were denied, the opportunity that was never offered. You may never know how many doors were quietly closed because of your record.

Legal Timing Matters

In some cases, your eligibility for expunction or non-disclosure depends on timing. Waiting too long — or acting too early — can create complications. Understanding the timing rules is critical, and we will cover those in detail later in this guide.

SIDEBAR: WAITING FEELS SAFE — BUT IT ISN'T

Many people wait because they think it's not that big of a deal, that they'll deal with it later, or that it will probably go away. In reality, waiting often means more exposure, more missed opportunities, and more complications down the road.

Why Acting Early Can Change Your Future

Clearing your record is not just about the past. It is about removing barriers to your future. When your record is cleared, background checks come back clean, opportunities open up, and you regain control over your own story. For many people, it is one of the most important steps they can take toward moving forward with their lives.

Closing Thoughts

If there is one takeaway from this chapter, it is this: a criminal record — especially an arrest record — can affect far more than most people expect. It touches employment, housing, professional licensing, finances, and personal well-being in ways that are not always visible but are very real.

But there is good news. Texas law provides ways to fix this. In the next chapter, we will walk through your options and help you understand which path may be right for you.

Chapter 1 FAQs

FAQ 1: If my case was dismissed, why is it still showing up?

Because a dismissal does not erase the arrest. The record of the arrest still exists in government databases and private background check systems. To remove it, you must go through a legal process such as expunction.

FAQ 2: Will my record go away on its own over time?

No. There is no automatic process that deletes your record after a certain number of years. Unless you take action, it can remain visible indefinitely.

FAQ 3: Can employers see cases where I was found not guilty?

Yes. Most background checks will still show the arrest, even when the outcome was “not guilty.” Unfortunately, the report may not clearly communicate that result to the person reading it.

FAQ 4: Do background checks always show the final outcome of the case?

Not always. Some reports are incomplete or outdated. In many cases, they show the arrest but not the dismissal, or they present the information in a way that is confusing or misleading.

FAQ 5: Can I just explain the situation to an employer or landlord?

Sometimes – but you may never get the chance. Many decisions are made before you are even contacted. If your application is rejected early in the process, you may have no opportunity to explain.

FAQ 6: Does a criminal record affect renting an apartment?

Yes. Many landlords run background checks and may deny applications based on arrest history – even when the case was dismissed.

FAQ 7: Will this affect my professional license?

It can. Licensing boards often review criminal history, including dismissed cases. Depending on the profession and the nature of the offense, this can lead to delays, additional requirements, or denial.

FAQ 8: If I haven't had problems yet, should I still be concerned?

Yes. The fact that your record has not caused a visible problem yet does not mean it won't. Background checks often happen at key moments – job offers, promotions, housing applications – when the stakes are high.

FAQ 9: Can I remove my record from the internet myself?

Not effectively. You may be able to request removal from individual websites, but that does not remove the underlying

record. As long as the official record exists, it can continue to appear on other platforms.

FAQ 10: What is the fastest way to fix this?

That depends on your case. Some people qualify for expunction, which completely erases the record. Others may qualify for non-disclosure, which seals it from public view. The key is determining which option applies to your situation – and acting on it.

FAQ 11: Is it worth clearing my record if it was just one case?

In most cases, yes. Even a single arrest can create ongoing problems. Clearing it can remove barriers you may not even realize are there.

FAQ 12: What should I do next?

Start by understanding your options. In the next chapter, we will walk through the different ways Texas law allows you to clear or seal your record, and how to determine which path is right for you.

CHAPTER 2

YOUR OPTIONS FOR CLEARING YOUR RECORD

In the last chapter, we talked about the problem. A criminal record — especially an arrest — can follow you for years, affecting your job, your housing, and your opportunities in ways most people never expect.

Now let's talk about the solution. Because here is the good news: Texas law gives you ways to fix this.

But not everyone qualifies for the same option, and choosing the wrong path can cost you time, money, and missed opportunities. This chapter breaks down your options in plain English so you understand what each one does, who it applies to, and which one fits your situation.

2.1 The Three Paths:

Expunction, Non-Disclosure, and Clemency

When it comes to clearing your record in Texas, there are three primary paths: expunction, non-disclosure, and judicial clemency or pardon. Each one works differently and applies to different situations.

SIDEBAR: THE BIG PICTURE

There are only two outcomes that matter:

Expunction = Gone forever

Non-Disclosure = Hidden from the public

Everything else is detail.

Expunction: A True Erasure

Expunction is the most powerful option available. When a court grants an expunction, it orders every agency that holds a record of your case — police departments, courts, prosecutors, the Texas Department of Public Safety, and in many cases even federal databases — to destroy or return those records. The legal effect is straightforward but profound: it is as if the arrest never happened. You are legally allowed to deny it ever occurred — not explain it, not justify it, but deny it entirely.

SIDEBAR: EXPUNCTION IN ONE SENTENCE

Expunction erases your record as if it never existed.

Non-Disclosure: Sealing the Record

Non-disclosure works differently. It does not erase your record — it seals it from public view. After a non-disclosure order is granted, most employers, landlords, and background check companies cannot see or report the case. Law enforcement and certain government agencies and licensing boards can still access it, but for the purposes of everyday life — jobs, housing, applications — the record is effectively hidden from the people who matter most.

SIDEBAR: NON-DISCLOSURE IN ONE SENTENCE

Non-disclosure hides your record from the public — but not from the government.

Clemency and Pardons: Rare but Worth Understanding

The third category includes judicial clemency and pardons. These are much less common and apply only in specific situations. Judicial clemency may occur when a judge sets aside a conviction after successful completion of probation. A pardon is granted by the governor and is extremely rare. For most people reading this book, these will not be the primary path — but they are worth understanding if the more common options do not apply.

SIDEBAR: CLEMENCY REALITY CHECK

Clemency and pardons can be powerful, but they are also rare and difficult to obtain. For most readers, the real focus should be on expunction or non-disclosure.

Why There Is No One-Size-Fits-All Solution

One of the most common mistakes people make is assuming that filing something — anything — will fix the problem. It does not work that way. Your eligibility depends on how your case ended, the nature of the charge, whether there was a conviction, whether you completed probation, and various timing and waiting period requirements. Choosing the right path is critical, and in many cases people have more options available to them than they initially realize.

SIDEBAR: THE FASTEST WAY TO UNDERSTAND YOUR OPTIONS

Ask yourself one question: Was I convicted?

No conviction → You may qualify for expunction

Deferred adjudication → You may qualify for non-disclosure

Conviction → Judicial Clemency may be an option, but only if you are still on probation and eligible

This is a starting point, not the final answer. Every case is different.

2.2 The Key Differences (Plain English Comparison)

At a high level, the difference between these options comes down to one question: does the record disappear, or does it just get hidden?

Destroyed vs. Sealed

With expunction, the record is destroyed. It is gone. With non-disclosure, the record still exists, but most people cannot see it. That single distinction matters more than anything else when comparing your options.

SIDEBAR: THE “CLEAN SLATE” DIFFERENCE

There is a meaningful difference between “no one can see it” and “it never happened.” Only expunction gives you both.

Who Can Still See Your Record

After an expunction, essentially no one can access the record, with very limited statutory exceptions. After a non-disclosure, law enforcement can still see it, as can certain government agencies and some licensing boards. For everyday life — employment applications, rental housing, consumer background checks — non-disclosure is often enough. But it is not the same as a clean slate.

SIDEBAR: WHO CAN STILL SEE YOUR RECORD?

After expunction: No one (with very limited exceptions)

After non-disclosure: Law enforcement, licensing agencies, and certain government entities can still access it. Most employers and landlords cannot.

Your Right to Deny the Case

This is one of the most important practical differences. After an expunction, you can legally deny that the arrest ever happened — on job applications, in interviews, and in most other contexts. After a non-disclosure, you may be able to deny it in many everyday situations, but not in all of them, particularly those involving government employment or licensing. That distinction can matter significantly depending on your career and goals.

Eligibility Differences

As a general rule, expunction is available when there is no conviction, and non-disclosure is available after deferred adjudication or in certain other specific situations. This is a simplified framework, but it is a useful starting point for understanding where you are likely to fall.

SIDEBAR: WHY THIS DECISION MATTERS

Choosing the wrong option can mean leaving a record visible when it could have been erased, missing the opportunity for a stronger result, or delaying your ability to move forward. This is not just paperwork — it is strategy.

Long-Term Impact

If you qualify for expunction, it is almost always the better option. If you do not qualify, non-disclosure can still provide

meaningful protection. The key is understanding where your situation falls — and making the right decision based on that reality.

The chart below compares all three options side by side. If you take away only one thing from this chapter, let it be this chart.

Feature	Expunction	Non-Disclosure	Clemency/Pardon
<i>What happens to your record?</i>	Destroyed and erased	Sealed and hidden	May be forgiven; record often remains
<i>Does the record still exist?</i>	No	Yes	Yes, in most cases
<i>Who can see it?</i>	No one (with rare exceptions)	Law enforcement and certain agencies	Government and often the public
<i>Can employers see it?</i>	No	No	Sometimes yes
<i>Can landlords see it?</i>	No	No	Sometimes yes
<i>Can licensing boards see it?</i>	No	Yes, in many cases	Yes
<i>Can you legally deny it happened?</i>	Yes — completely	Usually in everyday situations; not always in government matters	No — must usually disclose
<i>Typical eligibility</i>	No conviction: dismissed, not guilty, no charges filed	Deferred adjudication or certain specific cases	Rare and special circumstances
<i>Applies to convictions?</i>	No	Sometimes, in limited situations	Yes, but must usually be on probation
<i>Best use case</i>	Clean slate: erase the past entirely	Hide record from public view	Extraordinary relief only
<i>How common is it?</i>	Common (if eligible)	Very common	Very rare
<i>Overall strength</i>	★★★★★ Strongest option	★★★★★ Strong protection	★★ Limited practical use

After reviewing the comparison, use the step-by-step guide below to get a sense of which option may apply to your situation.

DO I QUALIFY TO CLEAR MY RECORD?

A Step-by-Step Guide



STEP 1 — How did your case end?



Were you convicted (found guilty or pled guilty)?

YES ⇒ Go to Step 2A (Convicted)

NO ⇒ Go to Step 2B (Not Convicted)



STEP 2A — You Were Convicted

Did you receive deferred adjudication
(probation without a conviction)?

YES ⇒ You may qualify for NON-DISCLOSURE

NO, straight conviction ⇒ Expunction is not available; non-disclosure might be available if a misdemeanor under certain circumstances. In addition, if felony or misdemeanor and on probation, you might be eligible for Judicial Clemency. Explore clemency or speak with an attorney about remaining options.



STEP 2B — You Were Not Convicted

Was your case dismissed?

YES ⇒ You may qualify for EXPUNCTION

Were you found not guilty?

YES ⇒ You likely qualify for EXPUNCTION

Were charges never filed?

YES ⇒ You may qualify for EXPUNCTION
(after any required waiting period)

Was the arrest a case of mistaken identity or error?

YES ⇒ You likely qualify for EXPUNCTION



STEP 3 – Deferred Adjudication

Did you successfully complete deferred adjudication probation? YES ⇒ Expunction is usually not available, but you likely qualify for NON-DISCLOSURE.



You May Qualify for EXPUNCTION

Your case was dismissed – or you were found not guilty, charges were never filed, or the arrest was wrongful. Best outcome: your record can be erased completely.

You May Qualify for NON-DISCLOSURE

You completed deferred adjudication and meet the specific eligibility rules. Strong outcome: your record is hidden from the public.

Your Options May Be Limited

You were convicted, the offense is not eligible, or special rules apply. Do not assume you have no options – speak with an attorney to evaluate what is still available.

2.3 Why Expunction Is the Gold Standard

If expunction is available to you, it is almost always the best outcome — and for good reason.

SIDEBAR: WHY EXPUNCTION IS CALLED THE “GOLD STANDARD”

Because it gives you something no other option can: the legal right to say it never happened.

It Truly Erases the Record

Expunction does not simply hide your record. It eliminates it. Every agency that holds records related to your case — police departments, courts, prosecutors, DPS, and federal databases in many situations — is required to destroy them, return them to the court, or remove them from their systems entirely. That includes fingerprints, booking records, and all case files.

“It Never Happened” — Legally

After an expunction, the law treats your arrest as if it never occurred. You can deny it on job applications. You can deny it in interviews. You do not have to explain it to anyone. This is a level of legal protection that no other option provides, and it is the reason expunction is so sought after by people who qualify.

Background Checks Come Back Clean

Once the expunction process is complete, employers should not see the arrest, landlords should not see it, and background check companies should not report it. For most people, that is the goal: a true clean slate that allows them to move forward without the weight of their past following them into every opportunity.

Why Not Everyone Qualifies

As powerful as expunction is, it is not available in every situation. Generally, it applies when a case was dismissed, when no charges were filed, when someone was found not guilty, or when the arrest was wrongful. If there was a conviction, expunction is typically not an option. That is where non-disclosure becomes important.

2.4 When Non-Disclosure Is the Better (or Only) Option

If expunction is not available, that does not mean you are out of options. Non-disclosure can still make a significant difference in your daily life.

When Expunction Is Not Available

You may not qualify for expunction if you received deferred adjudication, if you were convicted of certain offenses, or if your case does not meet the statutory requirements for erasure. In those situations, non-disclosure may be the best path forward.

How Non-Disclosure Protects You

After a non-disclosure order, your record is hidden from the public. Most employers and landlords cannot see it, and most background check companies cannot report it. For everyday purposes, this can remove the most significant barriers you face and open doors that your record has been quietly closing.

Deferred Adjudication Cases

One of the most common scenarios involves deferred adjudication. Many people complete probation successfully and assume their record is clear. It is not. The case still exists

in the system, and it can still appear on background checks. However, many people in this situation do qualify for non-disclosure, which can seal the record from public view and provide meaningful protection going forward.

SIDEBAR: THE MOST COMMON SITUATION

Many people fit this profile: arrested, placed on deferred adjudication, successfully completed probation. They assume their record is clear. It is not — but it may be sealable through non-disclosure.

DWI and Special Rules

Certain offenses, including DWI, have historically had specific rules that limited or prevented non-disclosure. That has changed. Some individuals with DWI cases may now qualify for non-disclosure depending on the circumstances. These cases can be more complex than typical situations, which makes proper legal evaluation particularly important.

Who Can Still See Sealed Records

Even after a non-disclosure order, law enforcement can still access the record, as can some licensing agencies and certain government entities. For many people, this is not a significant practical concern. But it is something you need to understand when weighing your options — especially if you are in or pursuing a career that involves licensing or government employment.

A Strong Second Option

Non-disclosure may be a step below expunction in terms of legal protection, but it is often exactly what people need.

It can open up employment opportunities, improve housing prospects, and remove the most visible and damaging barriers that a criminal record creates. For many people, that is more than enough to change the direction of their lives.

2.5 Common Misconceptions About Clearing Your Record

There is a lot of misinformation about how this process works. Clearing up these misunderstandings can save you time, money, and serious frustration.

“My Case Was Dismissed, So I’m Fine”

This is one of the most common and most costly mistakes people make. A dismissal does not remove your record. If you do nothing after a dismissal, the arrest can still appear on background checks, and it will continue to create problems for as long as it remains in the system.

“Expunction and Non-Disclosure Are Basically the Same”

They are not. Expunction erases the record. Non-disclosure seals it. That difference has real, long-term consequences — for what agencies can see, for what you can legally say about your case, and for the overall strength of your protection.

“I Don’t Qualify Because I Was Arrested”

Many people assume that being arrested automatically disqualifies them from relief. In reality, the opposite is often true. Many expunction cases begin with exactly that: an arrest that did not lead to a conviction. The arrest itself is frequently the starting point for eligibility, not a disqualifier.

“It’s Too Late to Fix My Record”

In many cases, it is not too late. Even if your case happened years ago, you may still qualify for expunction or non-disclosure. The passage of time does not eliminate eligibility in most situations — and in some cases, time is actually part of what makes you eligible.

“I Can Handle This Myself Without Risk”

Some people do successfully file these cases on their own. But often, petitions are filed incorrectly, agencies are missed, or cases are denied or delayed because of procedural errors. Fixing mistakes after the fact can be more expensive and more complicated than doing it right the first time. This is not just paperwork — it is your future on the line.

The Cost of Getting It Wrong

Choosing the wrong option, or handling the process incorrectly, can mean losing eligibility, creating delays, or missing the opportunity for a stronger outcome. The stakes are worth taking seriously.

SIDEBAR: YOU MAY HAVE MORE OPTIONS THAN YOU THINK

Many people assume they don’t qualify — and never check. In reality, laws change, eligibility expands over time, and cases are often more flexible than they appear. Never assume. Verify.

Closing Thoughts

By now, you should have a clear sense of one key point: you have options. The question is not whether something can be done — it is what the right strategy is for your specific situation.

In the chapters ahead, we will take a deeper look at each option, starting with expunction, so you can understand exactly how the process works and whether you qualify.

Chapter 2 FAQs

FAQ1: What is the difference between expunction and non-disclosure?

Expunction erases your record completely. Non-disclosure seals your record so the public cannot see it, but law enforcement and certain government agencies still can.

FAQ 2: Which option is better?

If you qualify for expunction, it is almost always the better option. If you do not qualify, non-disclosure can still provide significant protection and remove major barriers from your life.

FAQ 3: Can I simply choose expunction instead of non-disclosure?

Only if you qualify. Expunction is not available unless your case meets specific legal requirements. You cannot elect it as a preference if the statutory criteria are not met.

FAQ 4: What if I completed deferred adjudication?

You likely do not qualify for expunction. However, you may qualify for non-disclosure, which can seal your record from public view. The specifics depend on the nature of the offense and other eligibility requirements.

FAQ 5: Can I clear a conviction from my record?

In most cases, convictions cannot be expunged. However, there may be limited options available, such as non-disclosure

in certain situations, judicial clemency, or a pardon. An attorney can evaluate what applies to your specific case.

FAQ 6: Will expunction remove my record from everywhere?

It should. The court orders all agencies to destroy or return your records, including law enforcement, courts, and state databases. This is one of the most powerful aspects of the expunction process.

FAQ 7: Will non-disclosure remove my record from background checks?

Yes, for most purposes. Employers, landlords, and general consumer background check companies should not be able to see or report the record after a non-disclosure order is in place.

FAQ 8: Who can still see my record after non-disclosure?

Law enforcement, certain government agencies, and some licensing boards can still access sealed records. For most everyday situations, however, the record will not be visible.

FAQ 9: Can I deny the case after it is cleared?

After expunction, yes — you can deny it completely in virtually all circumstances. After non-disclosure, you can usually deny it in everyday situations, but not always in government-related matters. Understanding this distinction matters depending on your career path.

FAQ 10: How do I know which option I qualify for?

It depends on how your case ended, whether there was a conviction, the type of charge, and applicable timing and

waiting period rules. Each case is different, which is why a proper legal evaluation is so valuable.

FAQ 11: Can I apply for both expunction and non-disclosure?

In some situations, yes. When a case involves multiple charges with different outcomes, different remedies may apply to different charges. An attorney can help identify all available options.

FAQ 12: What happens if I choose the wrong option?

You could face delays, spend money unnecessarily, and miss the opportunity for a stronger outcome. In some situations, mistakes are difficult or impossible to reverse. Getting it right the first time matters.

FAQ 13: Is it worth pursuing relief if the case was minor?

Yes, in most cases. Even minor cases can appear on background checks and create real problems. Clearing your record can remove barriers that you may not even realize are affecting you.

FAQ 14: What should I do next?

Start by identifying which option applies to your situation. In the next chapters, we will walk through each path in detail — beginning with expunction — so you can understand exactly how the process works and what to expect.

CHAPTER 3

WHAT EXPUNCTION REALLY DOES

By now you understand that expunction is the most powerful way to clear your record. But what does that actually mean in practice?

When people hear the word “expunction,” they often think of it as deleting a file. That is true as far as it goes — but it does not fully capture how powerful expunction really is. Expunction is not just about removing a record. It is about restoring your legal standing to the way it should have been in the first place.

This chapter breaks down exactly what expunction does, what it does not do, and what you can expect once your record is cleared.

3.1 What “Erasing a Record” Means Legally

SIDEBAR: THE MOST IMPORTANT TAKEAWAY

Expunction doesn't just hide your record — it erases it. That means no record, no explanation required, and no obligation to disclose.

The legal concept is straightforward: when a court grants an expunction, it issues an order requiring agencies to destroy the records, or to return them to the court for destruction. This covers arrest records, booking information, fingerprints, court filings, and prosecutor records. The law does not say “keep it but don’t show it.” It says get rid of it.

The Legal Effect: “As If It Never Happened”

Here is where expunction becomes truly powerful. Under Texas law, once your record is expunged, you are legally permitted to treat the arrest as if it never happened. That is not just a practical benefit — it is a legal right. You do not have to explain the arrest, disclose it, or acknowledge it. You can deny it.

Think about the difference between “Yes, but let me explain” and “No, that never happened.” That distinction can change everything: job applications, interviews, housing decisions, professional opportunities. Expunction gives you that second answer.

SIDEBAR: “AS IF IT NEVER HAPPENED” — WHAT THAT REALLY MEANS

This is not just a phrase. It is a legal reality. After expunction, you can deny the arrest, you do not have to explain it, and you are not required to disclose it. That right is built into Texas law.

Expunction vs. Non-Disclosure

Some people assume expunction is simply a stronger version of non-disclosure. It is not. Non-disclosure hides your record from public view. Expunction eliminates it. That is a

fundamental legal difference — and it is what makes expunction the gold standard.

**SIDEBAR: EXPUNCTION VS. NON-DISCLOSURE —
QUICK REMINDER**

Expunction = Destroyed. Non-Disclosure = Sealed. If you qualify for expunction, it is almost always the better outcome.

3.2 Who Must Destroy Your Records

When an expunction is granted, the court does not simply notify one agency. It sends the order to every entity that may hold a record of your case — and all of them are legally required to comply.

SIDEBAR: HOW MANY PLACES YOUR RECORD EXISTS

Your record may exist in all of these locations simultaneously: police department files, jail and booking records, court systems, prosecutor’s files, DPS databases, FBI systems, and private background check companies. Expunction targets all of them.

Law Enforcement Agencies

Police departments, sheriff’s offices, and jail and booking facilities must all comply with an expunction order. That means removing and destroying arrest reports, booking records, and fingerprint files related to your case.

Courts and Clerks’ Offices

The court system must also act. Case filings, docket entries, and electronic records are all subject to the order. Once the process is complete, the case should no longer appear in any court records search.

Prosecutors and District Attorney Files

District attorneys and prosecutors must destroy their internal files as well, including case notes, charging documents, and in many situations the underlying evidence records. The prosecution's entire file related to your case is part of what gets erased.

Texas Department of Public Safety

DPS maintains the statewide criminal history database that most background checks rely on. When DPS receives an expunction order, it is required to remove your record from that system. This is one of the most critical steps in the process, because so many checks flow through DPS data.

Federal Databases

In many cases, expunction orders are also sent to federal agencies including the FBI. Federal compliance can vary somewhat, but the process is designed to remove your record as broadly as possible, including from national databases.

Private Background Check Companies

This is where things become slightly more complicated. Private companies collect data from public records, store it in their own systems, and sell access to it. When your official record is expunged, the original source is removed, and future background checks should come back clean. However, some companies may temporarily retain outdated data, which is why proper expunction — and sometimes follow-up — matters.

What If an Agency Fails to Comply?

Agencies are legally required to follow expunction orders. If an agency fails to do so, legal remedies are available. In the vast majority of cases, however, the system works as intended when the petition is handled correctly from the start.

3.3 Your Right to Deny the Arrest

This is one of the most important – and most personally meaningful – aspects of expunction.

What the Law Allows You to Say

After an expunction, if someone asks whether you have ever been arrested, you can legally answer no. That is not misleading. That is not dishonest. It is your legal right under Texas law.

Job Applications and Interviews

This is where expunction has its most immediate and visible impact. Without a record, you no longer have to explain a past arrest, worry about what a background check will reveal, or fear being judged on the basis of incomplete or misleading information. You can move through the hiring process as a candidate evaluated on your qualifications – not your past.

SIDEBAR: WHAT EMPLOYERS SEE AFTER EXPUNCTION

After the expunction process is complete, a background check result should show: No Record Found.

That is the goal — and for most people who go through the process correctly, that is exactly what happens.

Housing and Other Applications

The same legal right applies to rental applications, loan applications, and general background screenings. The arrest is no longer part of your record, and you are not required to mention it in any of these contexts.

Important Exceptions

There are a limited number of situations where disclosure may still be required even after expunction – certain government employment or law enforcement applications, and specific licensing scenarios. These exceptions are narrow and do not apply to most people, but they exist and are worth understanding if you are in or pursuing a career in those areas. An attorney can help you understand how to respond in any of those specific situations.

Moving Forward with Confidence

For most people, expunction removes one of the most persistent and anxiety-producing burdens they carry: the fear of being asked about their past. With expunction, that burden is lifted. You can answer questions honestly and move forward without hesitation.

3.4 What Expunction Does NOT Do

Expunction is powerful – but it is not unlimited. Understanding its boundaries is just as important as understanding its benefits.

It Does Not Apply to Convictions

In most cases, expunction is not available if you were convicted of the offense. This is one of the most fundamental

eligibility rules, and it is something that needs to be evaluated carefully before a petition is filed.

It Does Not Remove Everything Immediately

Even after an expunction order is granted, the process is not instantaneous. Agencies need time to process the order, databases must be updated, and systems need to synchronize. During this period, your record may still appear temporarily on some checks. This is normal and does not mean the expunction failed.

SIDEBAR: TIMING MATTERS

Even after your expunction is granted, it takes time for agencies to process the order and for databases to update. Temporary delays do not mean something went wrong — they are a normal part of the process.

It Does Not Automatically Fix Private Websites

Some websites collect and publish arrest information independently of the official record. Even after expunction, those sites may temporarily display outdated data and may need to be contacted for removal. The good news is that once the official record is gone, addressing these listings becomes significantly easier.

SIDEBAR: THE PRIVATE WEBSITE ISSUE

Some websites may still show old arrest information after expunction. But once your official record is erased, those listings lose their source — and removal becomes much more straightforward than it would be otherwise.

It May Not Apply to Every Charge in a Multi-Charge Case

If your arrest involved multiple charges, expunction may not apply equally to all of them. Some charges may qualify while others do not, depending on how each resolved. These situations require careful legal analysis to understand what can and cannot be removed.

Why Proper Filing Matters

Expunction is not automatic, and it is not forgiving of errors. If a petition is filed incorrectly, if agencies are left out, or if the information provided is incomplete, the result can be delays, denials, or an incomplete removal that leaves parts of your record intact. Getting it right the first time is far easier than correcting a flawed filing later.

SIDEBAR: TOP 7 EXPUNCTION MISTAKES THAT CAN COST YOU YOUR CLEAN SLATE

Clearing your record can change your life. But done incorrectly, it can lead to delays, denials, or a missed opportunity that is difficult to recover from. Here are the most common mistakes to avoid.

1. Filing Too Early

Many expunction cases require waiting periods, final case outcomes, or other timing conditions. Filing too early can result in immediate denial, lost filing fees, and having to start the process over.

2. Assuming a Dismissal Automatically Clears Your Record

A dismissal ends your case. It does not erase your arrest. The record of the arrest remains visible unless you take legal action to remove it.

3. Missing Agencies in the Petition

Your record exists in multiple places. If even one agency is omitted from the petition, that portion of your record may remain. An incomplete expunction is not a true expunction.

4. Filing the Wrong Type of Case

Not everyone qualifies for expunction. Some people should be pursuing non-disclosure or a different strategy. Filing the wrong type of case leads to denial and delays the correct solution.

5. Incorrect or Incomplete Information

Expunction petitions require precise details: case numbers, arrest dates, and agency names. Even small errors can cause delays, rejections, or confusion in processing.

6. Not Following Up After the Order Is Granted

Getting the order is not always the final step. Agencies still need to process it and update their systems. If no one follows up, records may remain visible longer than they should.

7. Trying to Handle It Without Understanding the Risks

Some people successfully file on their own, but mistakes are common and can be difficult to fix. Errors can result in denials, missed opportunities, or more expensive corrections later. This is not just paperwork — it is your future.

Most expunction problems come down to three things: filing too early, filing incorrectly, or choosing the wrong option. All three are avoidable.

3.5 Real-World Results After Expunction

So what actually changes once your record is expunged? For most people, the answer is simple: everything gets easier.

Background Checks Come Back Clean

This is the most immediate and noticeable result. When someone runs your background, the arrest should not appear, the case should not surface, and the report should come back clean. That single change can open doors that your record has been quietly closing for years.

Employment Opportunities Improve

Without a visible record, employers have fewer concerns, and you move through hiring processes on the strength of your qualifications rather than the weight of your past. Opportunities that may have been quietly withheld from you become available.

SIDEBAR: REAL BENEFIT — IN PLAIN ENGLISH

Before expunction: you explain your past.

After expunction: you move forward without it.

That is what clearing your record actually means in day-to-day life.

Housing Becomes Easier

Landlords who run background checks will no longer see the expunged arrest. That can increase your chances of approval, reduce delays, and expand the pool of housing options available to you — particularly in competitive rental markets where a single flag on a report can end an application.

