



**Working to Eliminate Barriers to  
Employment through Assistance with  
Expungements**

# **JUVENILE EXPUNGEMENT HELP DESK**

## **AT A GLANCE:**

- ASSIST WITH 2,000 TO 2,500 EXPUNGEMENTS PER YEAR
- ASSIST WITH JUVENILE RECORD CLEARING AND OTHER EMPLOYMENT-RELATED NEEDS
- PARTNER WITH CABRINI GREEN LEGAL AID, THE JUVENILE COURT, COOK COUNTY BOARD, AND OTHER LOCAL NON-PROFITS

In November 2019, NLADA's Project to Advance Civil Legal Aid Collaborations (PACC) held the inaugural convening of a new leadership cohort that will utilize a peer learning model to support emerging civil legal aid leaders' efforts to strategically organize the delivery of their services to be collaborative and holistic. Seven equal justice leaders from West Virginia, Oklahoma, Maryland, Vermont, and Illinois gathered from across the country to learn about and share best practices in partnership building, monitoring and evaluation, and replication.

We believe that each cohort member represents an idea and project poised to change the landscape of justice in America. And we are committed to scaling the very best of these projects nationwide.

To that end, we have drafted case studies, like this one, for each of the leaders that describe how they build their partnerships and funded their work. Each case study also includes supporting documents, ranging from training materials for partnering staff to grant details and MOUs.

To contact PACC or to receive individualized technical assistance about specific funding for your practice, email [resourcedesk@nlada.org](mailto:resourcedesk@nlada.org). PACC is staffed by Casey Chiappetta and Radhika Singh.

PACC is generously funded by the Kresge Foundation.



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Ready to Work flyer

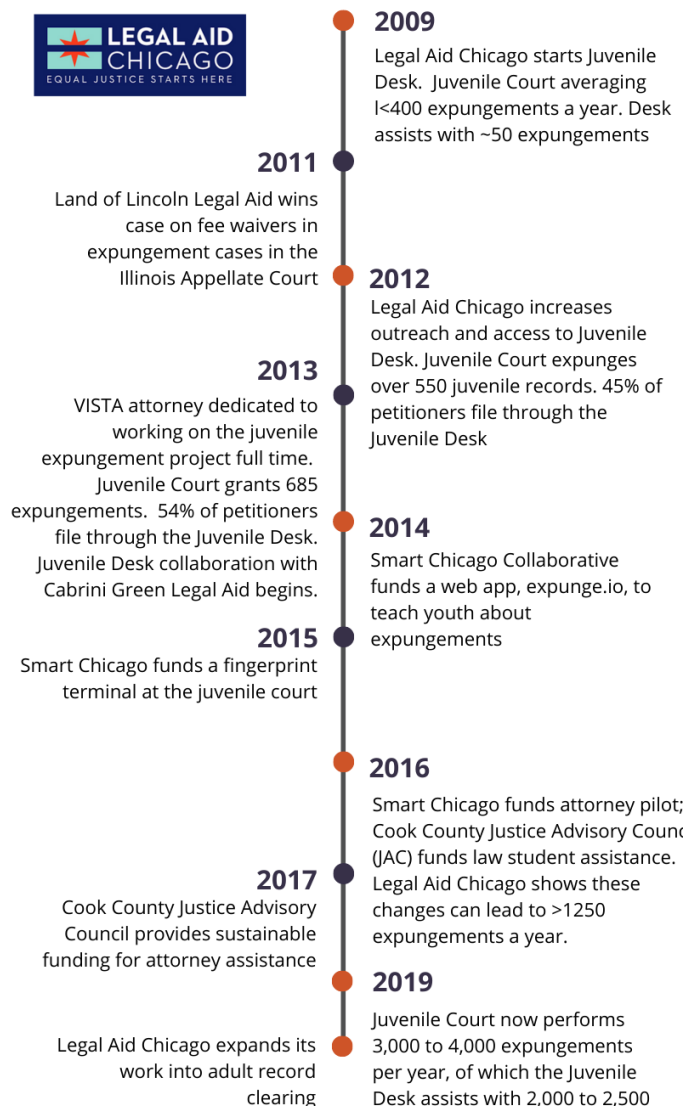
Expungement PowerPoint with Cabrini Green Legal Aid

Legal Aid Chicago has been engaging in focused work on juvenile expungements for approximately 10 years. During this period, its work in this area has grown from assisting with fewer than 50 expungements a year to its current status, assisting with approximately 2,000 to 2,500 expungements per year. Most of these cases come from running a Juvenile Expungement Help Desk at the Cook County Juvenile Court ("Juvenile Desk"). The Juvenile Desk is a free walk-in help desk that provides expungement assistance concerning juvenile arrests and records, as well as assistance with filing paperwork.

