

**WE THE PEOPLE OF PENNSYLVANIA... WHO HAVE MADE MISTAKES, IN ORDER TO HAVE MORE PRODUCTIVE LIVES UNHINDERED BY THE HISTORY OF THOSE MISTAKES WE MADE WHEN WE WERE YOUNGER, AND AS OUR LIVES ARE NOW RESPONSIBLE, HEREBY WANT TO EXPLORE HAVING OUR CRIMINAL RECORDS EXPUNGED OR PARDONED WHENEVER POSSIBLE!**

## Who we are...

Mark Walmer founded The Walmer Law Office in Lancaster, Pennsylvania in 1997 after leaving the Lancaster County District Attorney's Office. He has been successfully defending people charged with crime and helping people to clear their records for more than fifteen years.

At the Walmer Law Office we strive to develop long-term relationships with our clients. Our ability to understand the situations facing our clients, as well as our client's objectives, allows us to serve our clients' needs.

Our dedication to the community also extends to offering our clients quality legal representation in a broad array of criminal defence matters:

### Felonies

- Robbery
- Aggravated Assault
- Arson
- Drug Offences

### Misdemeanors

- DUI / ARD
- Theft Defenses
- Simple Assaults
- Domestic Violence

### Summary Offences

- Underage Consumption
- Public Drunkenness
- Disorderly Conduct
- Retail Theft
- Driving Under Suspension

### Preliminary Hearings

### Trials

### Sentencing Hearings

### Probation/Parole Violations

- Walk-in Petitions

### Juvenile Matters

- Adjudications
- Dispositions
- Consent Decrees

To have us handle your case in a prompt and professional manner, contact us immediately at Walmer Law Offices. Payment plans are available for qualifying clients and we accept major credit cards, including Visa, MasterCard, and American Express.

Feel free to visit our website: [www.WalmerLaw.com](http://www.WalmerLaw.com)



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# DO YOU HAVE A RECORD?

**Clear Your Criminal Record.**  
*Expungements & Pardons*





## The Problem of Prior Convictions

In this day of internet records and databases, more and more employers, educational institutions and organizations are doing background investigations on applicants. Any conviction can exclude a candidate from consideration for all types of employment. Many professions now require an official background check before the license can issue.

There are two legal procedures that can be considered in different situations to remove offending convictions:

### EXPUNGEMENT

#### To remove the criminal record of:

- > A summary conviction over five years old
- > An underage consumption conviction
- > A juvenile record (under certain criteria)
- > An ARD disposition (such as first offense DUI)
- > A Section 17 disposition (for a small amount of marijuana, perhaps)
- > A charge that has been dismissed, withdrawn or nol-prossed
- > A conviction that has been pardoned

### PARDON

#### To release (a person) from punishment; exempt from penalty: a convicted criminal who was pardoned by the governor.

- > Exemption of a convicted person from the penalties of an offense or crime by the power of the executor of the laws
- > An official document or warrant declaring such an exemption
- > Where there are other convictions - summary, felony or misdemeanor

**ASK US ABOUT OUR FREE CONSULTATION & PAYMENT PLANS TODAY!  
WHY LET A PRIOR CONVICTION JEOPARDIZE YOUR FUTURE PROSPECTS?**

If you have a conviction on your record, visit [www.PAPardon.com](http://www.PAPardon.com) and take the Eligibility Quiz to see if your criminal history can be cleared. Or call for a FREE phone consult. **866.925.6375** or **717.393.1400**



## Expungement - 5 Flavors

**1] Single Summary Expungement:** This petition erases a single summary conviction from someone's record, when five years have elapsed since the date of conviction. The most issued summary citations that affect young people are retail theft, underage drinking, harassment, disorderly conduct and public drunkenness — these would all be eligible for expungement after five years.

**2] Juvenile Record Expungement:** This petition is filed to remove juvenile court prosecutions for misdemeanors or felonies after the offender turns 18 (with the consent of the District Attorney), or after five years, with no intervening criminal conduct. There is also an expungement provision for juveniles who received a consent decree.

**3] ARD Expungement:** Some crimes, like Driving Under the Influence (1st offense) are put into a program called ARD. ARD allows someone to do probation without conviction. Since there is not a conviction, after successful completion of the program, the criminal history showing that the crime was charged can be erased.

**4] Section 17 Disposition:** Like ARD, section 17 is a program that allows you to do probation without a conviction. A section 17 plea uses special paperwork and needs to have been implemented at the time of the plea — but if section 17 was used, the charge can be expunged.

**5] Charges Withdrawn / Dismissed / Acquitted:** If you were charged with a crime, but never convicted, you can petition the court to have the charge removed from your criminal history.

## Pardons

Pardons refer to a procedure by which the Governor's Board of Pardons reviews an application to have the applicant's criminal conduct 'pardoned', or forgiven. This procedure is broader than expungement — summary convictions can certainly be petitioned, but also felonies and misdemeanors. The Board of five must make a unanimous recommendation to be forwarded to the Governor. If the Board and the Governor both approve, the Pardon is granted. Then an expungement petition can be filed in the County Court to remove the offending history.

#### The Board weighs and considers several factors:

- > How much time has passed?
- > Are all court requirements completed?
- > How have you changed your life?
- > What is the impact on the victim?
- > What is the need for the pardon?

While there are no guarantees as to whether an application will be granted, the Board has been receptive to the expungement of summary offenses regardless of time, and the more serious offenses once a number of years have passed.

For college students, or other individuals who cannot wait five years to petition for removal of a summary offense, the Pardon is the only available remedy! But, the Pardon process, even if 'fast-tracked', can take more than a year, and should be started in the freshman or sophomore year.

## Summary

Clearly, the best path is for a person to avoid obtaining any criminal convictions, but for the hundreds of thousands who have made mistakes whether small or large, it is beneficial to know of these two options. A consultation with a lawyer versed in these procedures will determine if they are applicable to a specific situation.