Financial and Professional Benefits

Expunction can also improve access to loans and financing, smooth the path through professional licensing reviews, and remove barriers to career advancement that may not have been immediately visible. Eliminating the record eliminates obstacles that run deeper than most people realize until they are gone.

Peace of Mind

For many people, this is the most meaningful benefit of all. The worry about who might see your record, when it might come up, and how it might affect your next opportunity – that stress simply goes away. That kind of relief is harder to quantify than a job offer or a rental approval, but it is often what people remember most.

SIDEBAR: PEACE OF MIND IS REAL

Many clients say the biggest benefit isn't the job offer or the apartment approval. It's not worrying anymore. That is a result worth taking seriously.

What to Expect After the Process

It is important to understand that the benefits of expunction do not always arrive on the day the order is signed. Agencies need time to process the order, and systems need time to update. But once the process is fully complete, the results are permanent. The record is gone, your legal rights are restored, and the path forward is clear.

Closing Thoughts

Expunction is more than a legal procedure. It is a reset. It gives you the ability to move forward without the weight of a past mistake – or a case that should never have followed you in the first place.

In the next chapter, we will take a closer look at who qualifies for expunction and how to determine whether this powerful option is available to you.

**SIDEBAR: WHAT TO BRING TO
YOUR EXPUNCTION CONSULTATION**

Being prepared helps your attorney evaluate your case quickly and accurately — and helps you get answers faster. Bring what you have. If you don't have everything, that's fine; an experienced attorney can often locate missing information.

Basic Identifying Information

- ✓ *Full legal name, including any prior names*
- ✓ *Date of birth*
- ✓ *Driver's license or state ID*
- ✓ *Current contact information*

Case Details (If Available)

- ✓ *Date of arrest*
- ✓ *City and county where the arrest occurred*
- ✓ *Name of the arresting agency (police, sheriff, etc.)*
- ✓ *Charges filed, if known*
- ✓ *Case number, if available*

Court Documents (If Available)

- ✓ *Charging documents*
- ✓ *Dismissal paperwork*
- ✓ *Court orders*
- ✓ *Final disposition of the case*

Proof of Case Outcome

- ✓ *Proof of dismissal or not guilty verdict*
- ✓ *Documentation that no charges were filed, if applicable*
- ✓ *Proof of completed probation, if applicable*

Prior Criminal History (If Multiple Cases)

- ✓ *Be prepared to discuss other arrests or cases*
- ✓ *Bring any records you have — even cases from years ago may still matter*

Questions You Want Answered

- ✓ *Do I qualify for expunction?*
- ✓ *How long will the process take?*
- ✓ *What results should I expect?*

Come prepared with what you have. Your attorney will handle the rest.

The step-by-step timeline below shows what to expect from the start of the process through final resolution.

Step 1: Case Evaluation (Week 1)

- ✓ Review your case details and arrest history
- ✓ Determine eligibility for expunction
- ✓ Identify the best legal strategy for your situation



Step 2: Preparing the Petition (Weeks 1–2)

- ✓ Gather all required case information
- ✓ Identify every agency that must be included in the petition
- ✓ Draft the expunction petition with accurate details



Step 3: Filing with the Court (Week 2)

- ✓ Petition is officially filed with the appropriate court
- ✓ Court assigns a case number
- ✓ All named agencies are notified of the petition



Step 4: Waiting Period and Agency Review (*Weeks 3–6*)

- ✓ Agencies review the petition and have an opportunity to object
- ✓ Objections are rare when the petition is filed correctly
- ✓ Court schedules a hearing if one is needed



Step 5: Court Hearing (If Required) (*Weeks 4–8*)

- ✓ Judge reviews the case and the petition
- ✓ Attorney presents the eligibility grounds
- ✓ Court decides whether to grant the expunction order



Step 6: Expunction Order Granted (*Immediately After Approval*)

- ✓ Court signs and issues the expunction order
- ✓ Order is served on all agencies named in the petition
- ✓ The legal turning point — your record is now ordered destroyed



Step 7: Agencies Process the Order (*4–12 Weeks After Order*)

- ✓ Each agency destroys or removes your records from their systems
- ✓ DPS updates the statewide criminal history database
- ✓ Background check systems begin to refresh



Step 8: Your Record Is Cleared (*Final Result*)

- ✓ Background checks return no record
- ✓ You have the legal right to deny the arrest
- ✓ You move forward with a true clean slate

🕒 Typical Total Timeline: 2 to 4 months

Every case is different. Delays can occur. Proper filing reduces complications and helps the process move as smoothly as possible.

Chapter 3 FAQs

FAQ 1: Does expunction completely erase my record?

Yes. When done properly, expunction requires agencies to destroy or remove all records related to your arrest. The goal is complete elimination of the record, not just suppression.

FAQ 2: Will my record still show up on background checks?

Not once the process is complete. After expunction, background checks should not show the arrest. Some systems may take time to update, but the end result should be a clean report.

FAQ 3: Can I legally say I was never arrested?

Yes. After expunction, you have the legal right to deny that the arrest ever occurred, with very limited exceptions involving specific government or licensing contexts.

FAQ 4: How long does it take for the record to disappear?

The process typically takes two to four months from start to finish. After the court grants the expunction, agencies need additional time to process the order and update their systems. Temporary delays are normal.

FAQ 5: What if my record still shows up after the expunction is complete?

This can happen in the short term as systems catch up. If the record is still appearing well after the order was processed, it may be due to delayed updates in a private database, and follow-up action may be required.

FAQ 6: Does expunction remove my record from the FBI?

In many cases, yes. Expunction orders are sent to federal agencies including the FBI, though federal processing times can vary. The petition is designed to address records as broadly as possible.

FAQ 7: Will expunction remove my record from the internet?

It removes the official source of the record. Some private websites may temporarily retain old information, but without a live official record to pull from, those listings are much easier to have removed after expunction.

FAQ 8: Does expunction apply to all charges in my case?

Not necessarily. If your case involved multiple charges, some may qualify for expunction while others do not. These situations require careful review to understand what can and cannot be removed.

FAQ 9: What happens if my expunction petition is filed incorrectly?

Errors can lead to delays, denials, or an incomplete result that leaves parts of your record intact. Accuracy in the petition — including naming every relevant agency and providing correct case details — is critical.

FAQ 10: Is expunction permanent?

Yes. Once your record is expunged, the destruction of those records is permanent. There is no expiration on the legal protection expunction provides.

FAQ 11: Is expunction worth pursuing for a minor case?

In most cases, yes. Even minor arrests can appear on background checks and create real barriers. Expunction removes those risks completely and permanently.

FAQ 12: What is the biggest benefit of expunction?

For most people, it is a true clean slate – no record, no explanation required, and no ongoing limitations tied to the past. Many also describe the relief of simply not having to worry anymore as one of the most significant changes in their daily lives.

FAQ 13: What should I do next?

The next step is determining whether you qualify. In the following chapter, we walk through who is eligible for expunction and how to evaluate your specific situation.

CHAPTER 4

WHO QUALIFIES FOR EXPUNCTION IN TEXAS

By this point you understand how powerful expunction can be. The next question is the one most people care about most: do I qualify?

The answer depends primarily on one factor: how your case ended. In general, expunction is available when there was no final conviction — but as with most areas of law, the details matter a great deal. This chapter walks through the most common situations where expunction is available, where it is not, and what to keep in mind as you evaluate your own situation.

4.1 Cases That Qualify (Dismissals, No Charges Filed, Acquittals)

SIDEBAR: THE SIMPLE RULE — START HERE

No conviction = you may qualify for expunction.

That is the starting point. The specific details of how your case ended will determine everything else.

The General Rule

Expunction is generally available when you were arrested but not convicted. That is the core principle, and it covers a range of outcomes depending on how the case resolved. Understanding which category your case falls into is the first step toward knowing whether you are eligible.

Dismissed Cases

If your case was dismissed, you may qualify for expunction. A dismissal means the case was filed but later dropped — which can happen for many reasons, including lack of evidence, witness issues, legal problems with the case, or a prosecutorial decision not to proceed. The arrest happened, but the prosecution did not result in a conviction.

That said, not all dismissals are treated identically. Some require waiting periods or the satisfaction of additional conditions before an expunction petition can be filed. The fact that your case was dismissed is a good sign, but it does not automatically mean you can file immediately or without review.

SIDEBAR: DISMISSED DOES NOT MEAN AUTOMATIC

A dismissal is a good sign — but it does not always mean immediate eligibility, no waiting period, or no complications. The details of how and why the case was dismissed still matter. Never assume eligibility without reviewing the specific circumstances.

No Charges Filed

In some situations, a person is arrested but charges are never formally filed by the prosecutor. This is more common than people realize. After an arrest, a prosecutor may decide

there is insufficient evidence to support a charge, that the case is not worth pursuing, or that the arrest simply should not lead to formal proceedings. In these situations, expunction may be available after a required waiting period.

SIDEBAR: ARRESTED BUT NEVER CHARGED?

If you were arrested but no charges were ever filed, you may qualify for expunction — though a waiting period typically applies before you can file. This situation is more common than most people realize, and it is a strong basis for seeking a clean record.

Not Guilty Verdicts

If you went to trial and were found not guilty, you are generally eligible for expunction. This is one of the clearest and most straightforward paths, because the legal system has already made a formal determination that you were not guilty of the offense. There is no conviction to block eligibility, and the basis for erasing the record is solid.

Why the Outcome Matters More Than the Charge

The key takeaway for this section is that expunction is tied to the outcome of the case, not simply to the nature of the charge. Two people can be arrested for the same offense and face entirely different eligibility determinations — one may qualify for expunction and the other may not — depending solely on how each case ended.

SIDEBAR: WHY THE OUTCOME MATTERS MORE THAN THE CHARGE

It's not about what you were charged with. It's about how the case ended. Two people can face the same charge and reach completely different eligibility conclusions based on their case's outcome.

4.2 Mistaken Identity and Wrongful Arrests

Some of the strongest expunction cases involve arrests that should never have happened at all.

Mistaken Identity

Mistaken identity occurs when you were arrested for something someone else did, or when your name or identifying information was confused with another person. These cases are not only frustrating on a personal level – they are often among the most straightforward candidates for expunction, precisely because the arrest was based on an error rather than any actual conduct on your part.

Wrongful Arrests

Not every arrest is legally justified. Sometimes law enforcement makes a mistake, the evidence is insufficient to support the arrest, or the situation was genuinely misunderstood. When the case does not move forward as a result, expunction is typically available. The fact that the arrest happened through no fault of your own makes the case for clearing the record even stronger.

SIDEBAR: WRONGFUL ARREST? YOU MAY HAVE STRONG RIGHTS

If your arrest was a mistake, based on false information, or the result of identity confusion, you may have a particularly strong expunction case. These situations are exactly what the law is designed to address.

Clearing Your Name

In wrongful arrest situations, expunction is about more than removing a file from a database. It is about restoring your reputation and correcting a record that was never accurate to begin with. It allows you to move forward without having to explain or justify something that was never your fault.

Documentation

Even in cases where the wrongful nature of the arrest is clear, documentation matters. Case dismissal records, proof that no charges were filed, and identification records in mistaken identity situations all help support the petition and ensure the process moves smoothly.

4.3 Pardons and Actual Innocence

This category applies in less common circumstances — but it is important to understand, particularly for those who have been convicted.

Expunction After a Pardon

If you were convicted but subsequently received a full pardon, you may qualify for expunction. A pardon is an official act of forgiveness by the government, and in Texas it can open the door to clearing the underlying record. Pardons are granted by the governor and are relatively rare, but when one is granted, expunction becomes a real possibility even in cases that would otherwise be ineligible.

Actual Innocence

In rare cases, a court may determine that a person is “actually innocent” of an offense — a finding that goes beyond a

simple not guilty verdict. An actual innocence determination means the court has concluded that you did not commit the offense, not merely that the prosecution failed to prove it beyond a reasonable doubt. In these situations, expunction is generally available even when a prior conviction exists. These cases typically arise through appeals or post-conviction proceedings and involve significant legal work, but they represent an important path to a clean record for those who qualify.

Why These Cases Are Rare but Matter

Pardons and actual innocence findings are not the path most people will take. But for those who find themselves in these circumstances, they provide a meaningful route to a clean slate – one that the law specifically recognizes and protects.

4.4 Juvenile Cases and Special Situations

Not all cases fit neatly into the standard categories. Some involve rules that apply only in specific circumstances.

Juvenile Cases

Juvenile records are handled differently from adult criminal records under Texas law. In many situations, juvenile records can be sealed or expunged, and the eligibility rules may be more flexible than those that apply to adults. However, the process can still be complex, and the specific rules depend on the nature of the offense and how the juvenile case was resolved.

Pre-Trial Diversion Programs

Some cases are resolved through diversion or intervention programs instead of traditional prosecution. If you successfully

completed a pre-trial diversion program or a similar intervention, you may qualify for expunction. These programs are designed in part to allow participants to avoid a permanent record, and completing one successfully is often a recognized path to clearing the arrest.

Multiple Charges from One Arrest

Cases involving multiple charges from a single arrest are a common source of complexity. Expunction may apply to some charges but not others, depending on how each one resolved individually. In some situations, the presence of one disqualifying charge can affect the eligibility analysis for the entire arrest. These cases require careful review to understand what can and cannot be addressed.

SIDEBAR: MULTIPLE CHARGES = MORE COMPLEXITY

If your arrest involved more than one charge, some charges may qualify for expunction while others do not. This can affect the eligibility analysis for the entire arrest. These situations require close review — do not assume that one qualifying charge means the entire record can be cleared.

Why Special Situations Require Careful Review

Cases involving juvenile records, alternative resolutions, or multiple charges often cannot be evaluated on the basis of a simple rule. Experience with these more nuanced situations matters, and a careful, fact-specific analysis is usually what determines whether relief is available and what form it will take.

4.5 Why Some Cases Do NOT Qualify

It is just as important to understand when expunction is not available as it is to understand when it is. Going in with

accurate expectations helps you pursue the right path from the beginning.

Final Convictions

If you were convicted of the offense — whether through a guilty plea, a no contest plea, or a jury verdict — expunction is generally not available. This is one of the most significant eligibility limitations under Texas law, and it is the reason that how a case ended matters so much more than what it involved.

Deferred Adjudication

Many people who completed deferred adjudication believe their record was cleared at the end of their probation period. It was not. Deferred adjudication is a form of probation that, when successfully completed, avoids a formal conviction — but it does not erase the arrest or the underlying record. In most deferred adjudication situations, expunction is not available. Non-disclosure, which seals the record from public view, is typically the appropriate path for people in this situation.

SIDEBAR: THE DEFERRED ADJUDICATION TRAP

Many people believe: “I completed probation, so my record is clear.” It is not. In most deferred adjudication cases, expunction is not available. Non-disclosure is usually the correct option — and it can still provide meaningful protection.

Pending Cases

If your case has not yet been resolved, you cannot file for expunction. The outcome of the case is what determines eligibility, and until there is a final outcome — whether a dismissal, an

acquittal, or something else – there is nothing to base an expunction petition on. The process must wait until the case is fully closed.

Waiting Period Requirements

Even in cases that do qualify for expunction, timing rules apply. Filing before the required waiting period has elapsed can result in denial and force you to start the process over. Understanding when you become eligible to file is just as important as understanding whether you are eligible at all.

Multiple Charges and Complications

As discussed in the prior section, cases involving multiple charges can create complications that affect the overall eligibility analysis. Whether any of the charges resulted in a conviction, and how the others resolved, both factor into what can and cannot be expunged.

Common Misunderstandings

Two of the most frequent misconceptions about expunction eligibility are that a dismissal automatically and immediately qualifies someone to file, and that the passage of time eventually causes an old record to disappear on its own. Neither is true. A dismissal may qualify you for expunction, but it still requires an affirmative legal action. And there is no automatic cleanup process – old cases remain in the system until someone takes steps to remove them.

When Non-Disclosure Is the Better Path

If expunction is not available, that does not mean nothing can be done. Non-disclosure can seal your record from public

view, preventing most employers, landlords, and background check companies from seeing it. For many people who do not qualify for expunction, non-disclosure still provides the meaningful relief they are looking for.

SIDEBAR: THE BIGGEST ELIGIBILITY MISTAKE

The most common mistake is assuming you don't qualify — without ever checking. Many people wait years, miss opportunities, and carry a record they could have cleared, simply because they never verified their eligibility. Don't guess. Verify.

Closing Thoughts

If there is one thing to take away from this chapter, it is that eligibility depends on the specific details of your case — not on broad assumptions about what is or is not possible. Two people with situations that look similar on the surface can face very different options based on how their cases actually ended.

The good news is that many people do qualify for expunction, and many others qualify for non-disclosure or some other form of relief. The key is understanding where you stand based on an accurate picture of your case.

SIDEBAR: IT'S NOT TOO LATE

Even if your case happened years ago, you may still qualify for expunction or non-disclosure. There is often no expiration on eligibility — and old cases can still be cleared. The only way to know for certain is to find out.

SIDEBAR: THERE IS USUALLY A PATH FORWARD

Even if you don't qualify for expunction, you may qualify for non-disclosure or another form of legal relief. The goal is not perfection — it's progress. Most people who seek help find that at least some meaningful option is available to them.

In the next chapter, we take a closer look at timing and waiting periods — so you understand not just whether you qualify, but when you can take action.

Chapter 4 FAQs

FAQ 1: How do I know if I qualify for expunction?

The primary factor is how your case ended. You may qualify if your case was dismissed, you were found not guilty, charges were never filed, or the arrest was wrongful. An attorney can review your specific facts and give you a definitive answer.

FAQ 2: Do I qualify if my case was dismissed?

Often, yes — but not always immediately. Some dismissed cases require waiting periods or have additional conditions attached. A dismissal is a good sign, but it does not automatically mean you can file right away.

FAQ 3: What if I was arrested but never charged?

You may qualify for expunction. A waiting period typically applies before you can file, but an arrest without formal charges is generally a strong basis for an expunction petition.

FAQ 4: Do I qualify if I was found not guilty at trial?

Yes. An acquittal is one of the clearest and most straightforward paths to expunction. The legal system has already determined you were not guilty, which removes the primary obstacle to eligibility.

FAQ 5: Can I get an expunction if I was convicted?

In most cases, no. There are narrow exceptions involving full pardons and findings of actual innocence, but a standard conviction generally forecloses expunction.

FAQ 6: What if I completed deferred adjudication?

Completing deferred adjudication successfully does not clear your record, and in most cases it does not qualify you for expunction. Non-disclosure is typically the appropriate option, and it can still provide significant protection.

FAQ 7: What if my arrest involved multiple charges?

It depends on how each charge resolved. If one charge does not qualify for expunction, it can affect the analysis for the entire arrest. These situations require careful review and should not be evaluated on a general assumption.

FAQ 8: Is there a time limit for filing an expunction?

In many cases, no — eligibility does not expire simply because time has passed. You may still qualify even if your case happened years ago. However, timing rules about when you can file do apply, and they vary by situation.

FAQ 9: What if I'm not sure how my case ended?

That is very common. An attorney can pull your records, determine the outcome of your case, and evaluate your eligibility based on the actual facts rather than your recollection.

FAQ 10: What if my case is still pending?

You cannot file for expunction until the case is fully resolved. The outcome of the case is the basis for eligibility, and there is no eligibility determination to make until there is a final result.

FAQ 11: What if I don't qualify for expunction?

You may still have options. Non-disclosure can seal your record from public view and prevent most employers and landlords from seeing it. Other legal remedies may also apply depending on your circumstances.

FAQ 12: Is it worth having someone check if I qualify?

Yes. Many people are eligible and do not realize it. Even a brief evaluation can provide clarity and help you avoid carrying a record unnecessarily.

FAQ 13: What is the most common mistake people make about eligibility?

Assuming they do not qualify without ever checking. This leads to years of unnecessary limitations and missed opportunities. The only way to know your options is to find out.

FAQ 14: What should I do next?

The next step is understanding when you can file. In the following chapter, we walk through waiting periods and timing rules so you know not just whether you qualify – but when you can take action.

CHAPTER 5

WAITING PERIODS AND TIMING RULES

If you qualify for expunction, you may be wondering why you cannot simply file right away. It is a fair question. But when it comes to expunction, timing is not just a technicality — it is one of the most consequential variables in the entire process.

Filing too early can result in a denial that sets your case back by months. Waiting too long means your record remains visible while opportunities pass you by. The goal is not to file as quickly as possible. The goal is to file at the right time. This chapter explains how timing works, why it matters, and how to approach it as a strategic decision rather than just a procedural hurdle.

5.1 Why Timing Matters More Than You Think

SIDEBAR: THE MOST IMPORTANT RULE ABOUT TIMING

Just because you qualify for expunction does not mean you can file yet. Eligibility and timing are two separate questions — and both have to be answered correctly.

Eligibility vs. Readiness to File

There is an important distinction between qualifying for expunction and being ready to file. You may clearly qualify based on how your case ended — a dismissal, an acquittal, an arrest without charges — but still be required to wait before your petition can be filed. Treating these as the same question is one of the most common mistakes people make in this process.

Why the Law Requires Waiting Periods

Waiting periods are not arbitrary obstacles. They serve real purposes: they give prosecutors the time they are legally entitled to file charges if they intend to do so; they allow cases to reach a final, stable resolution rather than being addressed mid-process; and they allow records to be accurately updated across the various systems that hold them. The waiting period is part of how the legal process ensures that an expunction is truly final and appropriate.

SIDEBAR: THE WAITING PERIOD EXISTS FOR A REASON

The law requires waiting periods to give prosecutors time to file charges, ensure the case is truly finished, and prevent premature filings. A waiting period is part of the process — not a barrier to it.

Common Timing Mistakes

Most timing errors fall into one of three categories. Some people file too early because they are eager to move on and assume that getting the petition in faster will help. Others wait far too long because they assume nothing can be done about an old case, or because they keep putting it off. Still others

rely on information that was accurate at some point but is no longer current. All of these mistakes are avoidable with the right guidance.

Why Timing Is Strategy, Not Just Rule-Following

Understanding the timing rules is the starting point, but experienced practitioners go further and think about timing as a tool. Filing at the legally earliest possible moment is not always the optimal choice. Sometimes a slightly different approach produces a smoother result. The goal is not just compliance with the rules – it is using those rules to achieve the best possible outcome.

SIDEBAR: THE GOAL IS NOT TO FILE FAST

Many people assume that filing sooner is always better. It is not. The goal is to file at the right time — the moment when your case is legally ready and strategically positioned for the best result.

5.2 Waiting Periods by Offense Type

The specific waiting period that applies to your case depends on how your case ended and what type of offense was involved. There is no single timeline that covers every situation.

SIDEBAR: NOT ALL CASES HAVE THE SAME TIMELINE

Your waiting period depends on the type of offense, how your case ended, and whether charges were filed. There is no universal timeline. The details of your situation determine when you can file.

No Charges Filed

If you were arrested but charges were never formally filed, you still typically must wait before filing for expunction. The reason is that prosecutors have a legally defined window of time during which they can choose to bring charges, and the waiting period allows that window to fully close. The length of that window varies by the severity of the offense: shorter for Class C misdemeanors, longer for Class A and B misdemeanors, and longest for felonies. Even when nothing appears to have happened after the arrest, the law requires you to wait for the prosecution deadline to pass.

Dismissed Cases

When a case has been dismissed, the timing question becomes more nuanced. Some dismissals allow filing to proceed relatively quickly, while others require a waiting period before the petition can be submitted. Whether the dismissal came with conditions, what type of offense was involved, and whether the statute of limitations has fully expired all affect how the timing rules apply. A dismissal is a positive development, but it does not mean you can file immediately in every situation.

Not Guilty Verdicts

If you were found not guilty at trial, you can generally file for expunction without waiting. Because the case has been fully and finally resolved by a court, and because there is no remaining risk of prosecution, there is no legal reason to delay. This is typically the fastest route from case outcome to expunction.

When the Clock Starts

One of the most commonly misunderstood aspects of timing is knowing when the waiting period actually begins. Depending on the situation, the clock may start from the date of the arrest, the date charges were formally declined by the prosecutor, or the date the case was dismissed. Identifying the correct start date matters, because calculating from the wrong event can lead to filing too early and triggering a denial.

SIDEBAR: THE “CLOCK” ISN’T ALWAYS OBVIOUS

Your waiting period may begin from the date of arrest, the date of dismissal, or the date charges were formally declined. Knowing the correct start date is critical. Calculating from the wrong event is one of the most common reasons cases are filed prematurely.

The Waiting Period Chart

The chart below summarizes the most common scenarios and their typical waiting periods. Use it as a starting point — then verify the specifics of your situation before filing.

No Charges Were Filed		
Situation	Typical Wait	Notes
Class C Misdemeanor	~180 days from arrest	Waiting for the prosecution window to close
Class A or B Misdemeanor	~2 years from arrest	Longer statutory window for charges to be filed
Felony	~3 years from arrest	Longest statute of limitations period
➤ Even if nothing happened after your arrest, a waiting period still applies.		

Case Was Dismissed		
Situation	Typical Wait	Notes
Dismissed without conditions	Sometimes immediate	Depends on case details and offense type
Dismissed with waiting requirement	After waiting period	May vary by offense; verify before filing
Dismissed after statute of limitations	After time period	Ensures case cannot be refiled by prosecutor
➤ Not all dismissals are treated the same. Always verify before filing.		
Found Not Guilty (Acquittal)		
Situation	Typical Wait	Notes
Not Guilty at Trial	No waiting period – file immediately	Case fully resolved; no prosecution risk remains
➤ This is the fastest path to expunction		
Completed Deferred Adjudication		
Situation	Typical Wait	Notes
Deferred adjudication successfully completed	<input checked="" type="checkbox"/> Not eligible for expunction	Non-disclosure is the appropriate alternative
This is one of the most misunderstood situations. Completing probation does not clear your record		
Final Conviction		
Situation	Typical Wait	Notes
Straight conviction (guilty plea or verdict)	<input checked="" type="checkbox"/> Expunction not available	Limited options; maybe Judicial Clemency, consult an attorney
➤ Expunction is generally not available after a conviction. Other remedies may apply in specific circumstances.		
<p>🕒 When Does the Clock Start?</p> <p>Your waiting period may begin from the date of arrest, the date charges were formally declined, or the date of dismissal. The correct start date depends on your specific situation – and getting it wrong is one of the most common filing mistakes.</p> <p><input checked="" type="checkbox"/> Filing too early = denied. <input checked="" type="checkbox"/> Filing at the right time = best result.</p>		

5.3 The Risk of Filing Too Early

Filing too early is the single most common timing mistake, and it is entirely avoidable. Understanding why it is so costly can help you avoid it.

SIDEBAR: FILING TOO EARLY = STARTING OVER

If you file before you are eligible, your case can be denied, you may have to refile from scratch, and you lose both time and filing fees. Filing early does not speed things up — it delays them.

Immediate Denial and Its Consequences

When a petition is filed before the applicable waiting period has elapsed, the court can deny it outright. That denial does not disappear. It becomes part of the procedural record, and you will typically need to wait until you are actually eligible and then start the process over entirely, including repaying any court filing fees that are not refunded.

Time Lost and Opportunities Missed

Every day your record remains visible is another day it can affect a background check. An early filing that results in denial means your record stays in the system longer than it needed to. And if the denial creates any complications in the system — confusion about case status, for example — those have to be sorted out before a corrected petition can move forward.

Why “Trying Your Luck” Backfires

Some people reason that filing early cannot hurt anything and that the worst that can happen is a denial they will correct later. In practice, that reasoning underestimates the costs.

Court filing fees are lost, time is wasted, and in some cases an early denial can complicate the eventual correct filing. Expunction is not a process that rewards impatience.

5.4 Strategic Timing: When to File (and When to Wait)

Knowing the rules is necessary. Using them thoughtfully is what separates a well-handled expunction from one that runs into avoidable problems.

Finding the Earliest Safe Filing Date

The strategic starting point is identifying the earliest date on which the petition can be filed without risk of denial. That means all applicable waiting periods have elapsed, the case is fully and finally resolved, and all the information needed for an accurate petition is in hand. Filing at that earliest safe date is usually the right approach — but not always.

When Waiting Slightly Longer Can Help

In some situations, a case that technically becomes eligible on a specific date is cleaner and less likely to face complications if the filing is delayed briefly. This might be true when multiple charges are involved, when records across agencies have not yet fully updated, or when a specific life event — a job application, a licensing review — makes the timing of the completion of the process more important than the timing of the filing.

Coordinating Multiple Charges

Cases involving multiple charges often require more careful timing analysis. Individual charges may become eligible at different times depending on how each resolved. In some

situations it makes sense to wait until all qualifying charges can be addressed together in a single petition, rather than filing in stages. An attorney can evaluate whether a coordinated approach or separate filings make more sense given the specifics.

SIDEBAR: MULTIPLE CHARGES = MORE TIMING ISSUES

If your case involved multiple charges, each may have a different timing requirement. You may need to wait until all qualifying charges are ready before filing. These situations require careful planning to avoid both premature filings and unnecessary delays.