In this work, Legal Aid Chicago partners with Cabrini Green Legal Aid (CGLA), Northwestern University, the State's Attorney, the Cook County Justice Advisory Council, local high schools, [Storycatchers Theatre](#), alternative high schools, and the court. Legal Aid Chicago has also now broadened their work to assist clients with other employment-related needs based on the data Legal Aid Chicago has gathered. They now are working on addressing community concerns, such as where employers or licensing agencies using juvenile records are being used in a manner inconsistent with the currently established laws in Illinois.

Legal Aid Chicago's Juvenile Desk is now staffed by an attorney, four to five law students, and a VISTA specializing in community engagement and technological innovation. While most of their work involves assisting clients with pro se petitions, Legal Aid Chicago also provides in-court representation in cases where the issues are more complex or where court accessibility is implicated.

## HELP DESK TIMELINE



## NARRATIVE

Legal Aid Chicago's work in this area began with the Chicago Bar Foundation, which encouraged the creation of court-based help desks to increase access the courts. To bring this about, the Foundation asked Legal Aid Chicago to staff a juvenile expungement help desk for a couple of days per week at the Cook County Juvenile Court and provided an initial startup grant.

There was a large community need: Those who had criminal records, and particularly juvenile records, disproportionately came from communities of color and low-income neighborhoods. Police were picking up kids in low-income areas at a much higher rate than the rest of the county. A person's multiple arrests remained on their records, regardless of whether or not they were charged or brought to court. This problem was further compounded by the fact that Illinois was sending juvenile records to the FBI and continued to do so until 2010 when legislation passed that ended this practice. For individuals whose records were impacted prior to this legislation, their arrests continue to appear in those record checks which request FBI information. Legal Aid Chicago is currently working to address this issue.

Legal Aid Chicago began the Juvenile Desk with a project run by a VISTA attorney who was supervised by one of the office's attorneys. The project's original goal was to get pro bono lawyers to prepare and file petitions for applicants. Volunteers were interested in providing this assistance, but applicants were not appearing at the court to receive services. Legal Aid Chicago analyzed why, and they found a number of barriers: filing fees, difficulty accessing the court because of its location (e.g., no direct public transit), uncertainty about when the part-time desk would be open, and trouble adhering to procedural stipulations that required applicants to make four or five separate journeys (i.e., multiple trips to the courthouse and at least one to the police to get records) to resolve their issues. With these factors in mind, Legal Aid Chicago then began trying to eliminate each of the barriers that had been uncovered.

They addressed cost first. At the time, clients looking to expunge their juvenile records would have to pay a fee of up to \$120 per expungement. For persons looking to have multiple records expunged, the cost was astronomical and unreachable, and the clerk did not accept fee waivers in juvenile expungements. To eliminate this financial barrier, Legal Aid Chicago began advocating for the implementation of fee waivers at court administration meetings. Part of their advocacy was centered around a discussion of an Illinois provision that allows civil legal aid agencies to certify the eligibility of clients for automatic (i.e., no judicial hearing) fee waivers. Meanwhile, a sister legal aid organization that covers downstate Illinois, Land of Lincoln Legal Aid, won a case on fee waivers in expungement cases in the Illinois Appellate Court, *People v. Lewis* 2011 Ill App (5<sup>th</sup>) 110279 (2011). The case identified expungements as a type of case for which courts should allow filing fee waivers. With this newfound leverage, Legal Aid Chicago then partnered with another legal aid organization, CGLA, so that they could increase the amount of days that the help desk would be open.