Planning Around Life Goals

Timing an expunction around important life events is often sensible. If you know you are going to be applying for a job in a field that requires a background check, pursuing a professional license, or moving into a new housing situation, building your filing timeline around those milestones can ensure the record is clear when it matters most. Strategic timing is not about gaming the system – it is about making the process work as effectively as possible for your actual life.

SIDEBAR: THE COST OF WAITING TOO LONG

Timing works in both directions. Filing too early risks denial. But waiting too long means your record remains visible while job opportunities, housing applications, and other possibilities pass you by. Acting at the right time protects both your legal position and your practical opportunities.

5.5 Recent Changes Under Chapter 55A

Texas expunction law is not static. Recent legislative updates under Chapter 55A have modified some of the rules that govern eligibility and timing, and those changes have expanded access to expunction for certain people who previously had fewer options.

What Changed

Chapter 55A updates have clarified eligibility criteria in areas that were previously ambiguous, expanded access to expunction in certain dismissed-case situations, and adjusted some of the timing requirements that apply to specific categories of cases. The practical effect is that some situations that did not qualify under older rules may now be eligible for relief.

Why Older Information May Not Apply

If you looked into expunction a few years ago and were told you did not qualify, that assessment may no longer be accurate. The law has changed, and what was true at one point may not be true today. Similarly, online sources and general guidance that have not been updated to reflect current law can lead people to incorrect conclusions about their eligibility. Relying on outdated information is one of the ways people miss opportunities they actually have.

SIDEBAR: LAWS CHANGE — TIMING CAN CHANGE TOO

Expunction laws continue to evolve. What was true a few years ago may not apply today. If you received advice in the past that you do not qualify, it is worth verifying that conclusion against the current state of the law.

Why Current Legal Guidance Matters

Expunction law is specific enough that small changes in the statutory language can have meaningful consequences for individual cases. A current, accurate understanding of the law – including what has changed under Chapter 55A – is part of what allows an experienced attorney to identify opportunities that might otherwise be missed.

Closing Thoughts

The most important lesson from this chapter is that timing can determine success or failure just as much as eligibility can. You may qualify for expunction in every meaningful way, but filing at the wrong time – even by a short margin – can result in a denial that delays your clean slate by months.

The goal is not to move as quickly as possible. The goal is to move at the right time – the moment when your case is legally ready, strategically positioned, and set up for the best possible result.

SIDEBAR: THE BOTTOM LINE

Too early = denied.

Too late = missed opportunities.

Right time = best result.

Most people don't miss out because they don't qualify — they miss out because they file at the wrong time, or because they never file at all.

In the next chapter, we take a closer look at special expunction scenarios, including cases with multiple charges and other more complex situations.

Chapter 5 FAQs

FAQ 1: Why do I have to wait to file for expunction?

Because the law gives prosecutors a defined window of time to file charges and requires that a case be fully and finally resolved before records can be erased. Waiting periods ensure the expunction is appropriate and permanent.

FAQ 2: Can I file for expunction immediately after my arrest?

No. In most cases, a waiting period applies even if charges were never filed. The only situation where immediate filing is typically available is after a not guilty verdict at trial.

FAQ 3: When can I file right away without waiting?

You may generally file immediately after being found not guilty at trial. Some specific dismissal situations may also allow prompt filing, but these depend on the details of the case and should be verified rather than assumed.

FAQ 4: How long do I have to wait if no charges were filed?

It depends on the type of offense. Class C misdemeanors typically carry the shortest waiting periods, Class A and B misdemeanors require longer waits, and felony cases have the longest. The waiting period corresponds to the prosecution window for each offense level.

FAQ 5: What happens if I file too early?

Your petition can be denied. You will typically lose your filing fee, and you will need to wait until you are actually eligible and then refile. Filing early does not accelerate the process — it delays it.

FAQ 6: Can I just file and see what happens?

That approach is not recommended. Filing early creates real costs – lost fees, lost time, and potential procedural complications that make the eventual correct filing more complicated than it would have been otherwise.

FAQ 7: When does the waiting period start?

It depends on the specific situation. The clock may begin from the date of arrest, the date charges were formally declined, or the date of dismissal. Identifying the correct starting point is critical, and getting it wrong is one of the most common timing mistakes.

FAQ 8: Is there a deadline to file for expunction?

In most cases, no – your eligibility does not expire simply because time has passed. However, the longer your record remains in the system, the more opportunities it can affect. Acting when you are ready is important even if there is no hard deadline.

FAQ 9: What if my case involved multiple charges?

Each charge may carry a different timing requirement depending on how it resolved. You may need to wait until all qualifying charges are ready before filing, or you may benefit from a coordinated filing strategy. These situations require careful analysis.

FAQ 10: Can waiting longer than the minimum improve my case?

Sometimes. A brief additional wait can allow records to fully update, reduce the risk of complications, and in some

cases simplify the petition. Whether this applies depends on the specifics of your situation.

FAQ 11: Have the laws about timing changed recently?

Yes. Updates under Chapter 55A have modified some eligibility and timing rules and expanded access in certain situations. If you received advice in the past that you did not qualify, it is worth revisiting that conclusion under current law.

FAQ 12: How do I know exactly when to file?

That depends on the details of your case. An attorney can calculate the correct timeline based on your specific situation, identify the earliest safe filing date, and advise on whether any strategic timing considerations apply.

FAQ 13: What is the biggest mistake people make with timing?

Filing too early. It is the most common and most avoidable timing error, and it creates delays that set back the entire process. The second most common mistake is assuming nothing can be done and never filing at all.

FAQ 14: What should I do next?

Make sure you understand when you are eligible to file and identify the right timing for your specific case. In the next chapter, we look at special expunction scenarios, including cases with multiple charges and other situations that require more careful handling.

CHAPTER 6

SPECIAL EXPUNCTION SCENARIOS

The previous chapters covered expunction in relatively clear-cut situations. But not every case fits a simple pattern. Many people find themselves wondering what happens when an arrest involved more than one charge, when a plea deal was part of the picture, or when the situation simply does not match the typical examples.

These are legitimate and common concerns. A significant number of people fall into what might be called special scenarios — cases that are more complex than the standard situation but are not necessarily hopeless. This chapter walks through the most common of these scenarios and explains how each one affects your ability to clear your record.

**SIDEBAR: IF YOUR CASE FEELS COMPLICATED,
YOU’RE NOT ALONE**

Most people do not have a perfectly simple case. Multiple charges, plea agreements, or unusual outcomes are very common. Complexity does not mean impossibility — it means the details and strategy matter more.

6.1 Multiple Charges from the Same Arrest

One of the most common complications in expunction cases arises when a single arrest results in more than one charge. Law enforcement may add multiple offenses during one encounter — different levels of charges, related offenses, or entirely separate matters that happened to arise in the same situation. A DWI combined with an unlawful carry charge, an assault charge alongside a disorderly conduct, a drug possession charge paired with a paraphernalia charge: these combinations are more common than many people realize, and they add a layer of analysis that straightforward single-charge cases do not require.

The “All or Nothing” Problem

In many expunction cases, the law does not evaluate each charge in isolation — it looks at the arrest as a whole. This creates a significant challenge: if even one charge from the arrest does not qualify for expunction, it can affect your ability to expunge the entire arrest record. The strongest qualifying charge in the world may not be enough if another charge from the same arrest blocks the way.

SIDEBAR: THE “ALL OR NOTHING” PROBLEM

In many cases, if one charge from an arrest does not qualify for expunction, it can prevent the entire arrest from being expunged. This is one of the most common surprises for people who assume that getting one charge dismissed is enough.

Mixed Outcomes

The situation becomes more complicated when different charges from the same arrest ended differently — one

dismissed, one resolved through deferred adjudication, one still pending at some point in the process. Even when part of the case looks promising on its own, the overall picture is what the court considers. A mixed outcome across charges requires a careful analysis of how each resolution affects the eligibility determination for the arrest as a whole.

SIDEBAR: MIXED OUTCOMES = MORE COMPLEXITY

One charge dismissed, one deferred, one reduced — this kind of combination is common and it matters. Each resolution affects the overall eligibility analysis. These are not situations where a simple rule produces a reliable answer.

When Partial Relief May Be Possible

In some situations, charges can be separated in a way that allows relief on some while others remain. Whether that is possible depends on how the charges are structured, how they resolved, and what the applicable legal rules permit. These cases require careful analysis by someone who understands how multi-charge arrests are treated under current Texas expunction law. They are among the situations where the stakes of getting it wrong are highest, because a misstep can foreclose options that would otherwise have been available.

6.2 DWI Cases After Dismissal or Acquittal

DWI cases are among the most common and most misunderstood when it comes to expunction eligibility. A widespread assumption that DWI arrests can never be cleared leads many people to never explore their options — even when a genuine path to relief exists.

SIDEBAR: DWI MYTH VS. REALITY

Myth: “DWI can never be cleared.”

Reality: A dismissed DWI may qualify for expunction. A not guilty verdict often qualifies. A conviction generally does not. The outcome — not the charge itself — is what controls eligibility.

Dismissed DWI Cases

If your DWI case was dismissed, you may qualify for expunction — but timing is especially important. You may need to wait until the applicable statute of limitations has expired, or until all conditions attached to the dismissal have been satisfied. DWI cases often involve scientific evidence and more intensive prosecutorial review, which can make the timing analysis more nuanced than in other types of dismissed cases.

Not Guilty Verdicts

If you were found not guilty at trial, you can often pursue expunction without a waiting period. This is one of the strongest scenarios for clearing a DWI record, because the legal system has already made a formal determination in your favor. A not guilty verdict on a DWI is a firm foundation for an expunction petition.

When Non-Disclosure Applies Instead

In DWI cases that involved probation — particularly those resolved through deferred adjudication or certain conviction-based probation arrangements — expunction is typically not available, but non-disclosure may be. The rules governing non-disclosure for DWI cases have evolved under recent Texas law, and eligibility that did not exist a few years ago may exist now. Understanding which path applies to your

specific DWI situation is one of the reasons a current legal evaluation matters.

6.3 Cases Involving Plea Bargains

Plea bargains are an everyday reality of the criminal justice system. Most criminal cases are resolved through negotiation rather than trial. But accepting a plea deal — even a favorable one — can have lasting consequences when it comes to clearing your record later.

How Plea Bargains Affect Expunction Eligibility

In most cases, a plea bargain results in either a conviction or deferred adjudication. A guilty plea, even to a reduced charge, produces a conviction. A no contest plea typically has the same legal effect. Both of these outcomes can limit or eliminate expunction eligibility. The plea may have felt like the right choice at the time, and it may well have been — but its long-term effect on your record is a separate question that many people never fully considered when they accepted the deal.

SIDEBAR: PLEA BARGAIN REALITY CHECK

A plea deal may feel like a resolution at the time. But it often forecloses expunction eligibility and leaves you with limited options later. The outcome of the plea — not the terms of the deal — is what controls your future record options.

Reduced Charges Still Create Records

A common misconception is that having a charge reduced through a plea deal softens its long-term impact. In many cases, it does not. A felony reduced to a misdemeanor conviction is still

a conviction. The reduced charge may carry lighter immediate consequences, but it can still block expunction eligibility just as effectively as the original charge would have.

SIDEBAR: REDUCED CHARGE ≠ CLEAN RECORD

Even if your charge was reduced as part of a plea deal, it still counts as a resolution of the case and can still block expunction. A better deal at the time does not always mean better options later.

Alternative Options After a Plea

Even when expunction is not available after a plea, other options may still be open. Non-disclosure can seal the record from public view in certain post-plea situations, and there may be other legal strategies worth exploring depending on the specific circumstances. A plea deal closes some doors, but it does not necessarily close all of them.

6.4 Deferred Adjudication Complications

Deferred adjudication is one of the most consistently misunderstood areas of criminal record law, and the misunderstanding usually runs in the same direction: people who completed deferred adjudication probation assume their record was cleared along with their case.

SIDEBAR: THE DEFERRED ADJUDICATION MISUNDERSTANDING

Many people believe: “I completed probation, so my record is clear.” In reality, the record still exists. Deferred adjudication avoids a formal conviction — it does not erase the arrest or the underlying case. Expunction is usually not available, but non-disclosure often is.

What Deferred Adjudication Actually Means

Deferred adjudication is a form of probation that, when completed successfully, avoids a formal conviction. But avoiding a conviction is not the same as clearing a record. The arrest still happened, the case still exists in the system, and the record of both remains visible unless affirmative legal action is taken. Completing probation successfully is an important accomplishment — but it is not the finish line many people believe it to be.

Why Expunction Is Usually Not Available

In most deferred adjudication situations, expunction is not an option. The structure of deferred adjudication — an acceptance of responsibility combined with a deferred finding — typically does not satisfy the eligibility requirements for expunction, which generally require that there was no conviction and no finding of guilt. The correct path for most people in this situation is non-disclosure, which seals the record from public view even though the record itself continues to exist.

When Deferred Adjudication Affects a Multi-Charge Case

When a deferred adjudication resolution is one of several outcomes from a multi-charge arrest, the complications multiply. Deferred adjudication on even one charge can affect the eligibility analysis for the entire arrest, particularly in situations where the law treats the arrest as a unit. These mixed-outcome situations are among the most important reasons why a thorough, charge-by-charge analysis is essential before any action is taken.

Avoiding Costly Assumptions

Deferred adjudication cases are among the situations most likely to produce incorrect eligibility assumptions. People who assume they qualify for expunction when they actually qualify only for non-disclosure — or who assume they qualify for nothing when a path to relief does exist — can make decisions that cost them time, money, or the opportunity itself. Getting an accurate assessment of what is actually available matters more in these cases than in most others.

6.5 Out-of-State Arrests and Federal Records

Not all records are governed by the same rules, and where an arrest occurred has a direct bearing on what can be done about it.

Out-of-State Arrests

If your arrest happened outside Texas, Texas courts generally cannot expunge that record. Each state has its own expunction or record-sealing statutes, its own eligibility requirements, and its own procedural rules. To address a record from another state, you would need to pursue relief under that state's laws and through that state's courts. This does not mean relief is unavailable — it means you are working with a different set of rules than the ones covered in this book.

SIDEBAR: DIFFERENT STATES, DIFFERENT RULES

If your arrest happened outside Texas, Texas courts generally cannot help. Each state has its own laws governing expunction and record sealing. Pursuing relief for an out-of-state arrest requires working under the laws of the state where the arrest occurred.

Federal Arrests and Federal Records

Federal cases are handled through the federal court system and are governed by federal law, not state law. Expunction in the federal system is significantly more limited than in Texas state courts and applies only in very narrow circumstances. Federal cases that might seem strong candidates for relief under state law standards often do not qualify under the much more restrictive federal rules. These cases typically require specialized knowledge of federal procedure and federal record law.

FBI Databases and National Background Checks

Even arrests that occurred entirely within Texas can appear in federal systems. The FBI maintains national criminal history databases that many employers and licensing agencies access as part of background checks. When a Texas expunction is granted, the order is typically sent to these federal agencies as well, and the record should eventually be updated or removed. However, federal database updates can take longer than state-level updates, which is one reason that follow-up verification matters even after a successful expunction.

SIDEBAR: FEDERAL RECORDS ADD ANOTHER LAYER

Your record may appear in FBI databases and national background check systems regardless of where the arrest occurred. After expunction, orders are sent to these agencies, but federal systems may take longer to update than state records. Verification matters.

Coordinating Across Systems and Jurisdictions

Cases that span multiple jurisdictions — multiple states, state and federal systems, or records spread across different

agencies – require coordination that goes beyond a standard single-jurisdiction expunction. Identifying every system where the record appears, understanding which legal process applies to each, and following up to confirm that all records have been addressed is more involved than in a typical Texas expunction case. These situations require guidance from someone with specific experience in cross-jurisdictional record matters.

Closing Thoughts

If your situation feels complicated, you are not alone. Special scenarios are the norm rather than the exception. The key takeaway from this chapter is that complexity does not mean hopelessness – it means the details matter more, strategy becomes more important, and getting the analysis right from the beginning is more critical than it would be in a simpler case.

SIDEBAR: WHY THESE CASES REQUIRE STRATEGY

In straightforward cases, the rules are clear and the path is direct. In complex cases, small details matter, the consequences of mistakes are harder to fix, and the outcome depends on approaching the situation correctly from the start. A clear evaluation is the foundation of a good result.

In the next chapter, we walk through the expunction process step by step, so you understand exactly what happens from the moment you decide to pursue relief through the moment your record is cleared.

Use the checklist below to identify whether your situation may require a more strategic approach.

COMPLEX CASE CHECKLIST

Is Your Case More Complicated Than You Think?

Check any item that applies to your situation.

Multiple Charges

- I was arrested for more than one charge at the same time.
- Different charges had different outcomes (one dismissed, one reduced, etc.).
- I am not sure how all of my charges were resolved.

DWI or Alcohol-Related Case

- My case involved a DWI or DUI charge.
- My case was dismissed, but I am unsure about my eligibility to file.
- I completed probation for a DWI-related offense.

Plea Bargain

- I accepted a plea deal in my case.
- My original charge was reduced as part of a negotiation.
- I pled guilty or no contest to any charge.

Deferred Adjudication

- I completed deferred adjudication probation.
- I was told my record would be cleared after completing probation.
- I am unsure whether I qualify for expunction or non-disclosure.

Multiple Cases or Arrests

- I have more than one arrest on my record.
- My cases occurred in different counties or courts.
- Some of my cases are older and I do not have clear records.

Out-of-State or Federal Issues

- My arrest occurred outside Texas.
- My case involved federal charges or a federal court.
- My record appears in national background check systems.

Unclear Case Outcome

- I am not certain how my case ended.
- I do not have paperwork or court records from my case.
- I have received conflicting information about my eligibility.

What Your Answers Mean

0–1 items checked — Relatively Straightforward

Your case may qualify for expunction or non-disclosure with minimal complications. A standard evaluation should be sufficient to identify your options.

2–4 items checked — Some Complexity Present

Your case likely has complications that affect timing, strategy, or eligibility. You may still qualify for meaningful relief — but the details matter more than in a typical case.

5 or more items checked — Likely Complex

Your case probably requires a more strategic approach. Complex does not mean impossible — but careful analysis is essential before taking any action.

If you checked even a few boxes, the most important next step is getting clarity on your specific situation.

You don't need a perfect case to clear your record. You need the right strategy.

Chapter 6 FAQs

FAQ 1: What if I had multiple charges from one arrest?

It depends on how each charge was resolved. In many cases, the law treats the arrest as a unit — meaning that if one charge does not qualify for expunction, it can affect whether the entire arrest can be expunged. Careful charge-by-charge analysis is essential.

FAQ 2: Can I expunge just one charge from an arrest?

Sometimes, but not always. In many situations the law looks at the arrest as a whole rather than evaluating individual charges in isolation. Whether partial relief is available depends on the specific structure of the case and how the charges resolved.

FAQ 3: What if one charge from my arrest was dismissed but another was not?

This is one of the most common complications in multi-charge cases. Your eligibility will depend on the outcome of each charge and whether the charges can be legally separated for purposes of the expunction analysis. These situations should not be evaluated based on a general assumption.

FAQ 4: Can a DWI charge be expunged?

It depends on the outcome. A dismissed DWI may qualify for expunction after the applicable waiting period. A not guilty verdict often qualifies. A DWI conviction generally does not. The outcome — not the nature of the charge — is what controls eligibility.

FAQ 5: I took a plea deal. Can I still get an expunction?

In most cases, no. Plea bargains typically result in either a conviction or deferred adjudication, both of which limit or eliminate expunction eligibility. However, non-disclosure or other options may still be available depending on the specific circumstances.

FAQ 6: What if my charge was reduced as part of a plea?

A reduced charge still counts as a resolution of the case and can still block expunction eligibility. A better outcome at sentencing does not necessarily translate into better options for clearing the record later.

FAQ 7: I completed deferred adjudication. Can I expunge my record?

Usually not. Deferred adjudication typically disqualifies a case from expunction. However, non-disclosure — which seals the record from public view — may be available and can still provide meaningful protection.

FAQ 8: What if I had charges in different courts or counties?

Each case may need to be evaluated separately. You may qualify for expunction in one case and need a different approach for another. Cases in different jurisdictions do not automatically follow the same rules or timeline.

FAQ 9: Can I expunge an arrest that happened in another state?

Not through Texas courts. An out-of-state arrest must be addressed under the laws of the state where it occurred. Each state has its own rules for expunction or record sealing.

FAQ 10: Can federal cases be expunged?

Federal expunction is much more limited than state expunction and applies only in very narrow circumstances. Federal cases require specialized knowledge and a different legal analysis than Texas state court cases.

FAQ 11: Why is my case more complicated than the standard examples?

Complications usually arise from multiple charges, plea agreements, deferred adjudication, out-of-state records, or unclear case outcomes. These factors are very common — most people’s cases have at least one of them.

FAQ 12: Does complexity mean I don’t qualify for any relief?

No. Many complex cases still qualify for expunction in some form, non-disclosure, or other legal options. Complexity affects the analysis and the strategy — not necessarily the availability of a path forward.

FAQ 13: What is the biggest mistake people make in complex cases?

Applying a simple rule to a complicated situation. Complex cases require fact-specific analysis. Assuming the answer without reviewing the actual details leads to wrong filings, missed opportunities, and delays that are difficult to correct.

FAQ 14: What should I do if my case is complicated?

Get a clear, current evaluation of your specific situation. Complex cases benefit most from careful analysis, correct identification of the available options, and strategic timing. Acting on a general assumption in a complex case is where most problems start.

FAQ 15: What is the next step?

Now that you understand how special scenarios affect eligibility and strategy, the next chapter walks through the expunction process step by step – from the initial evaluation through the final clearance of your record.

CHAPTER 7

WHAT NON-DISCLOSURE REALLY MEANS

The previous chapters covered expunction — the option that completely erases your record. But what happens when expunction is not available? That is where non-disclosure comes in.

Many people are genuinely uncertain about what non-disclosure actually does. Does it clear your record? Can anyone still see it? Is it worth pursuing if the underlying record does not go away? The answer to that last question, for most people, is yes. Non-disclosure is not the same as expunction — but it is still a meaningful and often life-changing legal tool. This chapter explains exactly what it means and what it can do for you.

7.1 Sealing vs. Destroying Records

SIDEBAR: THE SIMPLE DEFINITION

Non-disclosure = your record is hidden, not erased.

That distinction is the foundation of everything else in this chapter.

The Core Difference

Expunction destroys your record. Non-disclosure seals it. With non-disclosure, the record continues to exist in government systems — but it is removed from public view and from the databases that most employers, landlords, and background check companies rely on. To the outside world, for most practical purposes, it is effectively invisible. To certain government entities, it is not.

What “Sealing” Actually Means

When a record is sealed through non-disclosure, it is removed from public databases and blocked from appearing in most standard background checks. The agencies that hold the record are prohibited from disclosing it to the general public or to private employers and landlords. The record has not been destroyed, but access to it has been formally restricted. For the vast majority of everyday situations, that restriction accomplishes what most people need most.

SIDEBAR: YOUR RECORD STILL EXISTS

Even after non-disclosure, the record is not destroyed. It remains in government systems and can be accessed by law enforcement and certain agencies. It is hidden — not deleted. Understanding this distinction matters, especially if your career involves government employment or professional licensing.

Comparing Non-Disclosure to Expunction

Think of the difference this way: expunction removes the record entirely, as though the arrest never happened. Non-disclosure locks the record away from public view while keeping it accessible to authorized government entities. Both are

meaningful forms of relief, and both can significantly improve a person’s daily life. But they operate through different legal mechanisms and provide different levels of protection.

The comparison chart below lays out the key differences side by side.

Feature	Expunction	Non-Disclosure
What Happens to Your Record		
Effect on record	Erased and destroyed	Sealed and hidden from public
Legal status	Treated as if it never happened	Exists in government systems; not publicly visible
Who Can See Your Record		
Employers	<input checked="" type="checkbox"/> Cannot see it	<input checked="" type="checkbox"/> Usually cannot see it
Landlords	<input checked="" type="checkbox"/> Cannot see it	<input checked="" type="checkbox"/> Usually cannot see it
Public databases	<input checked="" type="checkbox"/> Removed	<input checked="" type="checkbox"/> Hidden
Law enforcement	<input checked="" type="checkbox"/> No access	<input checked="" type="checkbox"/> Can still access
Government agencies	<input checked="" type="checkbox"/> No access	<input checked="" type="checkbox"/> Limited access retained
Licensing boards	<input checked="" type="checkbox"/> No access	<input checked="" type="checkbox"/> May still access
What You Can Say		
Job applications	<input checked="" type="checkbox"/> Can say “No”	<input checked="" type="checkbox"/> Can usually say “No”
Interviews	<input checked="" type="checkbox"/> No explanation needed	<input checked="" type="checkbox"/> Usually no explanation needed
Government applications	<input checked="" type="checkbox"/> No disclosure required	<input type="radio"/> May require disclosure
General Eligibility		
Dismissed cases	<input checked="" type="checkbox"/> Often eligible	<input checked="" type="checkbox"/> Usually not needed
Not guilty / acquittal	<input checked="" type="checkbox"/> Eligible	<input checked="" type="checkbox"/> Not applicable
No charges filed	<input checked="" type="checkbox"/> Eligible	<input checked="" type="checkbox"/> Not applicable
Deferred adjudication	<input checked="" type="checkbox"/> Not eligible	<input checked="" type="checkbox"/> Often eligible
Convictions	<input checked="" type="checkbox"/> Not eligible	<input type="radio"/> Limited situations only

Overall Outcome		
Record status	Completely gone	Hidden from the public
Long-term impact	Full clean slate	Major improvement; not a complete erasure
Strength of result	★★★★★ Strongest option	★★★★ Strong second option

7.2 Who Can Still See Your Record

Non-disclosure significantly limits who can access your record – but it does not eliminate access entirely. Understanding exactly who retains access is important for making informed decisions about your situation.

The General Rule: Hidden from the Public

After a non-disclosure order, your record is no longer available in public background check systems and databases. The general public cannot search for it. Private background check companies that rely on public records should not report it. For the kinds of checks that most employers and landlords conduct, the record will not appear.

SIDEBAR: WHO STILL HAS ACCESS

After non-disclosure, these entities may still see your record:

- *Law enforcement agencies*
- *Government agencies (at various levels)*
- *Certain professional licensing boards*

For most everyday situations — jobs, housing, consumer applications — the record will not be visible.

Employers and Background Check Companies

For most employment situations, non-disclosure provides effective protection. Standard employer background checks

rely on public records and will not surface a sealed case. This is one of the most significant practical benefits of non-disclosure and the reason it removes one of the largest barriers most people face after an arrest.

Landlords and Private Screenings

Landlords and property managers typically run background checks through consumer reporting agencies that access public records. After non-disclosure, a sealed case should not appear in those reports, which means your housing applications are evaluated without the weight of a record that no longer needs to be part of the conversation.

Law Enforcement and Government Agencies

Law enforcement retains the ability to see sealed records, as do certain government agencies. This is one of the key limitations of non-disclosure compared to expunction. For many people, this limitation has no practical effect on their daily lives. But for those who work in or are pursuing careers in law enforcement, government service, or regulated professions, it is a distinction that matters.

Licensing Boards and Regulated Professions

Some professional licensing boards have the statutory authority to access sealed records when evaluating applications. Whether this applies to your specific profession depends on the regulatory framework for that field. If professional licensing is relevant to your career, understanding how non-disclosure interacts with your particular licensing board is an important part of evaluating your options.

SIDEBAR: WHAT MATTERS MOST FOR MOST PEOPLE

For most people, the two biggest concerns are jobs and housing. Non-disclosure directly addresses both. The entities that retain access — law enforcement, certain government agencies, some licensing boards — are the exception, not the rule.

7.3 When You Can (and Cannot) Deny the Case

One of the most practically important questions after non-disclosure is: what can you actually say when someone asks about your record?

In Most Everyday Situations

After a non-disclosure order, you can generally answer “no” when asked whether you have been arrested. . This applies to most job applications, most housing applications, and most everyday background screenings. The legal protection of non-disclosure supports that answer in these contexts — you are not being dishonest, you are exercising a right the law specifically grants you.

SIDEBAR: YOU USUALLY DON’T HAVE TO EXPLAIN

After non-disclosure, you can often simply answer “No” when asked about your case in most job and housing applications. You are not required to volunteer information, provide context, or explain what happened. The law supports that answer in most everyday situations.

When You Must Be More Careful

There are situations where disclosure may still be required even after non-disclosure. Applications involving government

agencies, certain licensing boards, and law enforcement positions are among the most common examples. In these contexts, a sealed record may not carry the same legal protection against disclosure, and answering “no” without verification could create a problem. If your situation involves any of these areas, it is worth understanding the specific rules before you answer.

How to Answer Without Over-Explaining

A common and understandable impulse is to explain. When someone asks about your record, you may want to provide context, tell the full story, or reassure the person asking. In most cases, that impulse works against you. Over-explaining draws attention to an issue that a simple, confident answer would have put to rest. The goal is to answer what was asked and move on – not to relitigate the past in a job interview.

SIDEBAR: DON’T OVER-EXPLAIN

If your record is sealed, answer the question and keep it simple. Volunteering additional detail introduces concerns that a direct answer would have avoided. Saying more than necessary can create problems that never needed to exist.

The “Can I Say No?” Quick Reference Chart

The chart below shows how the answer to that question varies depending on the situation and the type of relief you received.

Situation	After Expunction	After Non-Disclosure
Job application (private employer)	<input checked="" type="checkbox"/> Yes – say “No”	<input checked="" type="checkbox"/> Yes – say “No”
Job interview	<input checked="" type="checkbox"/> Yes – no explanation needed	<input checked="" type="checkbox"/> Yes – usually none needed

Situation	After Expunction	After Non-Disclosure
Apartment or rental application	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Private employer background check	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Government job application	<input checked="" type="checkbox"/> Yes	⊙ May need to disclose
Professional license application	<input checked="" type="checkbox"/> Yes	⊙ May need to disclose
Law enforcement application	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Must disclose
Court or legal proceeding	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Must disclose
<p><input checked="" type="checkbox"/> = You can say “No” with confidence. ⊙ = Verify before answering – disclosure may be required. <input checked="" type="checkbox"/> = Disclosure is required. Answer truthfully.</p>		

7.4 How Non-Disclosure Helps in Real Life

At this point you may still be wondering whether non-disclosure is truly worth pursuing when the underlying record continues to exist. For most people, the answer is yes – and often emphatically so.

What Changes After Sealing Your Record

Once your record is sealed, it stops appearing in the background checks that govern most hiring and housing decisions. The practical effect is that an obstacle that has been quietly shaping your opportunities – often in ways you could not fully see – is removed. Applications that may have stalled, positions that may have gone to other candidates, housing options that may have been quietly unavailable: all of those barriers are addressed by the sealing of your record.

Employment

Employment is where most people see the most immediate difference. Without a visible record, job applications move forward on the strength of your qualifications. You are evaluated

for what you bring to the role rather than filtered out before anyone reviews your experience. Interviews you might have been screened out of become interviews you can attend. Offers that might have been rescinded after a background check can now proceed. The change is not always visible, but it is real.

Housing and Financial Opportunities

The same shift occurs in housing. Landlords running standard background checks will not see the sealed record, which means your application is evaluated on your rental history, income, and references rather than a past arrest. Access to financing, loan applications, and other financial decisions that may have been quietly affected by your record can improve as well. Non-disclosure does not just remove a negative — it clears the path for a range of positive outcomes.

Reduced Stress and Greater Confidence

For many people, one of the most meaningful changes after non-disclosure is internal. The constant low-level concern about whether a background check will surface something, whether a job offer will be withdrawn, whether a housing application will be denied — that worry is substantially reduced. You can apply for opportunities, answer questions, and move through everyday life without that particular anxiety running in the background.

SIDEBAR: NOT PERFECT — BUT POWERFUL

Non-disclosure is not as complete as expunction. But it removes the barriers that matter most in daily life: the ones that affect employment, housing, and peace of mind. For many people, it is exactly the relief they need.

Closing Thoughts

Not everyone qualifies for expunction. But that does not mean your options are exhausted. Non-disclosure provides a meaningful and often life-changing path forward. It may not erase your record completely — but it does something that matters enormously for most people’s daily lives: it removes the record from public view and allows you to move forward without your past standing in the way.

SIDEBAR: THE BOTTOM LINE

Expunction = best outcome. Non-disclosure = strong second option. Both can change your future. The question is which one you qualify for — and how to pursue it correctly.

In the next chapter, we will look at who qualifies for non-disclosure and how to determine whether this option is right for your situation.

The following guide shows you exactly what to say — and how to say it — once your record has been cleared or sealed.

INTERVIEW ANSWER SCRIPT GUIDE

*What to Say — and How to Say It — After
Your Record Is Cleared or Sealed*

If Your Record Was Expunged

“Have you ever been arrested or charged?” ⇒ “No.”

That is the complete answer. No explanation is needed, no follow-up is required. If pressed: “There is nothing on my record.” Keep it short and stay confident.

If Your Record Was Sealed (Non-Disclosure) – Private Employer

“Have you ever been arrested or charged?” ⇔ “No.”

This applies in most standard job applications and interviews. If you want a slightly expanded answer. “There is nothing that affects my ability to do this job.” This keeps the focus on your qualifications.

If Disclosure Is Required (Government or Licensing Situations)

“There was a matter in the past that has been resolved. I have completed all requirements, and it does not affect my ability to perform in this role.”

This answer is honest, professional, and forward-focused. It acknowledges the past without dwelling on it and redirects attention to your readiness for the position.

How to Deliver Your Answer

- Stay calm and take a breath before answering
- Keep eye contact – confidence matters
- Do not rush or fill silence with extra words
- Do not apologize unnecessarily
- Do not bring up the topic if you were not asked

What NOT to Do

- Ramble or over-explain
- Volunteer details that were not asked for
- Sound hesitant or uncertain
- Bring it up before you are asked
- Apologize or frame yourself negatively

TOP 5 MISTAKES WHEN ANSWERING BACKGROUND QUESTIONS

1. Saying Too Much

⇒ Problem: Volunteering extra details raises unnecessary concerns and invites follow-up questions you do not need to answer.

☑ Fix: Answer only what is asked. Keep your response short and direct.

2. Sounding Unsure

⇒ Problem: Hesitation or a nervous tone creates doubt even when none is warranted.

☑ Fix: Prepare your answer in advance so you can deliver it clearly and confidently.

3. Volunteering Information That Was Not Asked For

⇒ Problem: Bringing up your record when no one asked introduces an issue that would not otherwise have existed.

☑ Fix: Only respond to direct questions. Let your qualifications speak first.

4. Not Knowing Your Rights

⇒ Problem: Uncertainty about whether you can say “No” leads to over-disclosure in situations where none is required.

☑ Fix: Know your expunction or non-disclosure status before any interview or application.

5. Over-Apologizing

⇒ Problem: Framing your answer apologetically shifts the focus away from your strengths and toward your past.

☑ Fix: Stay neutral and forward-focused. The goal is to present your future, not explain your history.

The Right Approach

Keep answers short. Stay confident. Focus on your qualifications. Move the conversation forward. Answer the question — then stop.

Chapter 7 FAQs

FAQ 1: What is non-disclosure in plain terms?

Non-disclosure is a legal process that seals your record so it is no longer visible to the public. The record continues to exist in government systems, but access to it is formally restricted for most everyday purposes.

FAQ 2: Is non-disclosure the same as expunction?

No. Expunction erases the record entirely. Non-disclosure seals it from public view while keeping it accessible to law enforcement and certain government entities. Both are valuable forms of relief, but they work differently and provide different levels of protection.

FAQ 3: Can employers see my record after non-disclosure?

In most cases, no. Standard employer background checks rely on public records and should not surface a sealed case. This is one of the most significant practical benefits of non-disclosure.

FAQ 4: Can landlords see my record after non-disclosure?

Usually not. Landlords typically use consumer background check services that draw from public records.

After non-disclosure, a sealed case should not appear in those reports.

FAQ 5: Who can still see my record after non-disclosure?

Law enforcement, certain government agencies, and some professional licensing boards retain the ability to access sealed records. For most everyday situations, the record will not be visible to anyone outside of those categories.

FAQ 6: Can I say I was never arrested after non-disclosure?

In most everyday situations, yes. You can generally answer “no” on job applications, housing applications, and most background check forms. There are exceptions for government employment, law enforcement applications, and certain licensing situations, where disclosure may still be required.

FAQ 7: Do I have to explain my case in a job interview?

Usually not. If your record is sealed, you are generally not required to bring it up. If you are asked directly in a context where you can say no, answer briefly and move on. There is no benefit to volunteering more information than the question requires.

FAQ 8: Will my record still exist somewhere after non-disclosure?

Yes. Non-disclosure seals the record — it does not destroy it. The record remains in government systems but is blocked from public view and from most standard background check reports.

FAQ 9: Is non-disclosure worth pursuing if the record is not erased?

For most people, yes. The practical barriers that a criminal record creates — in employment, housing, and daily life — are

addressed by non-disclosure even though the underlying record continues to exist. Removing those barriers is the goal, and non-disclosure typically accomplishes it.

FAQ 10: Will my record show up in online searches after non-disclosure?

In most cases, no. Public databases should no longer display the record after non-disclosure, and most consumer background check services should not report it. Some private websites may temporarily retain outdated information, but without an active public record to draw from, those listings become much easier to address.

FAQ 11: What is the biggest benefit of non-disclosure?

For most people it is the combination of privacy and practical access – the ability to apply for jobs and housing without a past arrest defining the outcome, and the peace of mind that comes from knowing the record is no longer a public document.

FAQ 12: What is the biggest limitation of non-disclosure?

Certain government agencies and licensing boards can still access sealed records. For people whose careers involve government employment, law enforcement, or regulated professions that require licensing, this limitation has more practical significance than it would for others.

FAQ 13: Can I still build a career after non-disclosure?

Yes – and typically with considerably better results than before. The barriers that non-disclosure removes are real, and so are the opportunities that open up once they are gone.

FAQ 14: Is non-disclosure permanent?

Yes. Once granted, a non-disclosure order permanently seals your record from public view. There is no expiration on that protection.

FAQ 15: What should I do next?

If non-disclosure may apply to your situation, the next step is determining whether you qualify. The following chapter covers eligibility for non-disclosure in detail so you can understand whether this option is available to you.

CHAPTER 8

WHO QUALIFIES FOR NON-DISCLOSURE

The last chapter explained what non-disclosure does. It seals your record from public view, removes it from most background checks, and allows you to move forward without a past arrest defining your opportunities. The next question is the one that matters most to most readers: do you qualify?

Eligibility for non-disclosure depends on several factors: how your case ended, the nature of the offense, whether you completed probation, and whether your case meets the specific statutory requirements that apply to your situation. The encouraging reality is that many people who do not qualify for expunction do qualify for non-disclosure. This chapter walks through the most common scenarios so you can understand where your case is likely to fall.

8.1 Deferred Adjudication Cases

SIDEBAR: THE MOST COMMON SCENARIO

Many people who qualify for non-disclosure followed this path: arrested, placed on deferred adjudication, and successfully completed probation. If that describes your situation, non-disclosure is likely the correct and available option for you.

What Deferred Adjudication Means

Deferred adjudication is a form of probation that allows a person to avoid a formal conviction by pleading guilty or no contest, completing a defined period of supervision, and satisfying all court-imposed conditions. When probation is completed successfully, no conviction is entered. The case is closed without a guilty verdict on the record.

That sounds like a resolution – and in the criminal sense, it is. But it does not clear the arrest or the case from background check systems. The record of what happened still exists and still appears in searches until affirmative legal action is taken to seal it.

SIDEBAR: DEFERRED ADJUDICATION MYTH

Myth: “I finished probation, so my record is clear.”

Reality: Completing probation closes the criminal case but does not seal the record. The arrest and case still appear in background checks. Non-disclosure is what removes that visibility.

When Deferred Adjudication Qualifies for Non-Disclosure

Successfully completing deferred adjudication is the most common basis for a non-disclosure petition. If you finished your

probation, satisfied all court conditions, and avoided violations that led to revocation, you may be in a strong position to seek non-disclosure. The specific eligibility rules depend on the type and level of the offense, but for a wide range of misdemeanor and some felony cases, successful completion of deferred adjudication opens the door to sealing the record.

SIDEBAR: COMPLETION MATTERS

Eligibility for non-disclosure requires that probation was completed successfully, all court conditions were satisfied, and no violations resulted in revocation. An incomplete or revoked probation typically affects eligibility in a significant way.

Waiting Periods After Deferred Adjudication

In most cases, a waiting period applies after probation ends before a non-disclosure petition can be filed. The length of that period depends on the offense level and the specific facts of the case. Some misdemeanor cases may allow filing immediately after completion; others require a waiting period of one to two years. Felony cases typically involve longer waiting periods. Filing before the applicable period has elapsed will result in denial.

Early Termination of Probation

If your probation was terminated early by the court, you may still qualify for non-disclosure depending on the circumstances. Early termination is generally treated favorably, but whether it affects the waiting period calculation and the eligibility determination requires a case-specific review.

8.2 DWI Non-Disclosure Rules

SIDEBAR: DWI IS NO LONGER ALWAYS DISQUALIFIED

DWI cases used to be categorically ineligible for non-disclosure under Texas law. That changed. Some first-time DWI cases now qualify — but the rules are stricter than for other offense types, and each case must be carefully evaluated.

When DWI Cases May Qualify

Under current Texas law, non-disclosure is available for certain DWI cases that were resolved through probation. Most eligible cases involve first-time offenses with no prior related criminal history, successful completion of all probation requirements, and the absence of aggravating factors such as an accident involving another person.

Additional Requirements and Conditions

DWI non-disclosure cases are subject to additional conditions that do not apply to most other offense types. These include limits related to blood alcohol content at the time of the offense, requirements that no passenger under a certain age was present, and in some cases the use of an ignition interlock device. Whether your DWI case meets all applicable conditions requires a careful review of the specific facts.

Waiting Periods for DWI

Waiting periods for DWI non-disclosure cases are generally longer than those for other misdemeanor offenses. Depending on the circumstances and the type of sentence received, the waiting period can range from two to five years or more after

the completion of probation. This is one of the reasons that timing evaluation is especially important in DWI cases.

Why DWI Rules Are Stricter

DWI is treated with particular caution under Texas law because of its direct connection to public safety. The legislative framework reflects a policy judgment that DWI offenses carry ongoing public safety implications that warrant additional scrutiny before a record is sealed. That does not make relief unavailable – but it does mean that eligibility must be confirmed carefully and that filing incorrectly carries a higher cost.

Common Mistakes in DWI Cases

The two most common errors in DWI non-disclosure cases are assuming ineligibility without checking current law, and assuming eligibility without verifying that all specific conditions are met. Both mistakes lead to outcomes that could have been avoided. DWI cases should not be evaluated based on general rules alone.

8.3 Felony vs. Misdemeanor Eligibility

The classification of your offense plays a significant role in determining whether non-disclosure is available and, if so, under what conditions.

SIDEBAR: MISDEMEANOR VS. FELONY

Misdemeanors → more likely to qualify, shorter waiting periods, less restrictive rules.

Felonies → more limited eligibility, stricter requirements, longer waiting periods.

The level of your offense matters. But felony cases are not automatically excluded.

Misdemeanor Cases

The majority of non-disclosure cases involve misdemeanor offenses. Misdemeanors are more likely to qualify, subject to shorter waiting periods, and governed by less restrictive eligibility rules than felony cases. That said, not every misdemeanor qualifies — the specific type of offense and any disqualifying factors still need to be considered.

Felony Cases

Felony cases face more significant limitations. Non-disclosure is available for some felonies resolved through successful deferred adjudication, but the eligibility rules are narrower, the waiting periods are longer, and certain categories of felony offenses are categorically excluded. Whether a specific felony qualifies depends on the particular offense, how it was resolved, and whether any disqualifying circumstances apply.

The Effect of Reduced Charges

If your original charge was reduced — whether from a felony to a misdemeanor or from a more serious classification to a lesser one — the final charge is what controls the eligibility analysis, not the original accusation. A reduction in charge level can meaningfully improve your eligibility for non-disclosure.

SIDEBAR: REDUCED CHARGE ADVANTAGE

If your case was reduced from a felony to a misdemeanor or from a more serious offense to a lesser one, the final charge — not the original accusation — is what matters for eligibility. A charge reduction can significantly improve your options.

Evaluating Your Case

The key factors to focus on are the final charge as entered in the court record, the final outcome of the case, and the type of resolution. Working backward from what is actually in the court record – rather than from memory of what was originally alleged – is the right starting point for understanding your eligibility.

8.4 Specialty Courts and Veterans Programs

Not every criminal case is resolved through the standard prosecution track. Texas courts operate a range of specialized programs designed to address underlying issues – addiction, mental health, military service-related circumstances – that may have contributed to the offense. These programs can create meaningful pathways to non-disclosure.

SIDEBAR: SPECIALTY COURTS CAN HELP

If you successfully completed a drug court, mental health court, or veterans treatment court program, you may have a strong path to non-disclosure. Program completion demonstrates rehabilitation and compliance — both of which support eligibility.

Drug Court and Mental Health Court

Drug courts and mental health courts offer intensive supervision and treatment-focused alternatives to traditional prosecution. Participants who complete these programs successfully often have cases resolved in ways that allow for non-disclosure. The specific eligibility rules depend on the program, the underlying offense, and how the case was formally resolved at the conclusion of the program.

Veterans Treatment Courts

Veterans treatment courts are designed specifically for military veterans and service members whose offenses are connected to service-related challenges — including PTSD, traumatic brain injury, and substance use. Successful completion of a veterans treatment court program frequently creates a strong basis for non-disclosure, and these programs are structured with an understanding that the underlying circumstances often warrant a path to a clean record.

Why Completion Matters

In all specialty court programs, successful completion is the gateway to non-disclosure eligibility. A partial completion or an exit from the program before finishing does not carry the same legal weight as a completed program. Whether your specific program completion supports a non-disclosure petition depends on the program structure and the terms of your case resolution.

Unique Rules for Each Program

Each specialty court program operates under its own guidelines, and the non-disclosure rules that apply at the conclusion of the program are not always identical. Understanding the specific rules that apply to your program and your case outcome is important before taking any action.

8.5 Disqualifying Offenses

Not every case qualifies for non-disclosure, and some offense categories are specifically excluded under Texas law. Understanding these limitations is just as important as understanding what qualifies.

SIDEBAR: DISQUALIFYING OFFENSES

Some cases cannot be sealed under Texas law, including many family violence cases, certain sex offenses, offenses that require registration, and violent crimes involving serious harm. These restrictions are based on public safety policy — and they are strictly applied.

Family Violence Cases

Family violence offenses are among the most common disqualifiers for non-disclosure. Texas law reflects a strong policy position that records of family violence should generally remain accessible to protect potential future victims. Whether a specific case qualifies as family violence for purposes of non-disclosure eligibility depends on how the case was charged and resolved, and in some situations the analysis is not straightforward.

Sex Offenses and Registration Requirements

Offenses that require sex offender registration are categorically ineligible for non-disclosure. The ongoing registration requirement reflects a legislative determination that these cases carry public safety implications that outweigh the individual interest in a sealed record. Cases that do not require registration may still qualify depending on the specific offense and how it was resolved.

Violent Offenses

Certain violent offenses involving serious physical harm are also among the disqualifying categories. The policy rationale is similar to that for family violence and sex offenses: public safety

concerns associated with these cases are treated as outweighing the benefits of sealing the record. As with other disqualifiers, the specific classification of the offense and the circumstances of the case determine whether this exclusion applies.

Prior Criminal History

Prior offenses can affect non-disclosure eligibility even when the case at issue would otherwise qualify. A pattern of prior offenses, prior convictions that exceed applicable limits, or a prior non-disclosure order for a different case can all affect the eligibility analysis. This is one of the reasons that a full review of your criminal history – not just the single case you are focused on – is important.

What to Do If Your Case Does Not Qualify

If your case involves a disqualifying offense or other factor that prevents non-disclosure, that does not mean nothing can be done. Other legal options may exist depending on the circumstances. Laws change over time, and situations that were ineligible under older rules occasionally become eligible under new ones. And even when no current option exists, understanding your position clearly is better than assuming and waiting without information.

Closing Thoughts

The key takeaway from this chapter is that eligibility for non-disclosure is broader than most people expect. Many people who do not qualify for expunction do qualify for non-disclosure – and many people who assume they cannot qualify are simply wrong about that assumption. The specific rules

depend on how your case ended, what type of offense was involved, and whether any disqualifying factors apply.

SIDEBAR: DON'T ASSUME YOU DON'T QUALIFY

The most common eligibility mistake is assuming you cannot qualify without ever checking. Eligibility is often broader than people expect, and the consequences of not pursuing available relief are real. If you are unsure, find out.

SIDEBAR: THE BOTTOM LINE

*No expunction? You may still qualify for non-disclosure.
Completed probation? You likely have a strong starting point.
Unsure? Get clarity before you assume the answer is no.*

In the next chapter, we take a closer look at waiting periods and timing for non-disclosure so you understand not just whether you qualify – but when you can take action.

Use the self-check below to get a general sense of where your situation stands.

DO I QUALIFY FOR NON-DISCLOSURE?

A Simple 60-Second Self-Check

Answer each question to get a general sense of where you stand. If you're unsure about any answer, that's common – note it and move on.

Step 1: How Did Your Case End?

- I completed deferred adjudication (probation) successfully.
- My case was dismissed or I was found not guilty.

- I was convicted.
- I'm not sure how my case ended.

If you completed deferred adjudication, continue to Step 2. If dismissed or not guilty, you may qualify for expunction instead – see Chapter 4. If you're unsure, an attorney can pull your records and clarify.

Step 2: Did You Successfully Complete All Probation Requirements?

- Yes – I completed everything with no major violations.
- I had some violations but still completed probation.
- My probation was revoked before I finished.
- I'm not sure.

Successful completion is required. Violations may affect eligibility, and a revoked probation typically disqualifies the case.

Step 3: What Type of Offense Was Involved? (Check all that apply)

- Misdemeanor (minor offense)
- Felony
- DWI or DUI
- Drug-related offense
- Assault or family violence
- I'm not sure of the offense level.

Misdemeanors are most commonly eligible. Felonies and DWI cases have stricter rules. Family violence cases are often disqualified.

Step 4: How Many Cases Do You Have?

- This was my only case.

- I have had more than one case or arrest.
- I'm not sure of my full history.

Multiple cases don't automatically disqualify you, but they can affect eligibility and may require separate evaluations.

Step 5: Did Your Case Involve Any of the Following?

- Family violence allegation
- Sex offense or registration requirement
- Violent offense involving serious injury
- DWI with an accident involving injury
- None of the above
- I'm not sure.

These factors can disqualify a case from non-disclosure. If you checked one or more, eligibility may be limited – but a proper evaluation is still worthwhile.

Step 6: How Long Ago Did Your Case End?

- Less than 6 months ago
- 6 months to 1 year ago
- 1 to 2 years ago
- More than 2 years ago
- I'm not sure.

Waiting periods apply in most non-disclosure cases. The clock typically starts when probation ends. Filing before the waiting period has elapsed can result in denial.

What Your Answers Suggest

Strong Candidate for Non-Disclosure

You completed deferred adjudication successfully, your case does not involve a disqualifying offense, and your waiting period has likely elapsed. You may be well-positioned to file for non-disclosure.

Possible Eligibility — Needs Closer Review

You may still qualify, but factors such as multiple cases, a DWI, unclear case details, or a recent completion date mean a more careful review is needed before any filing.

Limited or Restricted Eligibility

Your case may involve a disqualifying offense, an incomplete probation, or other factors that limit availability of non-disclosure. Even so, other options may still exist — do not assume nothing can be done.

Many people qualify and don't realize it. Many others assume they don't qualify — and are wrong.

The only way to know for certain is a proper evaluation of your specific case.

The timeline below shows what to expect from the point your case ends through the final sealing of your record.

NON-DISCLOSURE TIMELINE

What to Expect From Start to Finish

Step 1: Case Completion (*Starting Point*)

- Successfully complete deferred adjudication probation
- All court requirements satisfied – no outstanding obligations
- No unresolved violations or open issues



Step 2: Waiting Period (*Varies by Case*)

- Certain misdemeanors: no waiting period required
- Most other misdemeanors: up to 2 years from case completion
- DWI cases: typically 2 to 5 years depending on circumstances
- Some felony cases: up to 5 years
- The clock generally starts when probation ends



Step 3: Eligibility Window Opens (*After Waiting Period*)

- All timing requirements have been met
- No disqualifying factors apply to the case
- This is the earliest safe point to take action



Step 4: Case Evaluation and Petition Preparation (*1–2 Weeks*)

- Confirm eligibility based on current law
- Gather all required case details and documentation
- Draft the non-disclosure petition accurately



Step 5: Filing with the Court (*Week 2*)

- Petition is officially filed with the appropriate court

- ☑ Court assigns a case number and initiates review
- ☑ All required parties are notified



Step 6: Court Review (3–8 Weeks)

- ☑ Judge reviews the petition for eligibility
- ☑ No hearing is required in many straightforward cases
- ☑ Properly filed cases typically proceed without complications



Step 7: Order of Non-Disclosure Granted (Immediately After Approval)

- ☑ Court signs and issues the non-disclosure order
- ☑ Record is officially sealed by court order
- ☑ This is the legal turning point in the process



Step 8: Agencies Update Records (2–8 Weeks After Order)

- ☑ Public databases are updated to reflect the sealed status
- ☑ Background check systems refresh over the following weeks
- ☑ Record is no longer visible in public searches



Step 9: Your Record Is Sealed (Final Result)

- ☑ Most employers cannot see the case
- ☑ Most landlords cannot see the case
- ☑ Standard background checks should come back without it
- ☑ The record still exists in government systems but is not public

🕒 **Typical Total Timeline**

Waiting period: 0 to 5+ years depending on case type and offense level

From filing to completion: approximately 1 to 3 months

⊙ **Key Differences from Expunction**

- Longer waiting periods apply in most cases
- Record is sealed, not destroyed – certain agencies retain access
- Most of the wait happens before filing, not during the court process

Chapter 8 FAQs

FAQ 1: What is the most common basis for qualifying for non-disclosure?

Successfully completing deferred adjudication probation. This is the most common and most straightforward path to non-disclosure eligibility for the majority of people who seek it.

FAQ 2: Do I qualify if I completed deferred adjudication?

In many cases, yes – but eligibility also depends on the type and level of the offense, your full criminal history, and whether any disqualifying factors apply. Successful completion is necessary but not automatically sufficient.

FAQ 3: Is my record automatically sealed when I finish probation?

No. Completing probation closes the criminal case but does not seal the record. You must file a separate non-disclosure petition and obtain a court order to seal the record from public view.

FAQ 4: Can I get non-disclosure for a DWI?

In some cases, yes. Current Texas law allows non-disclosure for certain first-time DWI cases that were resolved through

probation and meet specific additional conditions. Eligibility is not automatic and requires a careful review of the facts.

FAQ 5: Do all misdemeanors qualify for non-disclosure?

Not all of them, but many do. The specific type of offense, the outcome of the case, and your criminal history all factor into the analysis. Misdemeanors are generally more likely to qualify than felonies, but the details still matter.

FAQ 6: Can felony cases qualify for non-disclosure?

Some can. Non-disclosure is available for certain felonies resolved through successful deferred adjudication, but the rules are stricter, the waiting periods are longer, and some categories of felony offense are categorically excluded.

FAQ 7: What if my charge was reduced?

The final charge — not the original accusation — controls the eligibility analysis. A reduction in charge level can meaningfully improve your options for non-disclosure.

FAQ 8: What if I completed a specialty court program like drug court or veterans court?

Successful completion of a specialty court program can create a strong basis for non-disclosure eligibility. The specific rules depend on the program structure, the underlying offense, and how the case was formally resolved at the end of the program.

FAQ 9: What offenses are disqualified from non-disclosure?

Common disqualifiers include many family violence cases, sex offenses that require registration, certain violent offenses

involving serious harm, and some other specifically excluded offense categories under Texas law.

FAQ 10: Does my prior criminal history affect eligibility?

Yes. Prior offenses, prior convictions, and in some cases prior non-disclosure orders for other cases can all affect whether your current case qualifies and what waiting periods apply.

FAQ 11: What if I have more than one case?

Each case may need to be evaluated separately. You may qualify for non-disclosure for one and not another, or the existence of multiple cases may affect the eligibility analysis for each. A full review of your history is the right starting point.

FAQ 12: What if I'm not sure how my case ended?

That is very common. An attorney can pull your court records, determine the exact outcome of your case, and evaluate your eligibility based on the actual facts rather than your recollection.

FAQ 13: What is the biggest mistake people make about non-disclosure eligibility?

Assuming they do not qualify without checking. This leads to years of carrying a record that could have been sealed, and missing opportunities that a proper evaluation would have revealed.

FAQ 14: Is non-disclosure worth pursuing even though the record is not erased?

For most people, yes. The practical barriers that a visible record creates – in employment, housing, and daily life – are

substantially addressed by sealing the record even though it continues to exist in government systems.

FAQ 15: What should I do next?

The next step is understanding when you can file. The following chapter covers waiting periods and timing rules for non-disclosure so you know not just whether you qualify – but when you can take action.

CHAPTER 9

WAITING PERIODS FOR NON-DISCLOSURE

Qualifying for non-disclosure is the first half of the equation. Knowing when you can actually file is the second — and it matters just as much. Just as with expunction, timing is not simply a procedural detail in non-disclosure cases. It is a variable that can determine whether your petition is approved smoothly or denied outright.

The waiting period rules for non-disclosure are distinct from those governing expunction, and they are not uniform across offense types. Some cases allow filing immediately after probation ends. Many others require a waiting period that can range from one year to five or more. Understanding where your case falls in that spectrum — and calculating your timing correctly — is what this chapter is about.

9.1 Immediate Eligibility vs. Delayed Eligibility

SIDEBAR: THE MOST IMPORTANT TIMING RULE

Just because you qualify for non-disclosure does not mean you can file yet. Eligibility and timing are separate questions, and both must be answered correctly before a petition is submitted.