Allowing fee waivers made expungement significantly more accessible. Soon after this change, Legal Aid Chicago arranged for their VISTA attorney to be dedicated to working on the juvenile expungements project full time. The VISTA attorney then began working more closely with alternative schools for students who had been suspended, expelled, or dropped out of a different

high school. The VISTA attorney would give a presentation on expungements at each of these alternative schools, identify interested students, organize a field trip to the police station, obtain their records, and then prepare petitions on their behalf. At this point, pro bono counsel would step in to represent these students in court. These steps led to an increase in the number of juvenile expungements the Juvenile Court granted to over 500 in 2012 and 685 in 2013. About half of the petitioners in those years received assistance from the Juvenile Desk.

Around this time, Legal Aid Chicago also initiated a working group with other legal organizations serving youth, including CGLA and Northwestern Law School, and helped develop a separate working group at the courthouse that included the clerk, juvenile probation officers, the State's Attorney's Office and the Office of the Presiding Judge of the Juvenile Justice Division. In the fall of 2013 also began to share staffing of the desk: CGLA provided two half days of staffing while Legal Aid Chicago staffed the remainder of the week. This enabled a major advance – the desk would be open five days a week, providing consistent access.

In 2014, a funder, Smart Chicago Collaborative, became attracted to the work Legal Aid Chicago had done with one of their youth focused grantees (Mikva Challenge) to develop a web app, [expunge.io](http://expunge.io). The goal of the app was to teach youth about expungements and whether they might be eligible. The funder was interested in expungements and wanted to fund a technology tool to assist this work. Legal Aid Chicago identified client access to their juvenile records as an issue to explore and connected the funder with Juvenile Probation and the Court administration. In 2015, Smart Chicago then funded a fingerprint terminal at the juvenile court so that persons coming to the help desk could start the expungement process with a fingerprint background check. The development of that process also led to a process for many clients receiving a name only (non-fingerprint background check) through a separate terminal that Juvenile Probation utilized.

Then, in 2016, Legal Aid Chicago received a one-year seed grant from the same foundation for an attorney position and separate grant from the Cook County Justice Advisory Council for law student assistance. The coordination of all of these steps enabled the Juvenile Desk to become one-stop location for the vast majority of juvenile expungement petitioners. Individuals seeking expungements could come to the desk, often get their background checks the same day, and then work with law students and attorneys to have their petitions prepared. Staff showed that all of these changes could lead to an increase in the total amount of annual expungement from Legal Aid Chicago alone to over 1,250 per year.

In 2017, the Cook County Justice Advisory Council began providing funding for a full-time attorney and increased law student assistance. Around the same time, Northwestern University published a [study on the impact of juvenile expungements](#) and the Cook County Board and CGLA engaged in legislative advocacy, ultimately leading to changes in the law that made expungements possible for a wider range of applicants. Youth no longer had to wait to turn 18 to apply for expungement of their juvenile records. This led to further partnerships. One informal one was within the Juvenile Court building itself. Juveniles whose cases were dismissed or diverted received immediate referrals to the Juvenile Desk while still in the building, leading to a significant increase in the number of adolescent petitioners who came to the help desk.

Legal Aid Chicago now staffs the help desk with an attorney, five law students, a VISTA specializing in community engagement and technological innovation. A supervising attorney coordinates their work and looks for additional funding opportunities. Legal Aid Chicago staffs the desk four days per week and CGLA staffs it one day. While most of their work involves assisting clients with pro se petitions, Legal Aid Chicago also provides extensive representation in cases where the issues are more complex or where court accessibility is implicated. As a result of all of these productive changes, the Juvenile Court now performs 3,000 to 4,000 expungements per year, of which the Juvenile Desk assists with 2,000 to 2,500.

## **EVALUATING SUCCESS**

Outside of tracking the number of expungements and people who come to the Juvenile Desk; two years ago, Legal Aid Chicago began asking those who came to the Juvenile Desk if they thought anyone had seen their record. This has helped the organization to identify another issue: although Illinois law says juvenile records are generally confidential and sealed, records were still turning up in a specific group of employment related background checks. Examples included nursing licensure (e.g., licensing related to school employment, airport employment, and banking). While staff had seen these issues recur over the years, the data they gathered helped them identify the cause.