Two Different Questions

There is an important and commonly overlooked distinction between qualifying for non-disclosure and being ready to file for it. Qualifying is determined by how your case ended – deferred adjudication successfully completed, offense type eligible, no disqualifying factors. Readiness to file is determined by whether the applicable waiting period has elapsed. You can satisfy one without satisfying the other, and confusing the two is one of the most frequent and avoidable mistakes in this process.

Immediate Eligibility

In certain cases, you may be able to file for non-disclosure as soon as your probation period ends. This typically applies to qualifying low-level misdemeanor offenses that meet specific statutory criteria. When immediate eligibility applies, completing deferred adjudication and obtaining a non-disclosure order can follow each other relatively quickly – which is the most efficient path available.

Delayed Eligibility

For the majority of non-disclosure cases, however, a waiting period applies after probation ends before the petition can be filed. This is true for most misdemeanor offenses above

the lowest level, for all DWI cases that qualify, and for felony cases. The length of that waiting period depends on the specific offense type and the applicable statute, and it must be calculated accurately to avoid a denial.

SIDEBAR: THE STARTING POINT

Your waiting period begins when probation ends — not when you were arrested, not when charges were filed, and not when the case was closed in court. Many people calculate from the wrong date and file prematurely as a result.

Why Waiting Periods Exist

Waiting periods serve a purpose beyond procedural formality. They give the system time to confirm that all probation conditions have been genuinely satisfied, that no compliance issues have surfaced post-completion, and that the case is truly and finally closed. From the legislature’s perspective, the waiting period is a built-in buffer that separates the end of supervision from the sealing of the record.

How to Identify Your Earliest Filing Date

The starting point for calculating your filing window is the exact date your probation was completed, as reflected in the court record. From that date, the applicable waiting period is added based on your offense type. The result is the earliest date on which a petition can be filed without risk of denial. Getting that calculation right is critical, because filing even slightly before that date produces the same result as filing months early.

9.2 Waiting Periods by Offense Type

The specific waiting period that applies to your case depends primarily on the type and level of the offense. There is no single timeline that applies to all non-disclosure cases.

Misdemeanors with No Waiting Period

Certain qualifying misdemeanor offenses — typically the lowest-level offenses that meet all statutory requirements — allow the non-disclosure petition to be filed immediately after probation is completed. These cases represent the fastest path through the non-disclosure process, and for people who qualify, the gap between completing probation and having a sealed record can be relatively short.

Misdemeanors with Mandatory Waiting Periods

Most misdemeanor cases above the lowest level carry a mandatory waiting period after probation ends, often up to two years. The specific length depends on the offense classification and the statutory rules that apply to it. During that waiting period, the case remains visible in background checks, which is one of the reasons that identifying your exact filing date as early as possible is worth doing.

SIDEBAR: THE CLOCK CAN BE CONFUSING

Your waiting period depends on your probation completion date, the offense type, and the specific statutory rule that applies. Calculating from the wrong date — or applying the wrong rule — can result in filing prematurely and triggering a denial that sets your case back.

DWI Cases

DWI non-disclosure cases operate under their own set of timing rules, which are stricter than those for most other offenses. Eligible first-time DWI cases typically face a waiting period of either two years or five years, depending on the specific facts of the case, including the blood alcohol level at the time of the offense and whether any additional conditions were imposed. These timelines are not interchangeable, and applying the wrong one is a consequential error.

SIDEBAR: DWI TIMING IS DIFFERENT

DWI non-disclosure cases carry longer waiting periods and more conditions than most other misdemeanor cases. The standard misdemeanor timeline does not apply. Each DWI case must be evaluated under the specific rules that govern that offense type.

Felony Cases

Non-disclosure is available for only a limited subset of felony cases, and when it does apply, the waiting period is typically up to five years from the completion of probation. The combination of limited eligibility and longer waiting periods means that timing planning is especially important for felony non-disclosure cases. Filing a day early carries the same consequences as filing a year early — denial and the need to start over.

When the Clock Starts



In virtually all non-disclosure cases, the waiting period begins when probation ends — not when the arrest occurred, not when charges were filed, and not when the court formally

closed the case. This is one of the most frequently misunderstood aspects of the timing rules, and it is one of the most consequential. A person who calculates their waiting period from the date of arrest instead of the date of probation completion will arrive at a filing date that is too early, often by a significant margin.

The Waiting Period Chart

The chart below summarizes the most common scenarios and their applicable waiting periods. Treat it as a starting framework – then verify your specific situation before filing.

Deferred Adjudication – Most Common Cases		
Situation	Waiting Period	Notes
Certain low-level misdemeanors	No waiting period	Can file immediately after probation ends
Most other misdemeanors	Up to 2 years	Clock starts when probation is completed
Felony (eligible cases only)	Up to 5 years	Stricter rules; not all felonies qualify
Most people must wait even after finishing probation. Completion ends the case – it does not start the filing clock.		
DWI Non-Disclosure		
Situation	Waiting Period	Notes
First-time DWI, lower BAC, eligible case	2 years	Must meet all specific statutory conditions
First-time DWI, higher BAC or added conditions	5 years	More restrictive; careful verification required
Repeat DWI or disqualifying circumstances	<input checked="" type="checkbox"/> Not eligible	Non-disclosure unavailable in most repeat cases
DWI cases follow stricter timing rules than most offenses. Do not assume the standard misdemeanor timeline applies.		

Immediate Eligibility Situations		
Situation	Waiting Period	Notes
Qualifying low-level misdemeanors	None – file immediately after probation	Verify your specific offense qualifies
Certain specialty court completions	None or reduced	Depends on program type and offense; confirm before filing
Immediate eligibility is available in some cases – but it is the exception, not the rule. Always verify before filing.		
Disqualifying Situations – Non-Disclosure Not Available		
Situation	Waiting Period	Notes
Family violence cases (most)	<input checked="" type="checkbox"/> Not eligible	Statutory exclusion regardless of timing
Sex offenses requiring registration	<input checked="" type="checkbox"/> Not eligible	Registration requirement is a categorical bar
Certain violent offenses	<input checked="" type="checkbox"/> Not eligible	Public safety exclusion; no waiting period applies
Some cases cannot be sealed under any circumstances. Timing is not relevant when the offense itself is disqualifying.		
<p style="text-align: center;"> When Does the Clock Start?</p> <p>Your waiting period begins when probation ends – not when you were arrested, not when charges were filed, and not when the case closed in court. Calculating from the wrong date is one of the most common timing errors.</p> <p> Filing too early = denied. <input checked="" type="checkbox"/> Filing at the right time = best result.</p>		

9.3 Early Filing Mistakes

Premature filing is the single most common timing error in non-disclosure cases, and it is entirely avoidable with the right information.

SIDEBAR: THE MOST COMMON MISTAKE

Filing too early is the most frequent, most frustrating, and most avoidable timing error in non-disclosure cases. It does not accelerate the process. It resets it.

What Happens When You File Too Early

If you file before the applicable waiting period has elapsed, the court will deny the petition. That denial is not a minor setback that can be corrected by resubmitting with a minor change. It means starting the process over entirely — refile when you are actually eligible, repaying court fees that are not typically refunded, and accepting that your record will remain visible for the additional weeks or months it takes to complete a fresh filing.

SIDEBAR: FILING TOO EARLY = RESET BUTTON

A premature filing results in denial, lost filing fees, and the need to refile from scratch once the waiting period has actually elapsed. The time lost is real, and the record stays visible throughout. Early filing does not speed things up — it delays them.

Common DIY Calculation Errors

Among people who attempt to file without professional assistance, the most common errors involve miscalculating the waiting period start date, applying the wrong waiting period for the offense type, or using an incorrect probation completion date. Each of these errors leads to the same result: a premature filing and a denied petition. The rules are specific enough that a small mistake in the calculation produces the same outcome as filing far too early.

Why “Trying Your Luck” Backfires

It is tempting to reason that filing a little early probably does not matter, or that the court might overlook a minor timing issue. In practice, courts apply these requirements as written. A petition filed before the waiting period has elapsed will not

be approved out of sympathy or procedural leniency. The cost of guessing wrong is a denial and a delayed fresh start.

9.4 Strategic Considerations

Knowing the rules is the foundation. Using them thoughtfully is what produces the best result.

Choosing the Right Filing Date

The goal is to file at the earliest date on which the petition can be submitted without risk of denial — after the waiting period has fully elapsed, with all eligibility requirements confirmed, and with the petition accurate and complete. In most cases, that is also the optimal date. But in some situations, a slightly later filing produces a cleaner result, and understanding when that is true is part of approaching timing strategically rather than mechanically.

When Waiting Slightly Longer Can Help

There are situations where a brief additional wait beyond the minimum period simplifies the case. If records across agencies have not yet fully updated to reflect the completion of probation, a slightly later filing may encounter less friction. If multiple charges are involved, waiting until all qualifying charges reach their respective filing windows may allow the entire matter to be addressed in a single coordinated petition rather than in separate filings.

SIDEBAR: WAITING TOO LONG HAS A COST TOO

Timing works in both directions. Filing too early risks denial. But waiting unnecessarily beyond the point when you are ready to file means your record remains visible during that additional time — while job opportunities, housing applications, and other prospects pass by.

Coordinating Multiple Cases

If your history involves more than one case, each may carry its own waiting period and its own eligibility determination. Some cases may become eligible to file before others. Whether it makes more sense to file each as it becomes eligible or to wait and address all qualifying cases together in a coordinated approach depends on the specific circumstances. An attorney can evaluate that question based on your full history and the practical considerations involved.

SIDEBAR: MULTIPLE CASES = MULTIPLE TIMELINES

If you have more than one case, each may have its own waiting period and its own eligibility rules. Coordinating the timing of multiple filings requires a case-by-case analysis — there is no automatic rule that applies equally to all of them.

Planning Around Life Goals

Strategic timing also means aligning your filing with events that matter in your life. If you know you will be applying for a job that requires a background check in the coming months, pursuing a professional license, or entering a new housing situation, building your filing timeline around those milestones is both practical and sensible. The process takes time, and planning for it proactively — rather than reactively — gives you the most control over when the benefits arrive.

How Attorneys Approach Timing

An experienced attorney will calculate your exact waiting period based on your specific probation completion date and offense type, identify the earliest safe filing date, account for any coordination needed across multiple cases, and ensure the petition is filed correctly the first time. The difference between a

correctly timed and correctly filed petition and one that misses a date or contains an error is the difference between a smooth process and one that takes considerably longer than it needed to.

Closing Thoughts

Timing can determine success or delay just as decisively as eligibility can. You may qualify for non-disclosure in every meaningful legal sense, but filing before the waiting period has fully elapsed produces a denial that pushes the process back and keeps your record visible in the meantime. The goal is not to move as quickly as possible — it is to move at the right time.

SIDEBAR: THE BOTTOM LINE

Too early = denied.

Too late = missed opportunities.

Right time = best result.

Most delays in non-disclosure cases happen not because of eligibility problems but because of timing errors — nearly all of which are avoidable.

In the next chapter, we walk through the step-by-step process of filing for non-disclosure so you understand exactly what to expect from start to finish.

Chapter 9 FAQs

FAQ 1: Why do I have to wait to file for non-disclosure?

Because the law imposes a waiting period after probation ends to confirm that all conditions have been satisfied and the case is fully closed. The waiting period is part of the statutory framework, not a procedural suggestion.

FAQ 2: When does my waiting period start?

In most cases, it starts when you complete probation — not when you were arrested, not when charges were filed, and not when the court entered the final order closing the case. Using the wrong start date is one of the most common calculation errors.

FAQ 3: Can I file immediately after finishing probation?

In some cases, yes. Certain qualifying low-level misdemeanor cases allow immediate filing after probation ends. But for most cases — including most misdemeanors, all DWI cases, and all felony cases — a waiting period applies.

FAQ 4: How long is the waiting period?

It depends on your offense type. Some qualifying misdemeanors have no waiting period. Others require up to two years. DWI cases typically require two to five years depending on the specific facts. Felony cases typically require up to five years. Each situation must be evaluated individually.

FAQ 5: What happens if I file too early?

Your petition will be denied. You will lose your filing fee, and you will need to wait until you are actually eligible and then refile from scratch. Filing early does not accelerate the process — it delays it.

FAQ 6: Can I just try filing early to see what the court says?

That is not advisable. Courts apply the timing requirements as written, and a petition filed before the waiting period has elapsed will be denied regardless of the strength of the underlying eligibility. The cost of a premature filing is real.

FAQ 7: Is there a deadline after which I can no longer file?

In most cases, no. Your eligibility does not expire because time has passed. However, the longer you wait after becoming eligible, the longer your record remains visible in background checks – which has its own practical cost.

FAQ 8: What if I have more than one case?

Each case carries its own waiting period and eligibility determination. Some cases may become eligible to file before others. Whether to file them separately or coordinate them into a single filing strategy requires a case-by-case analysis.

FAQ 9: Can waiting longer than the minimum improve my situation?

In some situations, yes. A brief additional wait can allow records to fully update, reduce the chance of procedural complications, and in some multi-case situations allow a more coordinated approach. Whether this applies depends on your specific circumstances.

FAQ 10: Are DWI waiting periods different from other cases?

Yes, significantly. DWI non-disclosure cases carry longer waiting periods – typically two or five years depending on the facts – and are governed by additional statutory conditions that do not apply to most other offense types.

FAQ 11: What is the biggest timing mistake people make in non-disclosure cases?

Filing too early. It is the most common error, and it is entirely avoidable. A close second is calculating the waiting period from the wrong date – typically the arrest date instead of the probation completion date.

FAQ 12: How do I find out exactly when I can file?

The calculation requires your exact probation completion date, the correct offense classification, and the applicable statutory waiting period for that offense. An attorney can perform this calculation accurately based on your court records.

FAQ 13: What if I'm not sure when my probation actually ended?

Court records will reflect the exact date your probation was completed or discharged. An attorney can pull those records and use the correct date to calculate your filing window.

FAQ 14: Is getting the timing right really that important?

Yes. Timing determines whether your petition is approved or denied. A correctly timed, correctly filed petition moves through the process smoothly. An incorrectly timed one is denied and must be refiled, adding weeks or months to the process.

FAQ 15: What should I do next?

Now that you understand waiting periods and timing, the next step is learning how the filing process actually works. The following chapter walks through the non-disclosure process step by step so you know exactly what to expect from start to finish.

CHAPTER 10

THE EXPUNCTION PROCESS STEP-BY-STEP

By this point, you understand what expunction is and whether you may qualify. The question that naturally follows is: what actually happens when you start the process?

For many people, this is where uncertainty sets in. How complicated is it? What do you need to do? How long will it take?

The answer is more reassuring than most people expect. The expunction process is structured and predictable — when it is handled correctly. This chapter walks through each step so you know exactly what to expect from start to finish.

SIDEBAR: THE BIG PICTURE

The expunction process follows a clear path:

Evaluate your case → File the petition → Notify agencies

→ Get court approval → Clear your record.

It is a process, not a mystery.

10.1 Case Evaluation

Every expunction begins with one critical step: understanding your case. Before anything is filed, an attorney needs to review the full picture — when you were arrested, what you were charged with, and how the case ended. Even small details matter. A case that looks straightforward on the surface can involve complications that affect timing, strategy, or eligibility.

The evaluation also involves confirming that you actually qualify for expunction. That means verifying whether the applicable waiting period has passed, whether there are any holds or complications in the record, and whether expunction is the right option or whether a different approach makes more sense for your situation.

SIDEBAR: THE MOST IMPORTANT STEP

Everything starts with proper evaluation. When this step is done correctly, the rest of the process becomes much smoother — and mistakes that could cause delays or incomplete results are caught before they happen.

When it comes to gathering information, the typical details needed include your case number, arrest date, the agency involved, and the court where the case was handled. If you do not have all of that on hand, that is not unusual. Much of it can be located during the evaluation process itself. What matters is that the information is accurate before anything is filed, because errors at this stage tend to create problems later.

A proper evaluation also helps identify the correct legal strategy. Not every case follows the same path, and the

approach that works well for one situation may not be the right fit for another. Taking the time to evaluate thoroughly is the foundation for everything that follows.

10.2 Filing the Petition

Once eligibility is confirmed, the next step is preparing and filing the petition. The petition is a formal legal document asking the court to order your record to be erased. It is not a request in the casual sense — it is a structured legal filing that must meet specific requirements.

SIDEBAR: WHAT THE PETITION REALLY IS

Your petition is a formal request asking the court to erase your record. It must include specific information, meet legal requirements, and be filed in the correct court. Accuracy is everything.

The petition must include your identifying information, the details of the arrest, the legal grounds for expunction, and — critically — a list of every agency that has a record of your case. It is filed in the appropriate court, which is typically the court where your case was handled or the county where the arrest occurred.

There are filing fees involved, and these vary by county. Once the petition is filed, the court assigns a case number, notifies the listed agencies, and the review process begins.

Common mistakes at this stage include missing information, incorrect case details, or failure to list all agencies. These errors do not just slow the process down — they can result in incomplete expunction, meaning parts of your record remain even after the process concludes. Precision here matters.

SIDEBAR: WHERE MOST MISTAKES HAPPEN

The most common problems occur when agencies are missed, information is incomplete, or details are incorrect. Small errors at the filing stage can create significant delays — or leave parts of your record intact.

10.3 Identifying All Agencies Involved

This is one of the most important — and most frequently overlooked — steps in the entire process. Your record is not stored in just one place. It exists across multiple systems, and the expunction order is only effective against the agencies that are specifically listed in your petition.

SIDEBAR: YOUR RECORD EXISTS IN MULTIPLE PLACES

Your record may be stored at police departments, courts, prosecutors' offices, the Texas Department of Public Safety, and federal databases. Every agency that holds a record of your case must be included for the expunction to be complete.

The petition typically needs to include police departments, the sheriff's office, jail and booking facilities, courts, clerks, prosecutors, and the Texas Department of Public Safety. In many cases, federal agencies such as the FBI are also notified, because federal databases are fed by state records and must be addressed for the expunction to have full effect.

Private background check companies are a separate issue. They rely on the state and federal records to populate their databases, so when those underlying records are removed, the private companies' information should update as well — though this can take time.

If even one agency is left out of the petition, that portion of your record may remain. This is one of the most common pitfalls in cases handled without an attorney. The list of agencies seems straightforward, but in practice, identifying every entity that holds a record requires knowledge of how the system works and how records flow through it.

The following flowchart provides a visual overview of the entire expunction process, from initial evaluation through final record clearance.

Expunction Process Flowchart: From Arrest Record to a Clean Slate

Step 1 Case Evaluation — Review your case details: date of arrest, charge, and how the case ended. Confirm eligibility and identify the right strategy before anything is filed.

Decision Do you qualify for expunction? (No conviction, case resolved properly, waiting period satisfied.) If YES, proceed. If NO, consider non-disclosure instead.

Step 2 Prepare the Expunction Petition — Gather case number, arrest information, court details, and a complete list of all agencies involved. Accuracy here prevents problems later.

Step 3 File Petition with the Court — Submit to the court where the case was handled or the arrest occurred. The court assigns a case number and notifies all listed agencies.

Step 4 Agency Review Period — Listed agencies receive notice and have an opportunity to raise objections. Objections are relatively uncommon when the petition is accurate.

Step 5 Court Hearing (if required) — A judge reviews the case to confirm eligibility. Many cases are approved without a hearing. When a hearing is held, it is usually brief.

Decision Case Approved or Denied? If approved, the court issues an expunction order. If denied, eligibility and timing should be reevaluated.

Step 6 Expunction Order Issued — The court signs and distributes the order to all listed agencies. This is the turning point. Your record now begins to disappear.

Step 7 Agencies Remove Records — Police departments, courts, prosecutors, DPS, and others destroy or return your records and update their databases. This typically takes several additional weeks.

Result Your Record Is Cleared — Background checks come back clean. You can legally deny the arrest. You move forward without explanation or apology.

10.4 The Court Hearing (What to Expect)

Many people worry about the court hearing — but in a significant number of cases, no hearing is required at all. Some expunctions are approved based entirely on the paperwork, with the judge reviewing the petition and issuing an order without scheduling a formal appearance. When a hearing is held, it is usually far less intimidating than people anticipate.

SIDEBAR: DO I HAVE TO GO TO COURT?

Not always. Many expunction cases are approved without a formal hearing. When a hearing is required, it is typically brief and straightforward. The judge is not looking to create obstacles — they are simply confirming that the legal requirements are met.

If a hearing is required, a judge will review your case to confirm eligibility. The process typically involves your attorney

presenting the case, the judge reviewing the facts, and any objections from the prosecutor's office being considered. In most cases where the petition has been properly prepared, objections are uncommon and hearings are brief.

SIDEBAR: WHAT JUDGES ARE LOOKING FOR

The judge wants to confirm three things: that you qualify under the law, that the petition is accurate and complete, and that the process has been followed correctly. When those boxes are checked, approval is the normal outcome.

The possible outcomes of a hearing are approval, a delay for additional information, or denial if eligibility is not met. When the case has been properly evaluated and the petition has been accurately prepared, approval is by far the most common result.

10.5 The Expunction Order

When the court approves your case, it issues an expunction order. This is the moment everything has been building toward.

SIDEBAR: THE TURNING POINT

The most significant moment in the entire process is when the judge signs the expunction order. From that point forward, your record begins to disappear. Every agency named in the petition is legally required to destroy or return your records.

The order directs every agency listed in your petition to either destroy your records or return them to the court. The court distributes the order to all of those agencies, and each

one is then required to process it — removing your records from their systems and updating their databases.

Most agencies comply as required. Occasionally, follow-up is necessary if an agency is slow to act or if there is a question about compliance. That is not common, but it is something your attorney can address if it comes up.

The expunction order carries real legal weight. Once it is issued and agencies comply, the legal effect is exactly what you were told at the beginning: it is as if the arrest never happened. You are entitled to deny it entirely — in job interviews, on applications, and in most other contexts where you might otherwise feel compelled to disclose it.

10.6 How Long the Process Takes

One of the most common questions people ask is how long this is going to take. The honest answer is that it varies, but a realistic expectation for most cases is somewhere between one and three months from filing to court approval.

SIDEBAR: WHY THE PROCESS TAKES TIME

Even after the court approves your case, agencies need time to process the order and update their databases. A delay during this phase does not mean something went wrong. It simply means the system is working through its steps.

The timeline depends on several factors: court scheduling and how backed up the docket is, the complexity of your case, and how many agencies are involved. Once the expunction order is issued, agencies then need their own time to process it, remove the records, and update their systems. This phase can take several additional weeks.

Your record is considered fully cleared when all agencies have complied and background checks no longer show the arrest. For practical purposes, that is the finish line.

SIDEBAR: WHAT SUCCESS LOOKS LIKE

When the process is complete, your record is gone. Background checks come back clean. You can move forward without explanation, without disclosure, and without the weight of something that should never have defined you in the first place.

Patience during this stage matters, not because the outcome is uncertain, but because the final steps happen on the agencies' timelines rather than yours. The result, when it arrives, is permanent.

Closing Thoughts

The expunction process may look complex when you first encounter it. Broken down into its steps, however, it follows a clear and logical path: evaluate your case, file the petition, notify all agencies, obtain court approval, and allow the order to take effect. Each step builds toward one outcome — a true clean slate.

In the next chapter, we will walk through the non-disclosure process step-by-step, so you understand how that option works for those who qualify.

Chapter 10 FAQs

FAQ 1: What is the first step in the expunction process?

The first step is evaluating your case to confirm eligibility and identify the correct legal strategy before anything is filed.

FAQ 2: What is an expunction petition?

It is a formal legal document asking the court to order your records to be erased. It must include specific identifying information, case details, and a complete list of all agencies that hold records related to your case.

FAQ 3: Where is the petition filed?

It is typically filed in the court where your case was handled or in the county where the arrest occurred.

FAQ 4: Do I need to have all of my paperwork before I start?

Not necessarily. Even if you do not have every document on hand, records can often be located during the evaluation process. What matters is that the information in the petition is accurate before it is filed.

FAQ 5: Do I have to appear in court?

Not always. Many expunction cases are approved without a formal hearing. When a hearing is required, it is typically brief and focused on confirming that the legal requirements have been met.

FAQ 6: What happens at the hearing if one is required?

The judge reviews your case to confirm eligibility. Your attorney presents the relevant facts, and any objections from the prosecutor's office are addressed. When the petition has been properly prepared, hearings are usually straightforward.

FAQ 7: How long does the process take?

Most cases move from filing to court approval within one to three months. After the order is issued, agencies require

additional time — typically several more weeks — to process it and update their systems.

FAQ 8: What happens after the judge approves my case?

The court issues an expunction order and distributes it to all agencies listed in your petition. Each agency is then required to destroy or return your records.

FAQ 9: Will my record disappear immediately after the order is issued?

No. Agencies need time to process the order and update their databases. The record will not vanish overnight, but the process is moving forward once the order has been signed.

FAQ 10: What if my record still shows up after the expunction is complete?

This can happen temporarily as agencies and private databases work through their update cycles. If the record persists beyond a reasonable period, follow-up may be necessary to confirm that all agencies have complied.

FAQ 11: What is the most common mistake people make during this process?

Missing agencies or filing with incomplete or inaccurate information. Either error can result in parts of your record remaining even after the process concludes.

FAQ 12: Can I handle the expunction process on my own?

Some people attempt it, but the risks are real. Missed agencies, incorrect filings, and procedural errors can lead to delays,

denial, or an incomplete result. The stakes are high enough that accuracy matters throughout.

FAQ 13: Is expunction permanent?

Yes. Once completed, the records are gone. The legal effect is permanent, and you are entitled to deny the arrest in virtually all everyday contexts.

FAQ 14: What is the most important factor in a successful expunction?

Accuracy. Getting the details right at every stage — evaluation, petition preparation, and agency identification — ensures that the process completes fully and leaves nothing behind.

FAQ 15: What should I do if I think I qualify?

The right step is to have your case evaluated by an attorney who handles expunctions. Eligibility depends on specific facts, and a proper evaluation will tell you where you stand and what your options are.

CHAPTER 11

THE NON-DISCLOSURE PROCESS STEP-BY-STEP

By this point, you understand what non-disclosure is and whether you may qualify. The natural next question is: what do you actually need to do to get your record sealed?

For many people, this step feels uncertain. Is the process complicated? Will you have to go to court? How long will it take?

The answer, as with expunction, is more manageable than most people expect. The non-disclosure process is structured, predictable, and achievable when it is handled correctly. This chapter walks through each step so you know exactly what to expect.

SIDEBAR: THE BIG PICTURE

The non-disclosure process follows a clear path:

Confirm eligibility → File the petition → Submit documentation → Court review → Record is sealed.

Simple steps. Powerful results.

11.1 Filing the Petition

The process begins with filing a formal petition asking the court to seal your criminal record from public view. Before anything is filed, however, you need to confirm that you actually qualify.

SIDEBAR: WHAT YOU'RE REALLY ASKING THE COURT

A non-disclosure petition is a formal legal request asking the court to seal your record so the public cannot see it. It is not an appeal and it is not a plea — it is a structured legal filing that must meet specific requirements.

Eligibility for non-disclosure generally requires that you completed deferred adjudication successfully, that your offense is not among those that disqualify you under Texas law, and that any required waiting period has passed. Filing before the waiting period ends is one of the most common and easily avoidable mistakes — and it results in denial.

SIDEBAR: THE MOST IMPORTANT STEP

Timing and eligibility come first. Filing too early results in denial. Filing with incorrect information causes delays. Getting these details right at the outset makes everything that follows much smoother.

The petition is filed in the court that handled your original case — usually the same court where your probation was completed. It must include your personal identifying information, the details of your case, proof of eligibility, and the legal basis for non-disclosure. Filing fees apply and vary by county.

Once the petition is filed, the court assigns a case number and the review process begins. Common mistakes at this stage include submitting incomplete information, filing in the wrong court, or failing to satisfy eligibility requirements before filing. These errors delay the process and, in some cases, result in outright denial.

11.2 Required Documentation

Accurate documentation is essential to a successful non-disclosure petition. The core information you will need includes your case number, the name of the court that handled your case, proof that you completed deferred adjudication, and the final disposition of your case.

The proof of completion is particularly important. You need to demonstrate that you successfully completed all conditions of your probation – that every requirement was satisfied before the court is asked to seal the record.

SIDEBAR: YOU DON'T NEED PERFECT RECORDS

Many people worry that they cannot start the process because they do not have all of their paperwork. That concern is understandable, but it is not a barrier. Most records can be located through court clerks, online case management systems, or with the assistance of an attorney. What matters is accuracy, not whether you happen to have the documents in hand when you first reach out.

If you do not have your documents, that is very common. Records can typically be obtained through court clerks, online systems, or with legal assistance. The important thing is that

whatever is submitted in the petition is accurate. Incorrect or missing information can lead to delays, requests for additional documentation, or denial.

The following flowchart provides a step-by-step visual overview of the non-disclosure process from eligibility confirmation through final record sealing.

Non-Disclosure Process Flowchart: From Completed Probation to a Sealed Record

Start Did you complete deferred adjudication? If YES, continue. If NO, non-disclosure may not apply to your situation.

Step 1 Confirm Eligibility – Verify that you completed probation successfully, that your offense is not among those that disqualify you, and that any required waiting period has been satisfied.

Decision Has the waiting period passed? If YES, proceed to filing. If NO, you must wait until you are eligible before a petition can be filed.

Step 2 Prepare the Petition – Gather your case details, proof that you completed deferred adjudication, and any required supporting documentation. Accuracy here prevents delays.

Step 3 File Petition with the Court – The petition is filed in the same court that handled your case. A case number is assigned and the review process begins.

Step 4 Court Review – The judge evaluates your eligibility, the outcome of your case, and your compliance with probation. Most cases do not require a hearing. When a hearing is held, it is typically brief.

Decision Case Approved or Denied? If approved, the court issues an order of non-disclosure. If denied, eligibility and timing should be reevaluated.

Step 5 Order of Non-Disclosure Issued – The court signs the order and notifies the relevant agencies. Your record is now legally protected from public disclosure.

Step 6 Records Are Sealed – Agencies restrict public access to your record. Employers, landlords, and most background check companies can no longer see it.

Result Your Record Is Sealed – Hidden from public view. Most employers cannot see it. Most landlords cannot see it. You move forward with fewer barriers and more opportunity.

11.3 Court Review and Approval

Once your petition is filed, the court reviews the case. The judge evaluates whether you qualify for non-disclosure, whether the waiting period has passed, and whether sealing your record is appropriate under the law.

SIDEBAR: MOST CASES DON'T REQUIRE A HEARING

Many non-disclosure petitions are approved based on the paperwork alone, without requiring you to appear in court. When a hearing is required — typically in more complex cases or where additional information is needed — it is usually brief and focused entirely on confirming eligibility.

When a hearing does take place, the judge is not looking for reasons to deny your petition. The court is simply confirming that the legal requirements have been met. The factors the judge considers include your compliance with the terms of

your probation, the nature of the original offense, and whether the petition is accurate and complete.

SIDEBAR: WHAT JUDGES ARE LOOKING FOR

The court wants to confirm three things: that you qualify under the law, that you completed probation successfully, and that the petition is accurate. When those boxes are checked, approval is the expected outcome.

The possible outcomes are approval, a delay for additional information, or denial if eligibility is not met. When the case has been properly evaluated and the petition has been accurately prepared, approval is the standard result. After approval, the court issues an order of non-disclosure and it is distributed to the relevant agencies.

11.4 Differences from Expunction Procedure

Non-disclosure and expunction share some procedural similarities — both involve filing a petition, both require court approval, and both result in agencies taking action on your record. But the outcome of each process is fundamentally different, and it is worth understanding those differences clearly.

**SIDEBAR: NON-DISCLOSURE VS. EXPUNCTION
(QUICK REMINDER)**

Expunction erases your record. Non-disclosure hides it. The process for each is similar in structure, but the result — and who can still access your record afterward — is meaningfully different.

With expunction, agencies are ordered to destroy your records. With non-disclosure, agencies are required to restrict public access to those records – but the records themselves are not destroyed. Law enforcement, government agencies, and certain licensing boards can still access sealed records. For everyday purposes – employment applications, rental housing, most background checks – the record is effectively hidden from the people who matter most.

The non-disclosure process also typically involves fewer agencies than an expunction and is somewhat less complex procedurally. Hearings are less commonly required. The focus is narrower: sealing rather than erasing.

SIDEBAR: THE MOST COMMON CONCERN

“Is non-disclosure really worth it if my record isn’t erased?”

For most people, the answer is yes. Employers cannot see it. Landlords cannot see it. The barriers that have been holding you back are removed. The record still exists in a technical sense — but it stops affecting your daily life.

Non-disclosure may not provide the complete clean slate of expunction, but for the many people who do not qualify for expunction, it removes the most significant and visible consequences of having a criminal record. That is not a small thing.

The following decision chart helps clarify which option – expunction or non-disclosure – applies to your situation, along with a side-by-side comparison of the two.

Which Option Is Right for You?

Expunction vs. Non-Disclosure Decision Chart

Were you convicted?	If YES: Expunction is generally not available. Non-disclosure may be an option depending on the circumstances. If NO: Continue to the next question.
How did your case end?	If the case was dismissed, no charges were filed, or you were found not guilty: you may qualify for expunction. If your case ended in deferred adjudication: non-disclosure is likely your best option.
Did you complete deferred adjudication?	If YES: Expunction is usually not available for deferred adjudication cases. Non-disclosure is the appropriate path. If NO: Continue evaluating expunction eligibility.
Are there disqualifying factors?	Certain offenses — including family violence cases and specified sex offenses — may limit or eliminate eligibility for either option. These situations are case-specific and require careful legal evaluation.
EXPUNCTION	Best outcome — No conviction / Case dismissed, not guilty, or not filed / Waiting period satisfied Result: Your record is erased. You can legally deny the arrest in virtually all everyday situations.
NON-DISCLOSURE	Strong alternative — Completed deferred adjudication / Eligible offense / Waiting period satisfied Result: Your record is sealed from public view. Most employers and landlords cannot see it.
LIMITED OPTIONS	Conviction or disqualifying offense present Result: Expunction is not available. Non-disclosure may be limited. Other strategies may apply depending on the specifics of your case.

Feature	Expunction	Non-Disclosure
Record Status	Erased permanently	Sealed from public view
Public Access	None	Hidden
Government Access	No (very limited exceptions)	Yes — law enforcement and some licensing agencies
Eligibility	Narrower — requires no conviction	Broader — available after deferred adjudication
Best For	Dismissed cases, no-bills, not guilty verdicts	Deferred adjudication completions
Right to Deny	Yes — in virtually all contexts	Yes — in most everyday contexts

11.5 Timeline and Expectations

One of the most common questions people ask is how long the non-disclosure process will take. For most cases, the realistic expectation is one to two months from filing to court approval — somewhat faster than the typical expunction timeline, though this varies by court and county.

SIDEBAR: WHY THE PROCESS STILL TAKES TIME

Even after the court approves your petition, agencies need time to process the order and update their systems. Background check databases do not refresh overnight. A delay during this phase does not mean something went wrong — it means the system is working through its steps.

The timeline depends on court workload, the complexity of your specific case, and the accuracy of the petition. Once the order is granted, agencies then need time to seal the records and update their systems. Background check databases, in particular, may take several additional weeks to reflect the change.

Your record is effectively sealed when it no longer appears on public background checks — when employers and landlords who run a standard check can no longer see it. That is the practical finish line.

SIDEBAR: WHAT SUCCESS LOOKS LIKE

After non-disclosure is granted and agencies have processed the order, your record is hidden from public view. Most employers cannot see it. Most landlords cannot see it. The burden you have been carrying is lifted, and you can move forward with more confidence and more opportunity.

Managing expectations during the process means understanding that delays at certain stages are normal, not a sign that something has gone wrong. The outcome, when it arrives, is long-term and meaningful.

Closing Thoughts

The non-disclosure process is not as overwhelming as it may seem. It follows a clear and logical path: confirm eligibility, file the petition, provide accurate documentation, obtain court approval, and allow the order to take effect. Each step is manageable.

Non-disclosure may not completely erase your past – but it does something just as important for most people. It removes the barriers that have been holding you back. It makes your record invisible to the employers, landlords, and others who have the most direct impact on your daily life.

In the next chapter, we will look at how to choose the right option for your specific situation, so you can move forward with confidence and a clear understanding of what comes next.

Chapter 11 FAQs

FAQ 1: What is the first step in the non-disclosure process?

Confirming that you qualify and that any required waiting period has passed. Filing before eligibility is established is the most common cause of denial.

FAQ 2: What is a petition for non-disclosure?

It is a formal legal document asking the court to seal your criminal record from public view. It must include your identifying information, case details, proof of eligibility, and the legal basis for non-disclosure.

FAQ 3: Where do I file the petition?

In the court that handled your case — usually the same court where your probation was completed.

FAQ 4: Do I need to have all of my documents before I start?

No. Even if you do not have everything on hand, records can usually be located through court clerks, online systems, or with legal assistance. What matters is that whatever is submitted is accurate.

FAQ 5: Do I have to appear in court?

Not always. Many non-disclosure cases are approved based on the paperwork alone. When a hearing is required, it is typically brief and focused on confirming eligibility.

FAQ 6: What happens during a hearing if one is required?

The judge reviews your case to confirm that you qualify. When the petition has been properly prepared, most hearings are straightforward and conclude quickly.

FAQ 7: How long does the process take?

Most cases move from filing to court approval within one to two months. After the order is issued, agencies require additional time — often several more weeks — to process the order and update their records.

FAQ 8: What happens after my case is approved?

The court issues an order of non-disclosure and distributes it to the relevant agencies, which are then required to seal your record from public access.

FAQ 9: Will my record disappear completely?

No. Non-disclosure seals your record, but it does not erase it. Law enforcement and certain government agencies and licensing boards can still access it. For most everyday purposes, however, it will not be visible.

FAQ 10: When will my record stop showing up on background checks?

After the agencies have processed the order and updated their systems. This typically takes several weeks after the order is issued.

FAQ 11: What is the biggest mistake people make in this process?

Filing too early or misunderstanding the eligibility requirements. Both errors lead to delay or denial and can be avoided with proper evaluation before filing.

FAQ 12: Can I handle the non-disclosure process on my own?

Some people attempt it, but mistakes — filing too early, submitting incomplete petitions, missing eligibility requirements — can cause delays or denial. Accuracy matters throughout.

FAQ 13: Is non-disclosure permanent?

Yes. Once granted, your record remains sealed from public view. The order does not expire.

FAQ 14: Is non-disclosure really worth it if my record is not erased?

For most people, yes. The employers who would have turned you down cannot see it. The landlords who would have rejected your application cannot see it. The barriers that have been shaping your opportunities are removed. That is a meaningful and lasting change.

FAQ 15: What should I do next?

Now that you understand both expunction and non-disclosure, the right next step is determining which option applies to your situation. That is exactly what the next chapter covers.

CHAPTER 12

WHAT CAN GO WRONG (AND HOW TO AVOID IT)

By this point, you understand your options. You know whether you may qualify, how the process works, and what the timeline looks like. There is one more important piece to understand before you take action: what can go wrong.

This chapter is not meant to discourage you. Most problems in expunction and non-disclosure cases are preventable, fixable, and the result of simple mistakes rather than fundamental legal barriers. Understanding where things go wrong is the best way to make sure they do not go wrong for you.

SIDEBAR: MOST PROBLEMS ARE PREVENTABLE

The majority of expunction and non-disclosure issues come down to timing mistakes, missing information, and simple errors. That is actually good news — because it means most of them can be avoided with the right preparation.

12.1 Filing Too Early

This is the single most common mistake people make in the expunction and non-disclosure process, and it is also the most avoidable. People are eager to move forward, which is understandable. Once someone confirms that they qualify, the natural instinct is to file immediately. But eligibility and timing are not the same thing, and confusing the two is what causes this problem.

SIDEBAR: THE #1 MISTAKE

Filing too early is the most common mistake in this entire process — and the most frustrating, because it is entirely preventable. Qualifying for expunction or non-disclosure does not mean you can file today. The waiting period must pass first.

If you file before you are eligible, the court can deny your petition. That denial means starting over, refiling, and in some cases waiting even longer before you can try again. You also lose the filing fees from the first attempt. Beyond the financial cost, premature filing keeps your record visible longer than necessary and creates delays that could have been avoided entirely.

SIDEBAR: ELIGIBILITY VS. TIMING

Qualifying for expunction or non-disclosure does not mean you can file right now. The waiting period must have fully passed before filing. This single misunderstanding causes more denials than any other factor.

Avoiding this mistake comes down to one step: confirm your waiting period before filing. Verify when the clock started,

what the applicable waiting period is for your type of case, and whether it has fully elapsed. Do not guess. The cost of getting it wrong is too high.

12.2 Missing Agencies

Your record is not stored in a single place. It exists across multiple systems – law enforcement databases, courts, prosecutors’ offices, the Texas Department of Public Safety, and in many cases federal systems as well. An expunction order is only effective against the agencies that are specifically named in your petition. If an agency is left out, that portion of your record may remain untouched.

SIDEBAR: YOUR RECORD ISN’T IN ONE PLACE

Your record may exist across police systems, courts, prosecutors’ offices, DPS databases, and federal databases. Every one of them must be addressed for the expunction to be complete. Missing even one can leave a record behind.

The real-world consequence of missing an agency is that you believe your record has been cleared, but a background check still surfaces your arrest. A job application comes back with a problem. A landlord sees something you thought was gone. This is one of the most frustrating outcomes because the process was completed – just not completely enough.

SIDEBAR: ONE MISSING AGENCY = INCOMPLETE RESULT

An incomplete expunction is not a true expunction. If even one agency is left out of the petition, that agency’s record of your case may still be accessible. The details matter — every one of them.

Avoiding this mistake requires identifying every agency that has a record of your case, verifying that all of them are listed in your petition, and reviewing the list carefully before filing. This is one area where the complexity of the process is easy to underestimate and where professional help makes a meaningful difference.

12.3 Incorrect Case Information

This category of mistake can seem minor – a typo, a transposed digit, a name entered slightly differently than it appears in the official record. But courts and agencies rely on exact information to match your petition to the correct records. When something does not match, the petition may not be processed correctly, and the result can be delays, requests for corrections, or records that are not properly cleared.

SIDEBAR: SMALL ERRORS, BIG CONSEQUENCES

A wrong date, a misspelled name, or an incorrect case number may seem like minor details. In this process, they are not. Courts and agencies use exact information to match your petition to your records. When something is off, the result can be delays, corrections, or an expunction that is not complete.

Common errors include misspelled names, incorrect arrest dates, wrong case numbers, and missing details about the agencies involved. Any of these can cause records to go unmatched and orders to go unprocessed. The fix is straightforward: verify all information against official records before filing, and take the time to review every detail carefully.

The following table summarizes the ten most common mistakes in expunction and non-disclosure cases, along with practical guidance on how to avoid each one.

Top 10 Expunction & Non-Disclosure Mistakes

Avoid These Costly Errors That Can
Delay – or Derail – Your Case

Top 10 Expunction & Non-Disclosure Mistakes Avoid These Costly Errors That Can Delay – or Derail – Your Case	
The Mistake	How to Avoid It
#1 Filing Too Early You qualify – but the waiting period has not passed. Result: denial, delays, and lost filing fees.	Confirm your waiting period before filing. Eligibility and timing are not the same thing.
#2 Assuming “Dismissed” Means Automatic A dismissal is a good sign, but not always sufficient on its own. Result: incorrect filing or denial.	Verify eligibility requirements specific to your case before proceeding.
#3 Missing Agencies Your record exists in multiple systems. Leaving out even one agency means that record may remain. Result: incomplete expunction.	Identify and include every agency that holds a record of your case.
#4 Incorrect Case Information Wrong dates, misspelled names, or incorrect case numbers cause matching failures. Result: delays, corrections, and incomplete results.	Cross-check all details against official records before filing.
#5 Confusing Expunction with Non-Disclosure These are not the same process and they do not produce the same result. Result: choosing the wrong legal path.	Match your case outcome to the correct option before you file anything.
#6 Thinking Probation Clears Your Record Completing probation – including deferred adjudication – does not erase or seal your record. Result: missed opportunity.	File for non-disclosure after completing probation, once you are eligible.

<p>#7 Ignoring Waiting Period Rules Each case type has its own timeline. Filing without accounting for this leads to premature or mistimed petitions. Result: denial.</p>	<p>Calculate your specific waiting period carefully, based on the nature of your case.</p>
<p>#8 Rushing the Process Speed creates mistakes. Rushing leads to omissions and errors that slow everything down. Result: delays and denials.</p>	<p>Focus on accuracy over speed. A properly prepared petition moves faster in the long run.</p>
<p>#9 Assuming You Don't Qualify Many people give up before finding out what their options actually are. Result: a missed second chance.</p>	<p>Have your case evaluated before concluding that you have no path forward.</p>
<p>#10 DIY Without Understanding the Details The process appears simple on the surface. The details — timing, agencies, documentation — are where it breaks down. Result: missed agencies, wrong filings, incomplete results.</p>	<p>Make sure every element is handled correctly the first time. There are no shortcuts that do not carry risk.</p>
<p>The Bottom Line Most problems are not caused by the law — they are caused by timing mistakes, missing information, and simple errors. These mistakes are avoidable. The process is predictable when done correctly.</p>	

12.4 Denials and How to Fix Them

A denial is frustrating — but it is not the end of the road. Understanding why a petition was denied is the first and most important step toward fixing it.

SIDEBAR: A DENIAL IS NOT THE END

If your petition is denied, you may still have a clear path forward. In many cases, the issue can be identified, corrected, and a new petition filed successfully. A denial is a setback, not a permanent barrier.

Most denials fall into a small number of categories: filing too early, incomplete or incorrect information, eligibility mismatches, or technical errors in the petition. Each of these has a different

solution, which is why understanding the specific reason for the denial matters so much before you take any next steps.

In many cases, refiling is possible once the underlying problem is corrected. A timing issue means waiting until the correct date and filing again. A missing information issue means gathering the correct documentation and resubmitting. An eligibility issue may mean reevaluating which option applies to your case.

SIDEBAR: WHY PEOPLE RUN INTO PROBLEMS

Most issues arise because people guess instead of verifying, rely on incomplete information, or try to rush through the process. Slowing down and getting the details right before filing prevents the vast majority of denials.

Many successful cases begin with an earlier setback. What matters is not that the first attempt was perfect, but that the problem is identified correctly and the next step is taken with accurate information and a sound strategy.

12.5 Why DIY Expunctions Often Fail

The expunction and non-disclosure process looks straightforward on the surface. There are forms to fill out, paperwork to file, and a waiting period afterward. People look at those steps and reasonably conclude that they can handle it themselves. Sometimes that is true. Often, it is not.

SIDEBAR: DIY VS. DONE RIGHT

There is a meaningful difference between filing paperwork and filing correctly. The forms are the easy part. The details — timing, agency identification, accurate case information,

eligibility confirmation — are where DIY attempts most commonly break down.

What people do not always see is the complexity beneath the surface. The process involves precise timing requirements, multiple agencies that each need to be identified and listed correctly, detailed documentation that must be accurate, and eligibility rules that vary based on the nature of the case. Missing any of these elements — not because the law is obscure, but because the details were not fully understood — leads to delays, denials, or incomplete results.

SIDEBAR: THE HIDDEN COST OF MISTAKES

When a DIY filing goes wrong, the cost is not just the filing fee. It is lost time, continued visibility of your record, and sometimes a delay in your ability to refile. The hidden cost of getting it wrong is almost always higher than the cost of getting it right the first time.

The most common DIY failures involve filing too early, missing agencies, using incorrect case information, or choosing the wrong legal option entirely. Each of these is a detail that a thorough evaluation would have caught before filing. The distinction that matters is not whether a form was submitted — it is whether the petition was accurate, complete, and filed at the right time.

This process affects your job opportunities, your housing options, and your ability to move forward. Getting it right is worth the extra effort.

SIDEBAR: THE GOOD NEWS

Even when something goes wrong, most issues can be corrected and most cases can be successfully resolved. The process is forgiving of mistakes — as long as the mistake is identified and addressed. The goal is to get it right the first time, but if that does not happen, the path forward usually still exists.

Closing Thoughts

Mistakes can happen — but most of them are avoidable. Timing matters. Accuracy matters. Details matter. When the process is approached with the right preparation and the right information, it becomes predictable, manageable, and successful.

The result is worth getting right: a clean slate or a sealed record that removes the barriers holding you back and allows you to move forward without explanation.

In the next chapter, we will bring everything together and walk through what the best next step looks like for your specific situation.

SIDEBAR: THE BOTTOM LINE

Avoid mistakes → smoother process.

Fix mistakes → second chance restored.

The process works — when it is done correctly.

Chapter 12 FAQs

FAQ 1: What is the most common mistake people make?

Filing too early — before the required waiting period has passed. It is the most frequent cause of denial and the most easily avoided.

FAQ 2: Why is filing too early such a problem?

Because the court will deny a petition that is filed before eligibility is established. That means starting the process over, losing filing fees, and in some cases waiting even longer before you can refile.

FAQ 3: What happens if I miss an agency in my petition?

That agency may still have your record, and it will not be subject to the expunction order. Your expunction may appear complete while leaving part of your record intact — which can still show up on background checks.

FAQ 4: Can small errors in the petition really cause problems?

Yes. Courts and agencies rely on exact information to match a petition to the correct records. A misspelled name, incorrect date, or wrong case number can cause records to go unmatched and orders to go unprocessed.

FAQ 5: What happens if my petition is denied?

A denial is not the end. In many cases, the underlying issue can be identified, corrected, and a new petition filed successfully. The first step is understanding why the denial happened.

FAQ 6: Why are petitions typically denied?

The most common reasons are filing too early, incorrect eligibility, missing or inaccurate information, and technical errors in the petition. Each has a different solution.

FAQ 7: Can I refile after a denial?

In most cases, yes. Once the issue has been identified and corrected — whether that means waiting for the right timing,

gathering additional documentation, or adjusting the legal strategy – refiling is generally possible.

FAQ 8: Is it risky to handle this process myself?

It can be. The process looks simple on the surface, but the details – timing, agency identification, accurate case information – are where DIY attempts most commonly break down. Mistakes can lead to delays, denials, or incomplete results.

FAQ 9: What is the biggest risk of doing it yourself?

Missing important details – especially the correct timing and a complete list of all agencies involved. These are the two areas where DIY filings most often fall short.

FAQ 10: Can mistakes be fixed after the fact?

Yes, in most cases. Most mistakes can be corrected with the right approach. The key is identifying what went wrong before taking the next step.

FAQ 11: What if I have already filed and something went wrong?

You may still have options. The right next step is identifying what went wrong and determining whether refiling, correction, or a different strategy is the appropriate path forward.

FAQ 12: Is it better to wait and do it right than to file quickly?

Absolutely. Filing at the correct time with accurate information is far more likely to succeed than filing quickly and making mistakes. A properly prepared petition moves faster in the long run.

FAQ 13: How can I avoid problems altogether?

Verify your eligibility, confirm that your waiting period has fully passed, and double-check all case details against official records before filing. Do not guess on any of these.

FAQ 14: Are mistakes common in this process?

They are common enough to warrant careful attention — but they are also avoidable. Most problems arise from the same small set of issues, which means knowing what to watch for puts you in a strong position.

FAQ 15: What should I do next?

Now that you understand both the process and the potential pitfalls, the next step is taking action the right way. The final chapter brings everything together and helps you move forward with a clear plan.

CHAPTER 13

COMMON MISTAKES THAT CAN COST YOU YOUR SECOND CHANCE

By this point, you understand your options. You know what expunction can do, how non-disclosure works, and whether you may qualify. There is one more important reality to understand before you take action: many people who qualify for relief do not get it — not because the law does not apply to them, but because they make decisions based on wrong assumptions, incomplete information, or simple inaction.

This chapter walks through the most common mistakes that cost people their second chance, and how to avoid each one.

SIDEBAR: THE BOTTOM LINE

Wrong assumptions lead to delays. Wrong advice leads to mistakes. The right action, taken at the right time with accurate information, leads to results.

13.1 Assuming a Dismissal Clears Your Record

This is one of the most common — and most costly — misunderstandings in this entire area of law. When a case is dismissed, it feels like it should be over. The charge did not result in a conviction. The case did not go to trial. Intuitively, people assume that means the record is gone.

It is not.

SIDEBAR: THE BIGGEST MISUNDERSTANDING

“My case was dismissed, so it’s gone.”

It is not. A dismissal ends the case — but the record of the arrest and the charge still exists and can appear on background checks.

Even after a dismissal, the arrest remains in law enforcement records, the case still appears in court databases, and background checks can still surface it. For job applications, housing, and professional licensing, the practical effect is the same as if the case were still open. People lose opportunities based on arrests that were never proven and charges that were ultimately dropped.

SIDEBAR: DISMISSED VS. CLEARED

Dismissed means the case is over. Expunged means the record is erased. Those are not the same thing, and only one of them gives you a true clean slate.

If your case was dismissed, you may well qualify for expunction — in fact, a dismissal is one of the situations where expunction is most clearly available. But nothing happens automatically. You have to take action. The record will not disappear

on its own, and assuming it has is one of the most expensive mistakes a person can make in this process.

13.2 Relying on Online Advice

We live in a time when information on almost any topic is immediately accessible. For something as consequential as clearing a criminal record, that accessibility can be deceptive. Online information about expunction and non-disclosure is often general, frequently outdated, and almost never tailored to the specifics of your case.

SIDEBAR: THE INTERNET ISN'T YOUR CASE

Online advice is general. It may be outdated. It is not tailored to your situation, your offense type, your county, or your timeline. Your case is unique — and it deserves accurate, current, case-specific guidance.

The problem is not that online information is useless. The problem is that expunction and non-disclosure law is detailed, frequently updated, and highly case-specific. What applies to one person's situation may not apply to yours. What was accurate two years ago may no longer be the law. Advice drawn from forums, general articles, or information based on other states' laws can lead someone to file incorrectly, miss a waiting period, or pursue the wrong option entirely.

SIDEBAR: BAD ADVICE IS EXPENSIVE

Following incorrect information can lead to filing mistakes, denials, and delays that set the process back significantly. Free advice found online can turn out to be very costly.

Online resources are a reasonable place to begin building a general understanding of the process. They are not a substitute for evaluation of your specific case. Use the information as a starting point, not a final answer.

13.3 Waiting Too Long to Act

This is perhaps the quietest mistake – the one that does not announce itself as a mistake at all. People tell themselves they will deal with it later, or that the record probably is not affecting them, or that they are not sure where to start. Time passes. Opportunities that might have been available come and go.

SIDEBAR: WAITING HAS A COST

Every month a record remains visible is another month of missed opportunities — job applications that do not go through, housing applications that are denied, advancement that does not happen. Waiting feels like doing nothing. It is not. It is allowing the problem to continue.

The hidden cost of delay is real. While you wait, background checks continue to surface your arrest. Applications continue to be affected. The stress of carrying something you would rather not have to explain does not go away on its own.

SIDEBAR: THERE IS NO PERFECT TIME

Many people wait for the right moment before acting. There is rarely a perfect time. The right time is when you are eligible — and the sooner you act after becoming eligible, the sooner you can move forward.

Many people also delay because they are not sure whether they qualify or where to begin. That uncertainty is understandable, but it is also resolvable. Having your case evaluated takes far less time and effort than most people expect, and it answers both questions at once.

13.4 Choosing the Wrong Remedy

Expunction and non-disclosure are not interchangeable. They produce different outcomes, apply in different situations, and follow slightly different procedures. Choosing the wrong one can mean filing a petition that has no chance of being granted, missing the option that would actually work, or delaying your progress by pursuing a path that does not fit your case.

SIDEBAR: THE WRONG CHOICE CAN DELAY EVERYTHING

Filing for expunction when non-disclosure is the applicable option — or the reverse — can cost you time, money, and progress. The two options are not interchangeable, and the correct one depends entirely on the specific facts of your case.

People most commonly go wrong in one of two directions: they try to file for expunction when their case — typically a deferred adjudication — does not qualify, or they settle for non-disclosure without realizing that their case actually qualifies for the stronger protection of expunction. In both situations, the error comes from not fully understanding how the outcome of the case maps to the available remedies.

SIDEBAR: NOT ALL SOLUTIONS ARE EQUAL

Expunction is the stronger outcome — it erases your record. Non-disclosure is a meaningful alternative — it seals your record

from public view. Choosing correctly depends on how your case ended and what the law makes available to you.

In some situations, there may be more than one path available. Choosing well among those options — not just choosing one — is where the value of a careful, informed evaluation becomes clear.

13.5 Not Hiring an Experienced Attorney

This is often the decision with the greatest long-term consequences. The expunction and non-disclosure process involves legal requirements, precise timing, agency identification, and documentation that must all come together correctly for the petition to succeed. An experienced attorney brings the ability to evaluate your case accurately, identify potential issues before they become problems, and ensure that everything is handled correctly the first time.

SIDEBAR: DIY ISN'T ALWAYS SIMPLE

The process may look like paperwork, but it involves legal eligibility rules, precise timing requirements, and the identification of multiple agencies. The details are where DIY filings most commonly fall apart — and where the consequences of getting it wrong are felt most directly.

Without proper guidance, people miscalculate waiting periods, file incomplete petitions, miss agencies, or pursue the wrong option. Each of those errors costs time and money, and in some cases results in a record that remains more visible than it should be. The cost of getting it wrong almost always exceeds what it would have cost to get it right.

SIDEBAR: WHAT YOU'RE REALLY PROTECTING

This process is not just about a record. It is about your job opportunities, your housing options, your professional reputation, and your ability to move forward without explanation. That is worth protecting carefully.

Beyond the technical aspects, an experienced attorney also brings perspective on which option is the right one for your situation, what realistic outcomes look like, and how to handle complications if they arise. The goal is a result that is complete, accurate, and permanent – and that goal is best served by getting the process right from the start.

SIDEBAR: MOST PEOPLE WAIT TOO LONG

Most people who delay do not do so because they cannot act. They delay because they do not realize they qualify, do not know where to start, or assume the process is more complicated than they can manage. A brief evaluation resolves all three of those concerns quickly.

Closing Thoughts

If there is one takeaway from this chapter, it is this: most people do not lose their second chance because they do not qualify. They lose it because they make avoidable mistakes – acting on wrong assumptions, relying on incomplete information, waiting when they could have moved forward, or approaching a consequential legal process without the guidance it deserves.