From working with their partners, Legal Aid Chicago discovered that until 2010 Illinois had shared juvenile records with the FBI. While an Illinois State Police background report for an employer or licensing agency would only include adult convictions for the most part, the additional FBI check would include all arrests for which the FBI had received information, regardless of whether the arrests were juvenile or adult or whether they had led to an adult conviction. This meant juvenile arrest records from before 2010 were making their way to licensing agencies and certain prospective employers. Additionally, the FBI record did not generally indicate the ultimate disposition of the case, i.e. whether it ended up in a court finding of delinquency/guilt. Because of this, when someone applies for a job or license that requires a national background check, these old arrest records re-surface. Using this data, Legal Aid Chicago has helped to clear individual records and advocated for clients – enabling them to receive licensing and employment. They continue to work with agencies on a systemic resolution.

## **NEXT STEPS**

Legal Aid Chicago is also expanding its work into adult expungement and sealing. They have been doing so in a series of clinics coordinated by its Volunteer Services Unit. Potential clients obtain their criminal backgrounds on their own, and submit the information to Legal Aid Chicago. Staff then research clients for eligibility, work with clients to collect any missing information needed for the court filings, and set client appointments to finalize and sign documents at one of the scheduled monthly clinics. At the clinics, pro bono counsel meet with the clients, complete all court filings, and walk each client through their eligibility, options, and next steps. Legal Aid Chicago then reviews and files all petitions, and represent clients in any required court hearings. Since July 2019, Legal Aid Chicago has filed over 75 petitions to expunge and seal adult criminal records.



Legal Aid also received a Ready to Work Grant to fund an attorney in their Immigration and Workers Rights Practice Group to assist with adult expungements and sealing. Ready to Work is an opportunity from the U.S. Department of Labor, Employment and Training Administration to expand public-private partnerships in order to help unemployed individuals back into the workforce. Their offerings include specialized services, short-term interventions, and skills training. The expansion of its adult expungement work has led to the beginning of an intra-agency cross-referral process. When an adult expungement client has juvenile records the attorney working on the adult expungement refers the case to the help desk staff; the same thing happens for juvenile clients with adult records. (See attached handout).

The Juvenile Expungement Help Desk staff have also begun doing more outreach through a partnership with social services agency that focuses on school based programs in schools with high concentrations of students who live in poverty. In one afternoon at a school, staff began the expungement process for 17 clients – about the same number that would come to the help desk in a two-day period.



Were you arrested before the age of 18?  
If so, you might have a juvenile record...

**We can help you clear your record — for FREE!**

# Juvenile Expungement Help Desk

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Cook County Juvenile Center

1100 S Hamilton Ave | Ground Floor | Chicago, IL 60612

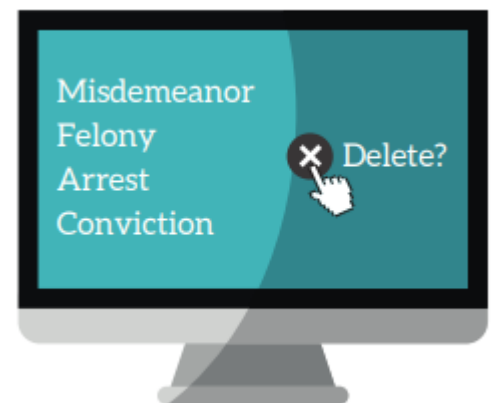
Open Mon-Thurs 9am-4pm, Friday 9-1pm (walk-in only)

Please bring a photo ID

(312) 433-5655

## Did you know...?

- A juvenile record can show up on a background check, even if you never went to court
- Some jobs may not allow you to get a license or sit for a state exam if you have a record
- You are not alone! In Chicago, almost 50% of young people have been arrested before they turn 23 years old



*Supported by funding from the Cook County Justice Advisory Council.*

¿Fue detenido antes de haber cumplido los 18 años de edad?  
Si es así , tiene un registro de antecedentes penales de menores...