The good news is that these mistakes are preventable, and even when they have already happened, most of them are fixable. You still have control over what happens next.

At this point, you understand your options, the process, and the risks. In the final chapter, we bring everything together and walk through exactly how to move forward.

Chapter 13 FAQs

FAQ 1: If my case was dismissed, why is it still showing up on background checks?

Because a dismissal ends the case — it does not remove the record. The arrest, the charge, and the case history still exist in law enforcement and court databases until additional steps are taken to clear them.

FAQ 2: Is a dismissal basically the same as having my record cleared?

No. A dismissal means the case is over. A cleared record — through expunction — means the record has been erased. Only one of those gives you the clean slate you are looking for.

FAQ 3: Can I rely on information I find online about expunction and non-disclosure?

Online information can be a useful starting point for building a general understanding, but it should not be your final answer. It is often general, sometimes outdated, and rarely tailored to the specifics of your case or your county.

FAQ 4: Why is online advice risky for something like this?

Because expunction and non-disclosure law is detailed and case-specific. What applies to someone else's situation may not apply to yours. Following the wrong advice can lead to filing mistakes, missed opportunities, or pursuing the wrong option entirely.

FAQ 5: What happens if I wait too long to take action?

Every month your record remains visible is another month of potential impact – on job applications, housing applications, professional opportunities, and your daily life. There is a real cost to delay, even if it does not feel immediate.

FAQ 6: Is there a hard deadline for filing?

Not always – but eligibility windows and waiting periods vary, and some circumstances can affect your options over time. Acting once you are eligible is generally the right approach.

FAQ 7: How do I know whether I need expunction or non-disclosure?

It depends on how your case ended, whether you were convicted, and whether you completed deferred adjudication. The correct option is determined by the specific facts of your case, not by personal preference.

FAQ 8: What happens if I file for the wrong option?

Your petition may be denied, and you will need to restart the process with the correct approach. That costs time, money, and keeps your record visible longer than necessary.

FAQ 9: Can I correct it if I choose the wrong option?

In most cases, yes – but it requires identifying the error, understanding the correct path, and starting the process again. It is a delay that is better avoided.

FAQ 10: Do I need an attorney to handle this process?

It is not always legally required, but the consequences of errors in this process are significant. An experienced attorney

helps ensure the correct option is chosen, the timing is right, all agencies are included, and the petition is accurate — all of which directly affects the outcome.

FAQ 11: What is the biggest risk of handling this process without legal guidance?

Missing important details — especially timing, agency identification, and eligibility — that determine whether the petition succeeds and whether the result is complete.

FAQ 12: Is hiring an attorney worth the cost?

For most people, yes. The cost of mistakes — in time, filing fees, and continued impact on employment and housing — almost always exceeds the cost of professional guidance. And the outcome, when done correctly, is permanent.

FAQ 13: What if I am not sure whether I qualify?

That is very common, and it is the most straightforward question to resolve. Having your case evaluated is the fastest way to find out where you stand and what your options are.

FAQ 14: What is the biggest overall mistake people make in this process?

Assuming that no action is needed — that a dismissal cleared the record, that time has taken care of it, or that the record is not affecting them. In most cases, the record is still there and still visible until something is done about it.

FAQ 15: What should I do next?

Now that you understand the risks and the most common mistakes, the next step is taking action with the right information and the right approach. The final chapter brings everything together and shows you exactly how to move forward.

CHAPTER 14

HOW LAWYERS MAXIMIZE YOUR CHANCES OF SUCCESS

By this point, you understand your options. You know what expunction can do, how non-disclosure works, and what mistakes to avoid. The question that naturally follows is whether you need help navigating the process, or whether you can handle it on your own.

The honest answer is that it depends on the situation. Some cases are relatively straightforward. Many are not. But across all of them, one thing remains true: the difference between filing and filing correctly is the difference between a result and a delay.

This chapter walks through the specific ways that experienced attorneys help people maximize their chances of success — not as a sales pitch, but as a practical explanation of where expertise makes a measurable difference.

SIDEBAR: THE REAL DIFFERENCE

Anyone can file paperwork. Not everyone gets it done correctly. The outcome depends on accuracy, timing, and a thorough understanding of the details — and those are exactly where experience pays off.

14.1 Identifying Hidden Eligibility

One of the most valuable things an experienced attorney can do is identify opportunities that are not immediately obvious. Many people assume they do not qualify for expunction or non-disclosure without fully understanding the legal landscape, and that assumption costs them a second chance they were entitled to.

SIDEBAR: HIDDEN OPPORTUNITIES

Many people conclude they do not qualify before having their case properly reviewed. In a significant number of those cases, they are wrong. The eligibility rules are detailed, and the correct path is not always apparent without a thorough evaluation.

Eligibility is often more nuanced than it appears. The outcome of a case, the specific charges involved, the timing of various events, and procedural details that might seem minor can all affect whether a particular remedy is available. An attorney who handles these cases regularly knows what to look for and where the less obvious paths tend to exist.

SIDEBAR: WHAT YOU DON'T KNOW CAN MATTER

Small details — how a charge was resolved, when a clock started running, what a case was ultimately classified as — can determine whether you qualify, when you can file, and what result is achievable. These details are often overlooked by people evaluating their own situations.

The goal of a proper evaluation is to move someone from uncertainty to clarity. In many cases, the question is not simply

whether you qualify, but under what conditions you qualify and which strategy gets you the strongest available result.

14.2 Strategic Filing Decisions

Knowing that you have options is one thing. Choosing the right strategy, at the right time, in the right way is another. The expunction and non-disclosure process involves decisions at every stage, and how those decisions are made directly affects the outcome.

SIDEBAR: TIMING IS NOT A GUESS

Filing at the wrong time can delay your case or result in outright denial. The correct filing date is calculated based on the specific facts of your case — the type of offense, when the case concluded, what conditions apply. It is not an estimate.

Timing is one of the most consequential decisions in the process. Filing too early results in denial. Filing at the right moment, with an accurately prepared petition, sets the case up for success. An attorney calculates the correct filing date rather than estimating it, which eliminates one of the most common and costly mistakes in the process.

SIDEBAR: STRATEGY CHANGES OUTCOMES

Two people with essentially the same case can end up with different results based entirely on how the process is handled. One files correctly at the right time with the right option and moves forward. The other files incorrectly and waits longer than necessary. Strategy is not a detail — it is the difference.

Beyond timing, strategic decisions include choosing between expunction and non-disclosure when both may be available, coordinating multiple cases that each carry their own timelines and requirements, and anticipating potential complications before they arise. The goal is always to prevent problems rather than fix them after the fact.

14.3 Handling Complex Cases

Some cases are straightforward. A single charge was dismissed, the waiting period has passed, and the path to expunction is clear. Many cases, however, involve a level of complexity that makes the process significantly more difficult to navigate without experience.

SIDEBAR: COMPLEX CASES NEED A PLAN

Cases involving multiple charges, deferred adjudication, DWI offenses, or records spread across multiple courts or counties require a more deliberate approach. The rules are less uniform, the details carry more weight, and the consequences of getting something wrong are amplified.

Complexity takes many forms. A single arrest can produce multiple charges with different outcomes. A case may have moved through more than one court. Prior convictions or deferred adjudication completions may affect what is available now. DWI cases have historically carried specific eligibility rules that have evolved over time. Records that span multiple counties or involve federal systems require attention to how each jurisdiction handles the process.

In these situations, the analytical work required before filing is considerably more involved. An experienced attorney can examine the full picture, identify the best available path, and build a strategy that accounts for all of the relevant factors rather than only the obvious ones.

14.4 Fixing Past Mistakes

Not every case starts fresh. Many people come to this process after something has already gone wrong — a petition that was denied, a filing that was submitted too early, agencies that were missed, or information that turned out to be incorrect. Those situations are not dead ends.

SIDEBAR: MISTAKES CAN BE FIXED

A prior denial or a flawed filing does not mean the opportunity is gone. In most cases, the underlying issue can be identified, corrected, and the case refiled with a properly prepared petition. A setback is not the same as a permanent barrier.

The first step in fixing a past mistake is understanding exactly what went wrong. Was it a timing issue? Were agencies left out of the petition? Was incorrect case information submitted? Was the wrong legal option pursued? Each of those problems has a different solution, and identifying the right one requires a clear-eyed analysis of what happened and why.

Once the issue is identified, the path forward typically involves correcting the specific problem, ensuring that the new petition is complete and accurate, and filing at the appropriate time. Many cases that begin with a denial ultimately succeed on a second attempt when the process is handled correctly.

14.5 Why Experience Matters

The argument for experience in this process is not abstract. It comes down to specific, practical advantages that affect the outcome in ways that are measurable and direct.

SIDEBAR: EXPERIENCE REDUCES RISK

An attorney who handles expunction and non-disclosure cases regularly has seen the mistakes that derail them. That familiarity means knowing what to check, what to verify, and where problems tend to hide — before they become problems.

Experience helps prevent the most common errors: filing too early, missing agencies, submitting inaccurate case information, and choosing the wrong option. It also brings familiarity with court procedures, judicial expectations, and the practical realities of how these cases move through the system. That knowledge translates into a smoother process with fewer unexpected complications.

SIDEBAR: THE COST OF DOING IT TWICE

Handling the process incorrectly the first time means starting over — paying filing fees again, waiting longer, and allowing the record to remain visible in the meantime. Getting it right the first time is almost always less expensive, in every sense, than fixing a mistake after the fact.

There is also a less tangible but equally real benefit: peace of mind. When you know the process is being handled correctly, that the timing has been calculated properly, that all agencies have been identified, and that the petition is accurate

and complete, you can focus on moving forward rather than worrying about whether something was missed.

SIDEBAR: THIS IS MORE THAN PAPERWORK

The expunction and non-disclosure process is about your job opportunities, your housing options, your professional reputation, and your ability to move forward without something from your past continuing to define you. That is worth handling carefully.

The long-term impact of a properly completed expunction or non-disclosure order — a clean background check, the legal right to deny the arrest, the removal of a barrier that has been limiting your options — is what this entire process is about. Experience in getting there matters because the result matters.

SIDEBAR: PEACE OF MIND MATTERS

When the process is handled correctly, you know what to expect at each stage, unnecessary delays are avoided, and you reach the finish line with confidence that the result is complete and accurate.

Closing Thoughts

The takeaway from this chapter is straightforward: the right approach can make the difference between delay and success. Many people qualify for expunction or non-disclosure, but not everyone gets the result they are entitled to — because of timing mistakes, incomplete filings, or missed opportunities that a proper evaluation would have caught.

With the right strategy and guidance, the process becomes clear, predictable, and successful. And the result is what

matters most: a real opportunity to move forward without your past continuing to hold you back.

In the final chapter, we bring everything together and walk through exactly what taking that next step looks like.

SIDEBAR: THE BOTTOM LINE

Knowledge brings clarity. Strategy produces better outcomes. Experience reduces the risk of the mistakes that delay or derail the process. All three work together toward the same goal: a result that is complete, accurate, and permanent.

Chapter 14 FAQs

FAQ 1: Do I really need an attorney for expunction or non-disclosure?

Not always — but the consequences of errors in this process are significant and direct. An attorney helps ensure the correct option is chosen, the timing is right, all agencies are included, and the petition is accurate. Each of those factors affects the outcome.

FAQ 2: What does an attorney actually do in this process?

An experienced attorney evaluates your eligibility, identifies the correct legal option for your situation, calculates the appropriate filing date, prepares an accurate and complete petition, and handles the process in a way that minimizes the risk of delay or denial.

FAQ 3: Can an attorney help if I am not sure whether I qualify?

Yes. Evaluating eligibility — including situations where it is not immediately obvious — is one of the most valuable things

an attorney can do. Many people who believe they do not qualify actually have a viable path.

FAQ 4: What are hidden eligibility opportunities?

Situations where the details of a case — how it was resolved, what the charges were, when certain events occurred — create eligibility that is not apparent without a thorough legal review. These are easy to miss without experience in this specific area of law.

FAQ 5: Can an attorney help me file at the right time?

Yes, and this is one of the most important contributions. The correct filing date is calculated based on the specific facts of your case. It is not an estimate, and filing at the wrong time is one of the most common causes of denial.

FAQ 6: What if my case is complicated?

Complex cases — those involving multiple charges, deferred adjudication, DWI offenses, or records across multiple courts — require a more deliberate approach. An experienced attorney can analyze the full picture and identify the best available path.

FAQ 7: Can an attorney fix a case that was already denied?

In many cases, yes. The first step is identifying what went wrong. Once the specific problem is understood, the case can typically be corrected and refiled with a properly prepared petition.

FAQ 8: What is the biggest advantage of working with an experienced attorney?

Preventing mistakes before they happen. The most common problems in this process — premature filing, missing

agencies, inaccurate information, choosing the wrong option — are avoidable with proper evaluation and preparation.

FAQ 9: Is the process faster with attorney guidance?

Generally, yes. Errors and delays are minimized when the process is handled correctly from the start, which means the result arrives sooner.

FAQ 10: What is the biggest risk of handling this process without guidance?

Missing the details that determine whether the petition succeeds and whether the result is complete — particularly timing, agency identification, and accurate case information.

FAQ 11: Is hiring an attorney expensive relative to the outcome?

For most people, the long-term value of a completed expunction or non-disclosure — in terms of employment, housing, and opportunity — significantly outweighs the cost. And getting it right the first time is less expensive than correcting a mistake afterward.

FAQ 12: Can I start on my own and get help later if something goes wrong?

You can, but fixing a mistake after the fact takes more time and effort than avoiding it. Starting with proper guidance is almost always the more efficient path.

FAQ 13: How do I know if my case is simple or complex?

If you are uncertain, that uncertainty itself is worth resolving through an evaluation. Cases that appear straightforward

sometimes have complications that are not visible without a closer look at the details.

FAQ 14: What if I have been putting this off for a long time?

That is very common, and it does not close the door. For most people, the option to act is still available. The important thing is moving forward now rather than continuing to wait.

FAQ 15: What should I do next?

Now that you understand your options, the process, and the value of handling it correctly, the next step is taking action with a clear plan. The final chapter brings everything together and shows you exactly how to move forward.

CHAPTER 15

WHAT CHANGES AFTER EXPUNCTION OR NON-DISCLOSURE

The earlier chapters of this book focused on the process: understanding your options, confirming eligibility, avoiding mistakes, and taking the right steps. This chapter focuses on something equally important: what life actually looks like on the other side.

For many people, the completion of an expunction or non-disclosure is more than a legal outcome. It is a turning point. The barriers that have been shaping decisions — which jobs to apply for, which neighborhoods to consider, which careers to pursue — begin to lift. The question changes from “what is holding me back” to “what is possible now.”

SIDEBAR: THIS IS WHERE EVERYTHING CHANGES

Clearing or sealing your record is not just a legal result. It is the moment when the practical consequences of your past begin to recede and the future opens up in ways it could not before.

15.1 Employment Opportunities

One of the most immediate and meaningful changes happens in employment. A criminal record — even one involving an arrest that never led to a conviction — can derail job applications at the background check stage, before a candidate ever has the chance to be considered on their actual qualifications. That dynamic shifts significantly after expunction or non-disclosure.

SIDEBAR: BACKGROUND CHECKS LOOK DIFFERENT NOW

After expunction, your record is gone and should not appear on standard background checks. After non-disclosure, your record is sealed and most employers cannot see it. Either way, the information that has been working against you is no longer visible to the people making hiring decisions.

With expunction, you can legally deny the arrest in most situations — on job applications, in interviews, and in most other contexts where the question arises. With non-disclosure, you can deny it in many everyday situations, though some exceptions apply, particularly in government employment and certain licensed professions. In both cases, the practical effect for the vast majority of job applications is the same: the record is not there.

SIDEBAR: CONFIDENCE COMES BACK

Before clearing a record, many people approach job applications with anxiety — uncertain what will show up, unsure what to say, worried about being judged for something that may have happened years ago. After the process is complete, that anxiety fades. You apply knowing the answer to the background check question before it is asked.

The employment impact extends beyond simply getting hired. Career advancement, promotion opportunities, and the ability to move into new fields or higher-responsibility roles can all be affected by a visible record. Clearing or sealing it removes a ceiling that many people have been operating under without fully realizing it. Opportunities that once seemed out of reach – because of a background check that would have raised questions – become available.

SIDEBAR: MORE OPPORTUNITIES, FEWER BARRIERS

When your record is cleared or sealed, more doors open. Fewer applications are rejected before they are fully considered. More options become available — not just for the job you are applying for today, but for the direction your career takes from here.

15.2 Housing and Financial Benefits

Housing is another area where a criminal record creates barriers that are often invisible until you run directly into them. Landlords routinely conduct background checks, and a record – even one that did not result in a conviction – can result in a denied application or limit your choices to properties where standards are lower and options are fewer.

SIDEBAR: HOUSING GETS EASIER

Many people do not fully appreciate how much a record has been narrowing their housing options until those options expand. Removing or sealing the record changes what landlords see — and changes what becomes available to you.

After expunction or non-disclosure, landlords conducting standard background checks will generally not find the record. The practical result is access to a broader range of housing – better locations, more choices, greater stability. For people who have been renting in limited circumstances because of what a background check would reveal, this is a meaningful and lasting improvement.

The financial benefits extend beyond housing. A record can create indirect barriers to loans, credit applications, and other financial decisions where employment history and stability are factors. Improved employment prospects, combined with expanded housing access, contribute to an overall picture of greater financial stability over time. These are not dramatic overnight changes, but they are real and cumulative.

SIDEBAR: YOU CAN MOVE FORWARD

You are no longer defined by a past arrest or a case that has already ended. The record that has been following you through applications and decisions is gone or sealed. What comes next is shaped by where you are going, not where you have been.

15.3 Professional Licensing

Many careers require licenses or certifications issued by state licensing boards, and those boards routinely conduct background checks as part of the application process. The impact of expunction and non-disclosure on professional licensing is meaningful, though it is also an area where some important nuances apply.

SIDEBAR: CAREER PATHS EXPAND

Clearing or sealing your record can open doors to professions that were previously blocked by licensing requirements. Healthcare, education, real estate, trades, and many other fields involve licensing boards that conduct background reviews. Removing the record from public access changes what those reviews find.

With expunction, the record is removed from public access and generally will not appear in the background check conducted by a licensing board. With non-disclosure, the record is sealed from public view, but certain government agencies — including some licensing boards — may still have access to it. This distinction matters, and it is one of the reasons that understanding which option applies to your situation is important before you make career decisions based on the outcome.

SIDEBAR: LICENSING STILL REQUIRES ATTENTION

Even after non-disclosure, some licensing boards retain the ability to access sealed records. Some applications may still require disclosure in certain contexts. Understanding when honesty is legally required — even after your record has been sealed — is an important part of moving forward correctly.

For many people, the licensing impact of clearing their record is the factor that makes the largest difference in long-term career trajectory. The ability to pursue a profession that requires a license — one that was effectively closed before — can reshape what the next decade of work looks like. That is a significant and lasting benefit.

15.4 Peace of Mind and Moving Forward

Beyond the practical changes in employment, housing, and licensing, there is a benefit that is harder to quantify but just as real: peace of mind. For many people, a criminal record creates a persistent undercurrent of anxiety — a background worry about what might show up, what questions might be asked, and how to answer them.

SIDEBAR: PEACE OF MIND IS REAL

One of the most significant changes after expunction or non-disclosure is not visible on any form or application. It is the absence of a weight that many people have been carrying for years — the relief of no longer wondering whether the past is about to surface in a situation where it will cause damage.

After expunction or non-disclosure, that anxiety has less to attach itself to. The background check no longer returns something unexpected. The question on the job application no longer requires a calculation about what to say. The rental application no longer carries the same uncertainty. For people who have been managing that stress for months or years, the change is noticeable and meaningful.

SIDEBAR: NO MORE “WHAT IF”

Before: “What if this shows up?” After: it does not show up, or it is no longer accessible to the people who were seeing it. The question resolves itself, and the space it occupied is available for something more productive.

The longer-term dimension of this is equally important. The benefits of expunction and non-disclosure are not temporary. An expunged record does not grow back. A sealed record does not unseal itself. The legal protection that has been put in place continues to work over time, shaping what background checks find years and decades from now. The decision to take action compounds in its value the longer it has been in place.

SIDEBAR: THIS IS LONG-TERM CHANGE

The impact of clearing or sealing a record is not a one-time event. It continues to work in your favor on every application, every background check, and every opportunity that arises from this point forward. The value compounds over time.

Rebuilding a professional and personal life after a record has been cleared is not an instant process, but it begins with the removal of the barrier. People apply for jobs they previously would not have considered. They pursue licenses they had written off. They rent in neighborhoods they had assumed would reject them. Those decisions, made possible by the cleared or sealed record, accumulate into a different kind of future than the one that seemed available before.

SIDEBAR: THE BOTTOM LINE

A cleared record means a clean slate. A sealed record means real opportunity. Either outcome removes something that has been working against you and replaces it with the ability to move forward on your own terms.

Closing Thoughts: Your Fresh Start Begins Now

Throughout this book, we have covered what expunction and non-disclosure are, who qualifies, how each process works, what mistakes to avoid, and how the right guidance maximizes the chances of a successful outcome. All of that leads to this point.

You have an opportunity to move forward. Your past does not have to define your future. With the right information and the right action, you can remove barriers, create opportunities, and take control of what comes next.

This is not just about clearing a record. It is about reclaiming your future — the jobs you can apply for, the places you can live, the careers you can pursue, and the peace of mind that comes from knowing the past is no longer following you into every new situation.

The next step is yours to take.

Chapter 15 FAQs

FAQ 1: Will my record really stop showing up on background checks?

In most cases, yes. After expunction, your record should not appear on standard background checks at all. After non-disclosure, it is hidden from most employers and landlords, though certain government agencies and licensing boards may still have access.

FAQ 2: Can I apply for jobs without worrying about my background check?

For most job applications, yes. The concerns that have accompanied background checks — what will show up, how to explain it — are greatly reduced or eliminated after your record is cleared or sealed.

FAQ 3: Can I legally deny my record after expunction or non-disclosure?

After expunction, you can legally deny the arrest in most situations. After non-disclosure, you can deny it in many every-day situations, though some exceptions apply, particularly for government employment and certain professional licenses.

FAQ 4: Will this actually improve my job opportunities?

For most people, yes. Removing the record from background check results means applications are no longer filtered out before they are fully considered. That improves access to interviews, offers, and longer-term career advancement.

FAQ 5: Does clearing my record help with housing applications?

Yes. Landlords rely on background checks, and a record that does not appear — or cannot be accessed — changes what they find. Most people see a meaningful improvement in their housing options after expunction or non-disclosure.

FAQ 6: Will this affect my finances?

Indirectly, yes. Improved employment prospects and expanded housing access both contribute to greater financial stability over time. The effect is cumulative rather than immediate, but it is real.

FAQ 7: Can I pursue a professional license now?

In many cases, yes. Expunction generally removes the record from what licensing boards find. Non-disclosure seals it from public access, though some boards retain the ability to see sealed records. The answer depends on the profession and the specific licensing requirements.

FAQ 8: Will I still have to explain my past to anyone?

In most everyday situations, no. That is one of the most significant practical benefits of expunction and non-disclosure. There are some contexts – particularly government employment and certain licensed professions – where disclosure may still be required, and it is important to understand those exceptions.

FAQ 9: How soon will I notice the benefits?

Often fairly quickly, once background check databases have updated following the order. The first application that comes back clean, the first rental approval that was not certain before – those moments tend to be immediate and noticeable.

FAQ 10: Will my record ever come back?

No. An expunged record is permanently erased. A sealed record remains sealed. The legal protection does not expire, and the benefits continue to work in your favor on every background check and application from this point forward.

FAQ 11: What is the biggest change most people notice after the process is complete?

Peace of mind. The persistent background anxiety about what might show up – on applications, in conversations, in situations where the past might surface – begins to fade. For people who have been carrying that for years, the relief is significant.

FAQ 12: Is going through this process really worth it?

For most people, yes. The impact on employment, housing, professional licensing, and overall quality of life is meaningful

and lasting. The benefits compound over time, making the decision more valuable the earlier it is made.

FAQ 13: What if I have been dealing with this record for years?

That is very common, and it is exactly why taking action makes such a significant difference. The years of impact you have already experienced are behind you. Taking action now changes what the years ahead look like.

FAQ 14: What does “moving forward” actually mean in practical terms?

It means fewer limitations on where you can work, where you can live, and what careers you can pursue. It means applications that are evaluated on your qualifications rather than filtered out by something from the past. It means greater confidence and less uncertainty in everyday decisions.

FAQ 15: What should I do now?

You have learned what expunction and non-disclosure can do, how the process works, what mistakes to avoid, and what changes when the process is complete. The next step is straightforward: take action with the right information and the right approach, and begin moving forward.

CHAPTER 16

REBUILDING YOUR LIFE WITH CONFIDENCE

You have done something significant. Whether your record was cleared through expunction or sealed through non-disclosure, a barrier that has been shaping your decisions is no longer in the way. But clearing your record is not a finish line — it is a starting point. What you do from here determines how fully you are able to take advantage of what you have worked toward.

This chapter is about exactly that: the practical steps for moving forward with confidence once the legal process is complete.

SIDEBAR: THIS IS YOUR NEW STARTING POINT

You are not going back. You are moving forward — with a record that has been cleared or sealed, and with the ability to present yourself to employers, landlords, and the world on your own terms.

16.1 How to Answer Background Check Questions

One of the first practical questions people have after completing the expunction or non-disclosure process is a simple one: what do I say now? The anxiety that once surrounded background check questions — uncertainty about what would appear, about how to explain it, about how it might be interpreted — no longer has the same foundation. But knowing how to answer confidently requires understanding what the process has actually changed.

SIDEBAR: YOU CAN ANSWER WITH CONFIDENCE

After expunction or non-disclosure, you do not need to hesitate when asked about your background. Your record has been cleared or sealed. In most everyday situations, your answer can be simple, direct, and honest — and that answer is no.

After expunction, the record has been erased. In most situations, you can legally deny that the arrest occurred — on job applications, in interviews, and in most other contexts where the question arises. After non-disclosure, the record has been sealed from public view, and in most everyday situations the same answer applies. There are exceptions, particularly in government employment and certain licensed professions, and it is important to understand where those apply. But for the vast majority of job applications and housing situations, the answer you give can simply be no.

SIDEBAR: DON'T OVER-EXPLAIN

One of the most common mistakes after clearing a record is volunteering more information than is asked for. If your record

has been cleared or sealed, answer the question and stop there. You are not obligated to explain your history, and doing so often creates more uncertainty than it resolves.

In interviews, if questions do arise, staying calm and answering briefly and directly is the right approach. The key is not to treat a past arrest as something that requires a lengthy explanation when the legal fact is that it has been addressed. Your answers should reflect the reality of where you are now, not the anxiety of where you were before.

SIDEBAR: CONFIDENCE CHANGES EVERYTHING

How you present yourself in applications and interviews matters. Confidence that comes from knowing your record is clear translates into how you carry yourself, how you answer questions, and how others perceive you. That shift is real and it is worth cultivating.

16.2 Rebuilding Your Reputation

Clearing your record removes a barrier. What you build in its place is up to you. This is not about starting over from scratch — it is about moving forward with the experience, awareness, and capability you already have, without a record working against you at every turn.

SIDEBAR: YOUR PAST IS NOT YOUR IDENTITY

A record is something that happened. It is not who you are. The expunction or non-disclosure process has addressed it legally. What defines you going forward is what you do from here.

Reputation is rebuilt through consistency. Employers value accountability and follow-through. Colleagues and supervisors form impressions over time, based on the work you do and the reliability you demonstrate. The record that once complicated those relationships is no longer in the foreground. The space it occupied is now available for something more useful.

With fewer barriers in the way, the opportunities that were previously out of reach — better jobs, career changes, advancement — become realistic options to pursue. Applying for those positions, exploring new fields, and setting goals that were previously constrained by what a background check would return is now possible in a way that it was not before.

SIDEBAR: FOCUS ON WHAT’S NEXT

The question is no longer what happened in the past. The question is what you are going to do with the opportunity in front of you. That shift in focus is one of the most important parts of moving forward.

The following checklist provides a practical, step-by-step guide for the period after your record is cleared or sealed.