**Podemos ayudarle a eliminar su registro de  
antecedentes penales de menores, gratis!**

# Servicio de Asistencia Para Eliminar Antecedentes

Cook County Juvenile Center (Centro del Tribunal de Menores)

1100 S Hamilton Avenue | Planta Baja | Chicago, IL 60612

Horario: de lunes a jueves de 9am-4pm, viernes 9am-1pm

Solamente atendemos sin cita, por favor traiga un document de  
identification con fotografia

## ¿Sabía que...?

- Un registro penal de menor puede aparecer en una verificación de antecedentes, incluso si nunca fue al juzgado
- Algunos trabajos pueden no permitirle obtener una licencia o presentarse a un examen estatal si tiene un registro penal



/JUVENILEEXPUNGEMENTHELPDESK



*Patrocinado por fondos del Consejo Asesor de Justicia del Condado de Cook*

# HOW TO GET YOUR RAP SHEET

Getting your criminal records from the Chicago Police Department and the Illinois State Police

## Chicago Police Department (CPD) Headquarters

If you were arrested in CHICAGO, you can obtain your RAP sheet from:

### Chicago Police Department Access & Review Division

3510 S. Michigan Ave., 1st Fl.  
Chicago, IL 60653  
Tel.: (312) 745-5570



Ask for both your CPD RAP Sheet  
AND a Statewide Police Report to  
make sure you have as much  
information as possible

### HOURS & COST

**Adult RAP Sheets:** \$16 (Includes Statewide Report)

**Fingerprinting:** M-F, 8:00 a.m.-12:00 p.m.

**Pick Up Results:** About one week later -  
8:00 a.m.-3:00 p.m.

**Juvenile RAP Sheets:** FREE

**Fingerprinting:**

M-F, 8:00 a.m.-12:00 p.m.

**Pick Up Results:** Same day

CPD accepts case, check, or money order payable to the Department of Revenue (NO CREDIT CARDS)

## Arrested Outside the City of Chicago?

If you were arrested in any Chicago suburb or in another Illinois county other than Cook County, and your full records are not appearing on your Statewide Police Report, you should go to the local police department that arrested you. **Keep in mind:** you need to file any petition for expungement or sealing in the COUNTY you were arrested in.



### Do You Live Out-of-State?

There are other ways to request records directly from either the Chicago Police Department or the Illinois State Police if you currently live out of state. Visit [www.isp.state.il.us](http://www.isp.state.il.us) for more information.

If you have additional questions, including questions about expungement of criminal records, please call 312-229-6071



# READY 2WORK

**IF YOU HAVE ANY OF THE FOLLOWING TYPES OF LEGAL ISSUES  
AND THEY ARE PREVENTING YOU FROM GETTING OR KEEPING  
A JOB, WE MAY BE ABLE TO HELP:**

- **WAGE THEFT**
- **EXPUNGEMENT AND SEALING OF CRIMINAL RECORDS**
- **DISCRIMINATION**
- **UNEMPLOYMENT BENEFITS**
- **INTERFERENCE WITH MEDICAL LEAVE**
- **MISUSE OF CRIMINAL BACKGROUND CHECKS**

**LAF ATTORNEYS AND PARALEGALS PROVIDE  
FREE LEGAL SERVICES FOR ELIGIBLE WORKERS AND JOB  
SEEKERS WHO ARE LIVING IN POVERTY.**

## **WHEN?**

**MONDAYS 9:00 AM - 4:30 PM**

## **WHERE ?**

**CHICAGO WORKFORCE  
CENTER IN PILSEN  
1700 WEST 18TH STREET  
CHICAGO, IL, 60608**

## **CALL**

**800-445-9025**

**OR**

## **E-MAIL**

**[READY2WORK@LAFCHICAGO.ORG](mailto:READY2WORK@LAFCHICAGO.ORG)**

**WE SPEAK ENGLISH AND  
SPANISH.**

**FOR ALL OTHER  
LANGUAGES, WE WORK WITH  
INTERPRETERS.**



## Legal Aid Collaboration in Juvenile and Criminal Records Relief

RICHARD COZZOLA, SUPERVISORY ATTORNEY, LAF

SUE PAK, SUPERVISING ATTORNEY, CGLA

SARAH SALLEN, STAFF ATTORNEY, LAF

Where we are  
going

Why Expungements: The Problem

Why Collaboration?