Life After Your Record Is Cleared A Guide to Moving Forward with Confidence	
Step 1	<p>Confirm Your Record Is Clear or Sealed</p> <ul style="list-style-type: none"> <input type="checkbox"/> Run a personal background check <input type="checkbox"/> Confirm your record does not appear publicly <input type="checkbox"/> Verify through multiple sources if possible <input type="checkbox"/> Keep a copy of your expunction or non-disclosure order <p>Trust — but verify.</p>
Step 2	<p>Update Your Approach to Applications</p> <ul style="list-style-type: none"> <input type="checkbox"/> Review how to answer background check questions <input type="checkbox"/> Practice confident, simple responses <input type="checkbox"/> Avoid over-explaining <input type="checkbox"/> Know when you can legally answer “No” <p>Clarity builds confidence.</p>

<p>Step 3</p>	<p>Reapply for Opportunities</p> <ul style="list-style-type: none"> <input type="checkbox"/> Apply for jobs you previously avoided <input type="checkbox"/> Revisit housing options that were not available before <input type="checkbox"/> Explore new career paths and fields <input type="checkbox"/> Consider promotions or career changes <p>Doors that were closed may now be open.</p>
<p>Step 4</p>	<p>Strengthen Your Professional Image</p> <ul style="list-style-type: none"> <input type="checkbox"/> Update your resume <input type="checkbox"/> Improve your online presence <input type="checkbox"/> Gather references or recommendations <input type="checkbox"/> Highlight your growth, skills, and experience <p>Your future is now your focus</p>
<p>Step 5</p>	<p>Understand Your Rights</p> <ul style="list-style-type: none"> <input type="checkbox"/> Know when disclosure is still legally required <input type="checkbox"/> Understand which agencies may still access your record <input type="checkbox"/> Be aware of licensing-specific exceptions <input type="checkbox"/> Stay informed about your legal protections <p>Confidence comes from clarity.</p>
<p>Step 6</p>	<p>Monitor Your Record Going Forward</p> <ul style="list-style-type: none"> <input type="checkbox"/> Periodically check background reports <input type="checkbox"/> Watch for outdated or incorrect information <input type="checkbox"/> Address any issues quickly if they appear <p>Stay proactive, not reactive.</p>
<p>Step 7</p>	<p>Protect Your Progress</p> <ul style="list-style-type: none"> <input type="checkbox"/> Avoid future legal issues <input type="checkbox"/> Make decisions that support your long-term goals <input type="checkbox"/> Stay focused on building what you have started <p>You have earned this fresh start — protect it.</p>
<p>Step 8</p>	<p>Build Momentum</p> <ul style="list-style-type: none"> <input type="checkbox"/> Set new personal and professional goals <input type="checkbox"/> Take steps toward long-term stability <input type="checkbox"/> Invest in your growth and your future <p>This is your opportunity to move forward.</p>
<p>Step 9</p>	<p>Know When to Ask for Help</p> <ul style="list-style-type: none"> <input type="checkbox"/> Seek guidance if your record appears incorrectly <input type="checkbox"/> Get advice on disclosure questions when unsure <input type="checkbox"/> Ask for help if new legal issues arise <p>You do not have to navigate everything alone.</p>
<p>Step 10</p>	<p>Move Forward with Confidence</p> <ul style="list-style-type: none"> <input type="checkbox"/> Let go of the limitations that defined the past <input type="checkbox"/> Focus on the opportunities that are now available <input type="checkbox"/> Take action without hesitation <p>Your past no longer defines your future.</p>
<p><i>A cleared or sealed record is not the end of a process. It is the beginning of what comes next.</i></p>	

16.3 Protecting Your Record Going Forward

An expunged or sealed record is a significant legal achievement, and it is worth protecting. The most straightforward way to do that is also the most obvious: avoid future legal issues. Even a minor new charge can create complications, and a new conviction can affect what options remain available to you going forward.

SIDEBAR: PROTECT WHAT YOU'VE GAINED

You have taken an important step toward a better future. Protecting that step means staying on track, making sound decisions, and treating the fresh start you have earned as something worth maintaining.

It is also worth taking a practical step shortly after the process is complete: run a background check on yourself. This lets you confirm that the record is no longer appearing as it should not, that databases have updated, and that the order has been properly processed. If something looks incorrect, it can be addressed — but catching it early is much easier than discovering a problem months later when it has already affected an opportunity.

SIDEBAR: CHECK YOUR BACKGROUND

Running a personal background check after your record is cleared or sealed is a simple and practical step. It confirms that the process has worked as intended, gives you peace of mind, and puts you in a position to catch and correct any lingering issues before they create problems.

Old records occasionally linger in databases that are slow to update or that draw from outdated sources. This is not common, but it happens. When it does, it is typically a reporting issue rather than a legal one, and it can be corrected. The key is not to ignore it if you see it. The protection that has been put in place is worth enforcing.

SIDEBAR: IF SOMETHING LOOKS WRONG — FIX IT

If your record appears somewhere it should not, do not assume it will resolve on its own. Take action. Most issues with residual records can be corrected, and addressing them quickly protects both the result of the process and your ability to move forward.

16.4 When to Seek Legal Help Again

Completing the expunction or non-disclosure process does not mean you will never need legal guidance again. There are situations that arise after the fact where having access to experienced counsel makes a meaningful difference.

SIDEBAR: YOU DON'T HAVE TO DO THIS ALONE

Questions about disclosure requirements, background check errors, licensing situations, or new legal concerns are all areas where guidance helps. Knowing where to turn when those questions arise is part of protecting the progress you have made.

The most common situations that call for follow-up legal guidance include: a background check that shows information it should no longer show, a question about whether disclosure is required in a specific context, a professional licensing application that raises questions about

your history, or a new legal matter that has arisen since the process was completed.

In some cases, additional legal relief may become available over time. Laws change, eligibility rules are updated, and situations that were not addressable in the past sometimes become addressable later. Having a trusted resource to turn to when those questions arise — someone familiar with your history and the applicable law — is genuinely valuable.

SIDEBAR: GROWTH MATTERS MORE THAN THE PAST

What matters most now is what you do next. The legal work is done. The barriers have been reduced. The focus shifts entirely to where you are going — the life you are building, the goals you are pursuing, and the opportunities you are now in a position to take.

Closing Thoughts

You have done something important. The record that followed you through applications, screenings, and decisions has been addressed. The barriers it created have been reduced or removed. The opportunities that were once out of reach are now available to pursue.

What comes next is yours to build. More opportunities, more control, and the confidence that comes from knowing the past is no longer following you into every new situation. You are no longer defined by where you have been — but by where you are going.

SIDEBAR: THE BOTTOM LINE

You have removed barriers. You have created opportunities. Now it is time to use them.

Chapter 16 FAQs

FAQ 1: What do I say on job applications now?

After expunction, you can answer “no” when asked about past arrests or charges in most situations. After non-disclosure, the same answer applies in most everyday contexts, though some exceptions exist for government employment and certain professional licenses. If you are unsure whether an exception applies to your specific situation, it is worth confirming before answering.

FAQ 2: Do I need to explain my past in job interviews?

In most cases, no. If your record has been cleared or sealed, you are generally not required to volunteer that information or explain it. Answer questions that are asked honestly and directly — and keep your response brief. Over-explaining tends to create more uncertainty than it resolves.

FAQ 3: What if an employer asks about my record specifically?

Answer honestly when a question is legally required. If the record has been expunged, you can deny it in most contexts. If it has been sealed through non-disclosure, the same is generally true except in situations involving government employment or professional licensing. When in doubt about a specific context, confirm before answering.

FAQ 4: How do I rebuild my reputation after this process?

Through consistency, accountability, and follow-through over time. Reputation is built by what you do going forward. The record that was working against you is no longer in the foreground, which means your actions are now more visible than your history.

FAQ 5: Will people still be able to find my record?

After expunction, the record should not appear in standard background checks or public searches. After non-disclosure, the record is sealed from public access, though certain government agencies and some licensing boards may still have access to it. For most everyday purposes, the record is not findable.

FAQ 6: Should I run a background check on myself after the process is complete?

Yes. It is a straightforward step that confirms the record is no longer showing up as it should not, gives you peace of mind, and allows you to catch and correct any lingering issues before they affect an opportunity.

FAQ 7: What if my record still appears somewhere after it has been cleared or sealed?

This can happen due to delayed database updates or outdated sources. It is generally a reporting issue rather than a legal one, and it can typically be corrected with follow-up. The important thing is not to ignore it.

FAQ 8: Can I apply for better jobs and housing now?

Yes. That is one of the most direct and practical benefits of this process. Opportunities that were previously inaccessible because of what a background check would reveal are now available to pursue on the strength of your actual qualifications and history.

FAQ 9: How do I protect my cleared or sealed record going forward?

The most important step is avoiding future legal issues. Beyond that, periodically checking your background report,

understanding your disclosure rights, and addressing any incorrect information promptly all help protect the progress you have made.

FAQ 10: What if I make a mistake or face a new legal issue in the future?

A new legal matter does not necessarily undo the work that has been done, but it can create new complications. Seeking legal guidance promptly when a new issue arises is the right approach, both to address the immediate situation and to understand how it may interact with your existing record protections.

FAQ 11: When should I seek legal help again?

Seek guidance if your record appears somewhere it should not, if you are unsure whether disclosure is required in a specific context, if a professional license application raises questions, or if you encounter a new legal issue. Having an experienced resource available for those situations is genuinely valuable.

FAQ 12: Can new expunction or non-disclosure opportunities arise in the future?

Yes. Laws change, eligibility rules are updated, and situations that were not addressable at one point sometimes become addressable later. Staying informed about legal developments in this area — or having a resource to consult when questions come up — ensures you do not miss opportunities as they arise.

FAQ 13: What is the biggest change most people notice after completing this process?

Confidence. The persistent background worry about what might show up, what will be asked, and how to answer it begins to fade. For people who have been carrying that for a long time, the change is significant and immediate.

FAQ 14: How do I move forward from here in a practical sense?

Apply for the jobs you previously avoided. Explore the housing options that were not available before. Pursue the professional license or career path that the record was blocking. Set goals without factoring in a barrier that no longer exists.

FAQ 15: What is the most important takeaway from this chapter?

Your past no longer controls your future. The legal work has been done. What comes next is determined by the decisions you make and the actions you take from this point forward.

CHAPTER 17

FREQUENTLY ASKED QUESTIONS

By this point, you have a thorough understanding of expunction and non-disclosure — what each one does, who qualifies, how the process works, and what changes when it is complete. Even with all of that, a handful of specific questions come up consistently, questions that do not fit neatly into any single chapter but matter a great deal to people deciding whether and how to move forward. This chapter answers the most common of them directly.

17.1 Can I Clear Multiple Cases at Once?

This is one of the most frequent questions from people who have more than one arrest or case in their history. The short answer is: sometimes, but not always — and the distinction matters.

Each case is evaluated on its own facts. That means one case may qualify for expunction while another does not, or two cases may qualify but under different timelines and through separate filings. Multiple charges arising from the same arrest can sometimes be addressed together, but only when each

charge qualifies and the petition is structured correctly to cover all of them.

SIDEBAR: MULTIPLE CASES, ONE GOAL

Having more than one case in your history does not prevent you from moving forward — it just means the process requires more careful planning. Each case has to be evaluated on its own facts, and the right strategy takes all of them into account.

When cases happened at different times, were handled in different courts, or had different outcomes, they generally require separate petitions. Attempting to combine cases that do not legally belong together is one of the more common mistakes in DIY filings, and it tends to create delays or denials that proper planning would have avoided.

The key takeaway is that multiple cases are not a barrier to moving forward — they simply require the right approach. A proper evaluation identifies what is available for each case, what the correct timing is for each, and how to structure the process so that as much as possible is addressed as efficiently as possible.

17.2 How Long Does It Take?

Timeline is one of the most practical concerns people have, and the answer varies enough that a realistic range is more useful than a single number.

For expunction, the typical timeline from filing to court approval runs roughly one to three months, depending on court schedules, the complexity of the case, and the number of agencies involved. After the court approves the petition and issues the order, agencies need additional time — often several

more weeks – to process it, remove the records, and update their systems. Background check databases do not refresh overnight, so the full practical effect of an expunction may take a bit longer to be visible.

For non-disclosure, the timeline tends to be somewhat shorter – typically one to two months from filing to approval – with a similar post-approval period for agencies to process the order and update their records.

SIDEBAR: THE WAITING HAPPENS ON BOTH ENDS

Most of the waiting in this process happens before filing — in the form of required waiting periods — and after approval, as agencies work through their update processes. The active legal proceedings in the middle are usually the shortest part of the timeline.

What affects the timeline most significantly is the accuracy of the petition. A filing that is complete, correctly prepared, and submitted at the right time moves through the system more smoothly than one that requires corrections or generates objections. Filing fees and court schedules also play a role, as does the number of agencies that need to be notified.

The process takes time – but the result, when it arrives, is permanent. That perspective is worth keeping in mind during the waiting.

17.3 Will the FBI Delete My Record?

This question matters because many people are aware that criminal records are maintained at both state and federal levels, and they want to know whether an expunction or non-disclosure order reaches all the way through that system.

The answer for expunction is generally yes, with some important context on timing. When a Texas court issues an expunction order, it is sent to all agencies listed in the petition — and that list should include federal agencies such as the FBI. Once the FBI receives and processes the order, it is required to update its records accordingly. Federal databases, however, tend to process updates more slowly than local or state systems, which means there can be a lag between the court order and the actual removal of the record from federal databases.

SIDEBAR: FEDERAL RECORDS TAKE LONGER

Federal databases — including FBI records — are updated more slowly than state and local systems. An expunction order reaches them, but the processing time is longer. If a federal record still appears some time after the order was issued, follow-up may be needed to confirm compliance.

For non-disclosure, the picture is different. Non-disclosure seals the record from public view but does not destroy it. Certain government agencies — including federal agencies — may still have access to sealed records. Non-disclosure is designed primarily to protect against public disclosure, not to remove records from law enforcement systems.

If a federal record still appears after an expunction order has been issued and processed, that typically calls for follow-up rather than resignation. The order carries legal force, and compliance can be pursued if agencies have not acted on it appropriately.

17.4 Can Employers Still Find It Online?

This is a very practical question, and the realistic answer is: for most employers using standard background check services, no — but there are some nuances worth understanding.

Most employers rely on background check companies that draw their data from public court records, law enforcement databases, and state systems. After an expunction, those underlying records are removed, which means the background check company's data should update to reflect the expunction over time. After non-disclosure, the records are sealed from public access, and most background check companies should no longer be able to retrieve or report them.

SIDEBAR: MOST EMPLOYERS WILL NOT SEE IT

For the vast majority of standard employment background checks, a properly completed expunction or non-disclosure means the record will not appear. The employers who rely on these checks — which is most of them — will not find it.

The more complicated scenario involves cached or aggregated data from older websites, public record aggregators, or sources that do not update promptly when the underlying records change. These can occasionally surface old information even after an expunction has been completed. The good news is that this is increasingly the exception rather than the rule, and most of these sources can be contacted to request removal when the issue arises.

Running a background check on yourself after the process is complete — as discussed in the previous chapter — is the most reliable way to confirm what employers are actually seeing and to identify any lingering issues that need to be addressed.

17.5 What If My Case Was Years Ago?

Many people come to this question after a long delay — sometimes years, sometimes decades. They wonder whether time has changed anything, whether old cases can still be addressed, or whether the window has somehow closed.

The age of a case, by itself, does not disqualify it. Older cases often still qualify for expunction or non-disclosure, and in some respects they can be simpler to address than recent ones because the waiting periods have long since passed and the case history is fully documented. The eligibility analysis is the same regardless of when the case occurred: what mattered was how it resolved, not how long ago.

SIDEBAR: IT IS NOT TOO LATE

If a record from years ago is still showing up on background checks and still affecting your opportunities, it is still worth addressing. The age of the case does not close the door. What matters is whether the case qualifies under the applicable law — and many older cases do.

The more common reason people with older cases have not acted is not that they were ineligible, but that they did not know they had options, assumed it was too late, or never had a clear enough picture of the process to know where to start. Those are understandable reasons to wait — but they are not reasons to continue waiting once the information is available.

If an old record is still appearing on background checks, it is still affecting your life. That means it is still worth addressing. Records can typically be located through court clerks and official systems even when the person no longer has their own

documentation from the time. The process for an older case is the same as for a recent one — it just starts from a longer distance behind.

Closing Thoughts

If you have read this far, you now understand your options, how the process works, the most common mistakes to avoid, and what changes when the process is complete. You have the answers to the questions that most often keep people from taking action.

There is one step left: deciding to move forward. Your record will not clear itself, and the opportunities that are currently limited by it will not change on their own. But with the right action, taken at the right time, they can. You have the information. The next step is yours.

A FINAL WORD FROM THE AUTHOR

If you have read this far, I want to thank you.

Taking the time to understand your options, your rights, and what is available to you is not a small thing. It means you are thinking seriously about moving forward. That matters.

Over the years, I have spoken with many people in your position. Some felt frustrated. Some felt overwhelmed. Some had been carrying this for so long that they had stopped believing their situation would ever change. And almost all of them shared one thing in common: they believed their past would always follow them.

In many cases, that simply is not true.

You Are Not Alone in This

If you have had an arrest or a case on your record, you already understand how it can affect your life. It shows up when you least expect it. It limits opportunities. It can make straightforward things feel more difficult than they should be. And it can feel, at times, like you are being judged for something that does not tell the full story of who you are.

What I want you to understand is this: your record is not the whole story.

You Have Options

The most common misconception I encounter is the belief that nothing can be done. In many cases, that is simply not accurate. Expunction, non-disclosure, and other available strategies exist precisely because the law recognizes that people deserve a path forward. Even in complicated situations, the answer is rarely hopeless — it is more often a matter of understanding what approach fits the facts.

Doing It the Right Way Matters

As you have learned throughout this book, this process is not just paperwork. It is timing, accuracy, strategy, and making sure nothing is missed. Small mistakes create delays. The right approach creates results. That distinction is real, and it is why getting the details right from the beginning matters so much.

This Is About More Than a Record

Yes, this is a legal process. But what it is really about is your ability to apply for a job without hesitation, to find a place to live without unnecessary worry, and to move forward without your past following you into every new situation. This is about your future — and you deserve the chance to build it on your own terms.

You Do Not Have to Figure This Out Alone

If you are unsure where to start, that is okay. If your situation feels complicated, you are not the only one. That is exactly why this guidance exists.

When you are ready to get clear answers and understand your specific options, the next step is a conversation. There is no pressure and no obligation – just an honest evaluation of where you stand and what is possible.

Your past may be part of your story. But it does not have to control your future.

You have already taken the first step by learning. The next one is yours to take.

Sincerely,

Stephen Hamilton

Texas Criminal Defense Group

APPENDIX A

GLOSSARY OF LEGAL TERMS

The following terms appear throughout this book. Each is defined here in plain language to help you follow along without needing a legal background.

Term	Plain English Definition
Arrest	When law enforcement takes you into custody on the belief that you committed a crime.
Background Check	A review of your criminal history, commonly used by employers, landlords, and lenders.
Case Disposition	The final outcome of a case – for example, dismissed, not guilty, or conviction.
Conviction	A finding of guilt, whether entered by plea or court decision.
Deferred Adjudication	A form of probation in which the judge withholds a conviction. If you successfully complete all conditions, no conviction is entered.
Dismissed Case	A case that was dropped before trial and did not result in a conviction.
Expunction (Expungement)	A legal process that erases your criminal record entirely, as if the arrest never occurred.
Non-Disclosure	A legal process that seals your criminal record from public view. The record still exists but is hidden from most employers and the general public.
Petition	A formal legal document filed with the court requesting a specific action.

Clearing Your Record in Texas

Probation	A period of court-supervised release, typically with conditions you are required to follow, in lieu of incarceration.
Sealed Record	A record that continues to exist in the system but is restricted from public access.
Waiting Period	The amount of time required to pass before you are eligible to file for expunction or non-disclosure. The length varies depending on the offense and case outcome.

APPENDIX B

EXPUNCTION VS. NON-DISCLOSURE COMPARISON CHART

This chart provides a side-by-side comparison of expunction and non-disclosure across the factors that matter most to people deciding which option applies to their situation.

Feature	Expunction	Non-Disclosure
Record Status	Erased permanently	Sealed from public view
Public Access	None	Hidden
Record Exists in System	No	Yes
Employers Can See It	No	No (with limited exceptions)
Government Access	No (very limited exceptions)	Yes – law enforcement and some agencies
Right to Deny Arrest	Yes – in virtually all contexts	Yes – in most everyday contexts
Best For	Dismissed cases, not guilty verdicts, no-bills	Deferred adjudication completions
Overall Strength	★★★★★ Strongest available	★★★★ Strong alternative

The simple summary: expunction erases your record. Non-disclosure hides it. Both can meaningfully change what comes next.

APPENDIX C

SAMPLE TIMELINE OF A RECORD CLEARING CASE

This timeline illustrates the typical sequence of events in an expunction or non-disclosure case, from the end of the original case through final record clearance.

Sample Timeline of a Record Clearing Case	
Step 1 Case Ends	The case is dismissed, no charges are filed, a not-guilty verdict is returned, or deferred adjudication probation is successfully completed.
Step 2 Waiting Period (if required)	Depending on the type of case and the applicable law, a waiting period may apply before a petition can be filed. This can range from immediate eligibility to several years.
Step 3 Case Evaluation	An attorney reviews the case to confirm eligibility, identify the correct legal option, calculate the appropriate filing date, and gather all required case details.
Step 4 Petition Filed	The petition is prepared and filed with the appropriate court. All agencies that hold records of the case are identified and listed.
Step 5 Court Review	The court reviews the petition for eligibility. A hearing may or may not be required. When the petition is properly prepared, most cases proceed without significant complications.
Step 6 Court Decision	If approved, the court issues an expunction order or order of non-disclosure. If denied, the specific reason must be identified and corrected before refiling.

Clearing Your Record in Texas

Step 7 Agencies Process the Order	All listed agencies receive the order and are required to act on it. For expunction, records are destroyed or returned. For non-disclosure, records are sealed from public access.
Step 8 Final Result	For expunction: the record is erased. For non-disclosure: the record is sealed. Background check databases update over the following weeks.
Typical timeline from filing to completion: 1–3 months (expunction) or 1–2 months (non-disclosure), plus additional time for agencies to update records.	

APPENDIX D

ELIGIBILITY QUICK-CHECK

Use this checklist as a starting point for identifying which option may apply to your situation. It is not a substitute for a proper legal evaluation, but it can help you orient yourself before that conversation.

Eligibility Quick-Check

Use this checklist to identify which option may apply to your situation.

You MAY Qualify for EXPUNCTION if:

- Your case was dismissed
- You were found not guilty
- No charges were filed against you
- You were arrested by mistake or the charge was a case of mistaken identity
- The required waiting period for your case type has passed

You MAY Qualify for NON-DISCLOSURE if:

- You completed deferred adjudication probation
- You successfully fulfilled all conditions of your probation

- Your offense is not among those that disqualify you under Texas law
- Your required waiting period has passed

You MAY NOT Qualify if:

- You were convicted (in most cases)
- Your offense is specifically disqualified under the applicable statute
- You have not yet waited out the required waiting period

If you are unsure where you fall, do not guess. Have your case reviewed by an attorney who handles expunction and non-disclosure matters. A proper evaluation takes far less time than recovering from a filing mistake.

APPENDIX E

WHAT TO BRING TO YOUR CONSULTATION

Coming prepared makes the consultation more productive and allows your attorney to give you a more complete and accurate assessment of your situation in the time available.

What to Bring to Your Consultation

Preparing in advance makes the process faster and more productive.

Basic Information

- Your full legal name, including any prior names
- Date of birth
- Current contact information

Case Details

- Approximate date of arrest
- Type of charge or offense
- City or county where the case was handled
- Case number, if available

Documents (bring what you have)

- Any court paperwork from the case
- Disposition records showing how the case ended
- Proof of completed probation, if applicable

Additional Information

- Any prior or additional cases in your history
- Specific questions you want answered
- Any concerns about eligibility, timing, or the process

Do not worry if you do not have everything. Many records can be located through court clerks and official systems. The goal of the consultation is to leave with a clear understanding of whether you qualify, which option is right for your situation, and what the next steps look like.

Eligibility + Next Steps

Find Out If You Qualify — and What to Do Next

STEP 1 Do You Qualify?

Expunction — Record Erased

- My case was dismissed
- I was found not guilty
- No charges were ever filed
- I was arrested by mistake
- My required waiting period has passed

If you checked any of the above, you may qualify for EXPUNCTION.

Non-Disclosure — Record Sealed

- I completed deferred adjudication
- I successfully completed all probation conditions
- My case did not result in a conviction
- My required waiting period has passed

If you checked the above, you may qualify for NON-DISCLOSURE.

Possible Limitations

- I have a conviction
- My case involved a potentially disqualifying offense
- I am not certain about my eligibility

You may still have options — but clarification is needed before filing.

STEP 2 Key Questions to Ask Yourself

Before You File, Confirm the Following

- Do I know exactly how my case ended?
- Do I know when my waiting period ends?
- Do I know which option is right for my situation?
- Am I confident I can file accurately and completely?

If the answer to any of these is no, do not guess. Have your case reviewed.

STEP 3 Common Mistakes to Avoid

These Errors Cause the Most Delays and Denials

- Filing too early, before the waiting period has passed
- Choosing the wrong option for your case type
- Leaving agencies out of the petition
- Submitting incorrect or incomplete case information

Avoiding these mistakes produces faster, more complete, and more reliable results.

STEP 4 Your Next Steps

If You Are Ready to Move Forward

- Gather your basic case information (case number, arrest date, court, charge)
- Confirm your eligibility and which option applies
- Determine the correct filing date for your situation
- Prepare your petition accurately and completely

Taking the right steps in the right order produces the best outcome.

If You Are Still Unsure

- Have your case reviewed before filing anything
- Ask questions and get clear answers about your specific situation
- Make a plan based on accurate information rather than guesswork

A brief evaluation answers most questions and prevents the most costly mistakes.

STEP 5 What You Will Gain

After Expunction or Non-Disclosure

- Better job opportunities and fewer rejected applications
- Improved access to housing and a wider range of options
- Eligibility for professional licenses that were previously blocked
- Less stress and uncertainty in everyday decisions
- A real and lasting opportunity to move forward

The result is permanent. The sooner you act, the sooner it begins working for you.

Quick Decision Guide

If your case...	Your likely path is...
Case dismissed, not guilty, or no charges filed	EXPUNCTION
Completed deferred adjudication	NON-DISCLOSURE
Conviction or disqualifying offense	Consult an attorney to explore available options
Not sure how your case ended	Get your case reviewed before taking any steps

**Your record will not fix itself.
But with the right steps, you can.**

Start now. Your future doesn't have to wait.

Stephen Hamilton
Texas Criminal Defense Group
<https://texascriminaldefensegroup.com/>
806-444-4444

Offices in: Amarillo, Austin, Dallas, Denton, Fort Worth, Houston, Lubbock, McKinney, Midland, Odessa, San Angelo, and San Antonio.

Google Reviews

4.9 rating, 500+ reviews

Adrian Hernandez ★★★★★

My experience with them was just awesome! Never felt like I was clueless, they were super helpful through the whole process and we got exactly what we were fighting for without me even having to lift a finger really! 10 out of 10, great work!

Anayancy Quintana ★★★★★

I had a case opened from about 3 years ago, that I had no idea about. I contacted this firm for all the great reviews. I didn't have to show up or do anything really, my lawyer got the charge dismissed and I got to go on with my life. Highly recommend.

Brandon Paz ★★★★★

This team of professionals are highly versed in all areas of criminal defense! They have come through time and time again with favorable results! I like to say that they "work their magic!" Very thorough, and precise in their work! Highly recommend!!

caitlin nino ★★★★★

If I could give 10 stars I would! This group not only did their best to get the best outcome for me, but they treated me like a friend as well. It's very easy to get in contact with them if you have any questions, which was the best part. TCDG are very attentive, very friendly. Personally I believe they deserve the Best In Texas plaque! If you've ever found yourself in a pickle this family is the way you want to go!

Daniel ★★★★★

I cannot thank the Texas Criminal Defense Group enough for their incredible work on my case. Facing 2 to 10 years for a crime I didn't commit was the hardest thing I've ever endured, but they gave me peace of mind throughout the entire process. They were extremely thorough, professional, and dedicated, always keeping me informed and reassured. Their commitment to proving my innocence was unwavering. They went above and beyond, treating my case with the seriousness and care it deserved. Thanks to their expertise and tireless efforts, I was able to walk away with my name cleared, and I can now move forward with my life.

Juan Montez ★★★★★

TCDG has been great in helping me with my case! My lawyer was straight forward about what to expect and that helped me prepare mentally about what was to come. Everyone has been amazing at communicating to me what needed to be done throughout the process! I would recommend them to anyone!

Your Past Doesn't Have to Define Your Future

An arrest. A dismissed case. A mistake you thought was behind you.

Yet somehow, it keeps showing up on job applications, background checks, and rental screenings. And each time it does, it feels like you're being held back all over again.

But here's what most people don't realize: You may have the legal right to clear or seal your record.

Inside This Book, You'll Discover:

- ✓ Whether you qualify for expunction (erasing your record)
- ✓ When non-disclosure can seal your record from public view
- ✓ How the process works, step by step
- ✓ The most common mistakes that cause delays or denials
- ✓ How clearing your record can improve jobs, housing, and peace of mind

Clear Answers. Real Options. A Path Forward.

You'll learn what's possible, what's not, and what to do next.

Whether your case was recent or years ago, this book will help you understand your options and take control of your future.

About the Author

Attorney Stephen Hamilton is the founding partner and lead trial attorney at The Texas Criminal Defense Group. Stephen ranks among the fewer than 1% of practicing criminal attorneys across Texas who have achieved coveted board certification in criminal law by the Texas Board of Legal Specialization. He has been awarded numerous awards, and his counsel is highly esteemed by his peers. He is a lifetime legal member of the National Association of Criminal Defense Attorneys, the Texas Criminal Defense Lawyer's Association, and several other regional legal associations.