The Help Desk Model

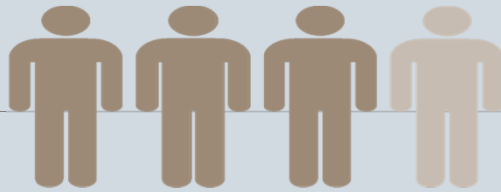
Engaging Volunteers:  
Law Students and Pro Bono Attorneys

## True or False?

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By the age of 18, approximately one out of four (1/4) Americans have been arrested.

**True**



Recent studies show:

**By age 18**, 30% of black males, 26% of Hispanic males, and 22% of white males have been arrested.

**By age 23**, 1 in every 3 people have been arrested, and nearly half of all black males.

## True or False?

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There are 1,000 laws in the U.S. that keep people with criminal records from working certain jobs.

**False**

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# 45,000

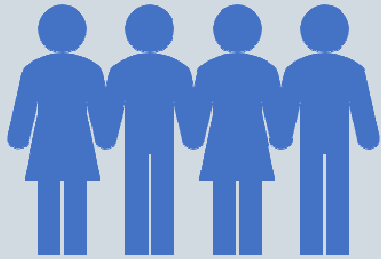
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“...more than 45,000 statutes impose collateral consequences on people convicted of crimes, creating barriers to jobs, housing, benefits and voting. More than 80% of the statutes operate as denial of employment opportunities.”\*

\* In Search of a Job: Criminal Records as Barriers to Employment, Amy Solomon, Attorney General's Reentry Council

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## Why Expungements: The Problem

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- ❖ Impact on the population we serve
- ❖ Impact of people of color and people in poverty
- ❖ Collateral consequences
  - Jobs
  - Licensing
  - Housing
  - Immigration
  - Education

## Latonya's Story

## Help Desks and Ethics: ABA Model Rule 6.5 Nonprofit & Court-Annexed Limited Legal Services Programs

(a) A lawyer who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter:

(1) is subject to Rules 1.7 and 1.9(a) only if the lawyer knows that the representation of the client involves a conflict of interest; and

(2) is subject to Rule 1.10 only if the lawyer knows that another lawyer associated with the lawyer in a law firm is disqualified by Rule 1.7 or 1.9(a) with respect to the matter.

(b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation governed by this Rule.



## How we came to do this work

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Adult  
Expungement &  
Sealing:  
Building with  
non traditional  
partners

### Expungement Help Desks

- Clerk's Office
- Chicago Bar Foundation

### Live Call

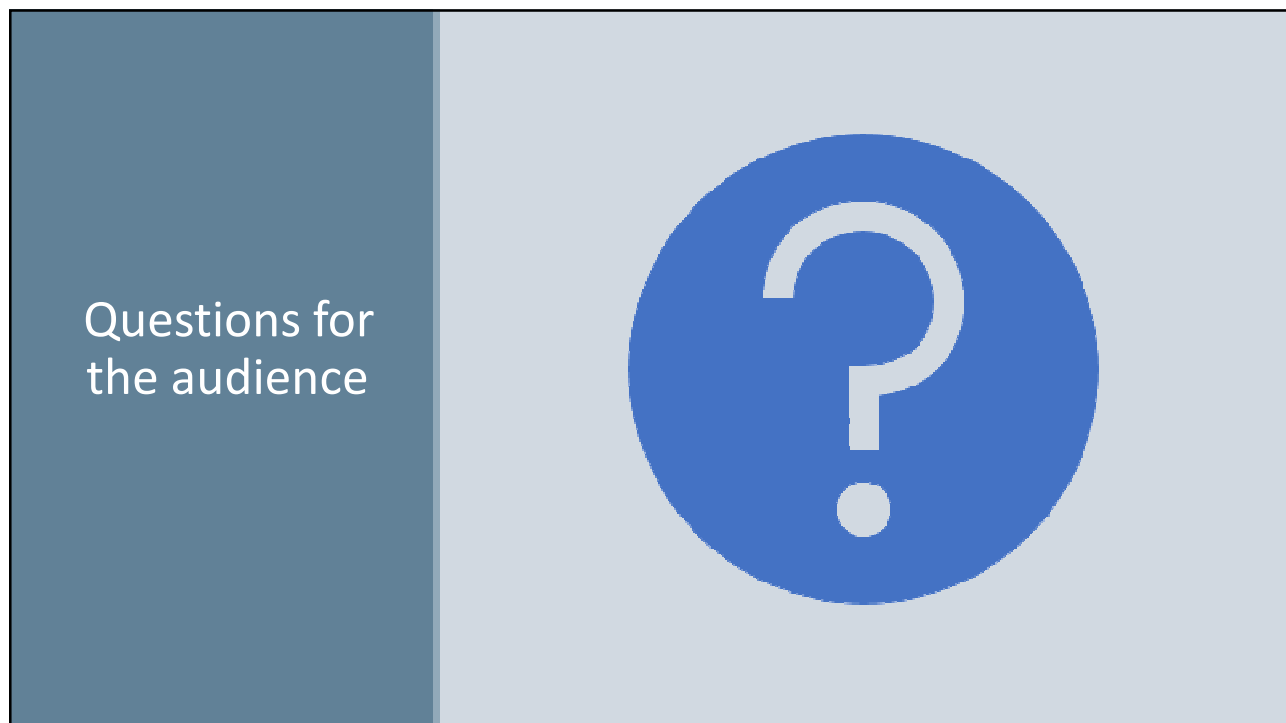
- Presiding Judge's Office
- Clerk's Office
- State's Attorney's Office
- Illinois State Police

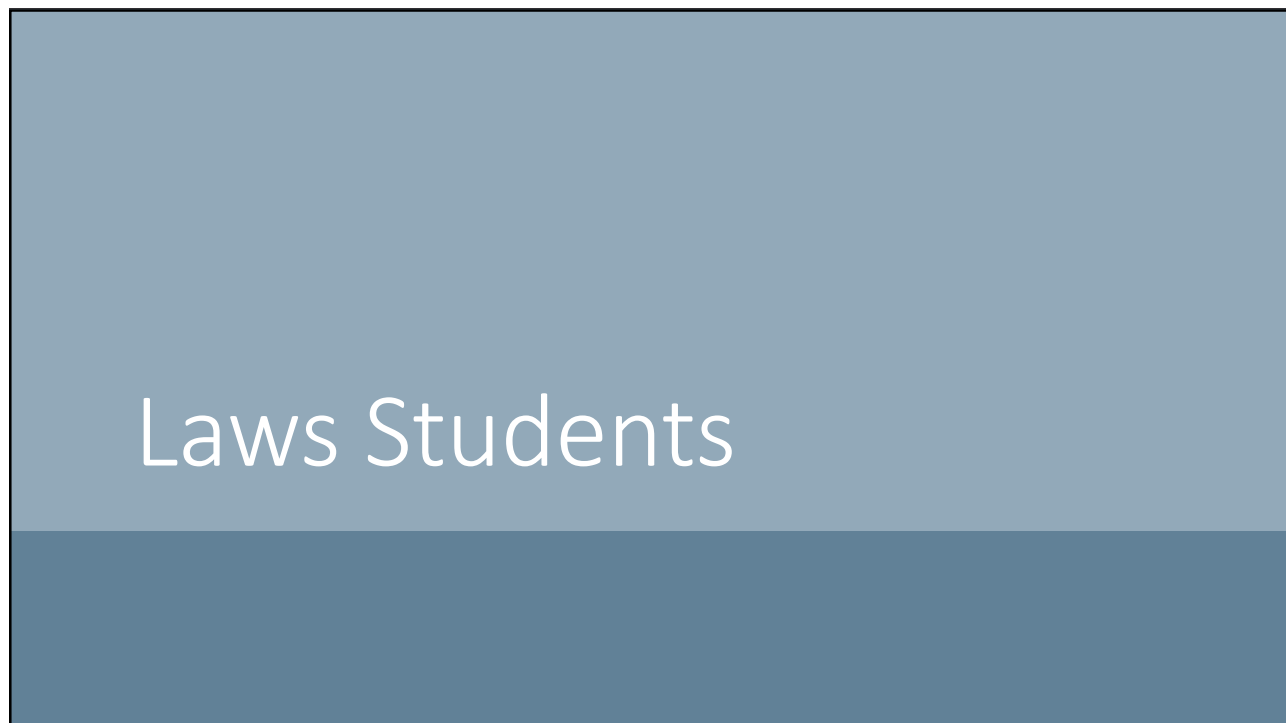
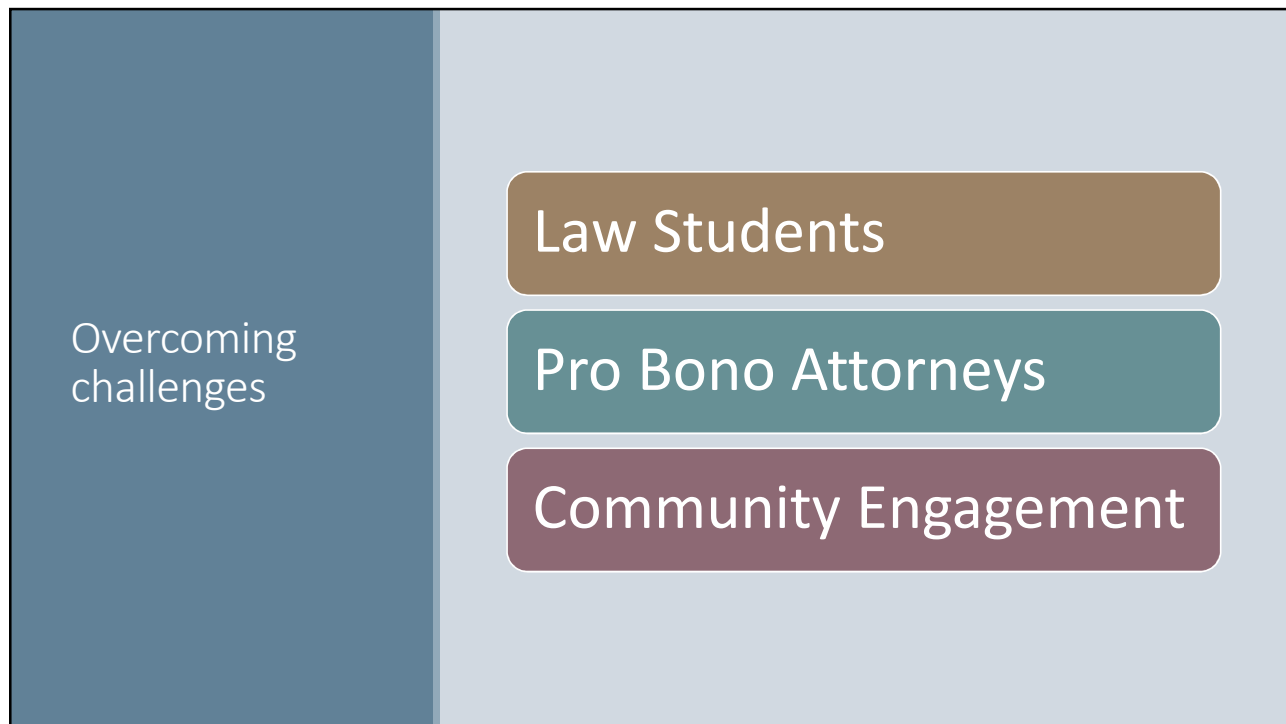
Juvenile  
Expungement:  
Building with  
non traditional  
partners


### The initial challenges

### The challenges of each partner

- LAF-LSC
- Clerk's Office
- Juvenile Probation
- State's Attorney's Office
- Presiding Judge's Office
- Local/ State Police







Pro Bono



Community  
Engagement

## How Two Legal Aid Agencies Collaborate



Started a task force

Working with the court stakeholders

Constant communication

Building on strengths

- CGLA – Legislation, knowledge, and relationship with the clerk
- LAF – some personal connections – commitment to juvenile work
  - Employment law group
  - Immigration Expertise

Supporting each other in grant applications

## Lessons Learned

Stay within yourself – know limitations

Build on strengths

Acknowledge expertise of other organization

Be open to non-traditional collaboration

Help desks as option for law students & volunteers

The importance of DATA

Failure → success → failure → success

Be willing to learn from everyone

Every day is a new challenge (To Fee or Not to Fee)

Be a lawyer – look at the statute.



Lessons  
Learned:  
Pro se  
petitioners

What have we learned about their backgrounds

Their frustrations

Trauma and ability to listen to us



Questions?



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