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# New Law Clears Criminal Records

## Fast-track Expungement Gets You Back To Work

A significant expungement reform law adopted in 2016 makes it easier than ever to clear court records of non-violent offenses in Oklahoma.

Lawmakers saw the changes as a way to get people back to work after a scrape with the law.

"I urge anyone eligible for expungement to begin the process as soon as possible," said attorney James Wirth.

"Clearing your court records expands professional opportunities, and it restores a sense of privacy by letting what happened in the past stay in the past."

Sealing court records can keep a few months probation from becoming a sort of life sentence.

When court records are expunged, Oklahoma law allows a person to tell employers that they have not been convicted of a crime.

Expungement increases earning potential by expanding access to professional licenses, bonding and security clearances.

Stanford University researchers estimate expungement can increase individual earnings by more than \$6,000 a year.

Because landlords often conduct criminal background checks, sealing court records can mean access to a better house or apartment.

Hunters, collectors and security professionals can restore firearms rights by sealing court records.

Arrest records and DNA samples can be sealed in

an expungement order.

The recent expungement reform reduced the waiting period for many misdemeanor expungements from 10 years to five years. Records in some minor misdemeanors can now be immediately sealed.

Under the new law, additional misdemeanor convictions are no longer an absolute barrier to expungement. Even a second non-violent felony can be expunged after a pardon has been granted in both convictions.

The reform marks the second time in two years lawmakers made it easier to seal records. A 2014 reform enacted language Mr. Wirth had advocated to the Oklahoma Court of Civil Appeals.

Mr. Wirth argued in 2012 that legislators never meant for multiple charges arising from one incident to be treated as multiple offenses in expungements. The court disagreed.

After a lawmaker noticed the case, the legislature clarified the law consistent with Mr. Wirth's interpretation.

Because of recent changes, Mr. Wirth recommended that anyone previously denied or ineligible for expungement should review their eligibility.

"We also work with people who were subject to emergency protective orders," Mr. Wirth said.

"If a permanent protective order is not granted, we can ask the court to seal records of the emergency order."



Attorney James Wirth, right, managing attorney Charles Parrish and paralegal Kathryn Huddleston develop winning strategies for Wirth Law Office clients.

## Wirth Law Office Attorneys Help Clients Gain Confidence

Attorneys tend to be a confident bunch. It takes a lot of confidence to earn a law degree, to land a law license and to open a law office.

Yet, self-confidence does not make someone a great attorney. Nor does knowledge or skill spell greatness. Not according to Tulsa attorney James Wirth.

"Sure, my skill and self-confidence help me solve legal problems, but it's the confidence my clients gain that brings them back to my office," Mr. Wirth said.

Some of Mr. Wirth's Oklahoma neighbors retain his services for intensely personal family law matters. Others face criminal charges. Some simply want to remove an earlier criminal charge from their record.

Whatever the legal issue, Mr. Wirth said, most people ready to hire an attorney already know what they want.

"People are not as sure those legal goals are within reach, or how to achieve the best outcome," he said.

Before he establishes an attorney-client relationship with someone, Mr. Wirth usually starts out by answering some of their legal questions. The

question-and-answer process gives him a sense of what outcomes the person hopes to achieve.

"My first question for most prospective clients is to find out what kind of questions they have," Mr. Wirth said.

With knowledge about outcomes the law provides, clients tend to gain confidence that the choices they make will best suit their needs.

As a matter moves through the legal process, Mr. Wirth said his office continually works to keep the client informed. Long waits for the next step can be as difficult for a client as the stress of an impending court date.

"We rely on all sorts of technology — email, text messages, telephone, the post office," Mr. Wirth said. "And we're continually testing new technologies to exchange information with clients."

Since he opened the first Wirth Law Office location in 2010, his firm has signed up most clients only after providing a free initial consultation.

"People enter the relationship with a lot of confidence when they know I invested some time to answer their questions," Mr. Wirth said.

**"I urge anyone eligible for expungement to begin the process as soon as possible."**

## 'Wirth Law Office Was Worth It'

When people call Attorney James Wirth, it is seldom for a good thing.

"We help with life-changing matters like divorce and child custody. We routinely see people facing serious criminal charges," Mr. Wirth said. "These can be very difficult circumstances."

Mr. Wirth says his goal is to make clients' experience as stress free as possible. For many, a big part of the stress can be the cost of legal services.

While many cases cost less than a family vacation or a Caribbean cruise, proper representation still requires an investment. Some people try to cut costs using Websites that offer cookie-cutter online services.

Mr. Wirth says self-help law sites often do not provide the knowledgeable help people need.

"We work with people," Mr. Wirth said.

"Because we know Oklahoma law,

and take time to understand a person's unique situation, we can frequently mitigate their worry while we are working toward a legal remedy."

After matters are settled, Mr. Wirth often asks clients about their experience. Most are glad it is over. Many are particularly glad they chose Wirth Law.

"We ask how it went," Mr. Wirth said. "A lot of clients tell us, absolutely, 'Wirth Law Office was worth it.'"

**FREE INITIAL CONSULTATION!**

**Call Wirth Law Office Today To Find Out How to File For Oklahoma Expungement**

**Call: (918) 879-1681 or email: [firm@wirthlawoffice.com](mailto:firm@wirthlawoffice.com)**

## Find Out If You Qualify To Seal Your Court Records

Oklahoma law provides several circumstances in which a person may ask to have court records sealed or deleted including:

- Immediately after paying a fine of less than \$501 in a misdemeanor conviction that did not involve jail time.
- One year after completing a deferred judgment or suspended sentence in a misdemeanor charge.
- Five years after completing a sentence in a misdemeanor conviction resulting in jail time or a fine of more than \$500.
- Five years after completing a deferred judgment or suspended sentence for a non-violent felony charge.

In the categories above, expungement is available if you have not been convicted of a felony and no felony or misdemeanor charges are pending.

Expungement is available after a person first receives a full pardon for their convictions when:

- 10 years have passed after a non-violent felony conviction, if not convicted of a separate misdemeanor in the past 15 years.

- A person has no more than two non-violent felony convictions, and more than 20 years have passed since the most recent felony or misdemeanor conviction.

Immediate expungement is also available for a person acquitted of a charge, whose conviction was reversed on appeal, who was convicted but proven innocent or who was pardoned for an offense committed before they were 18 years old.

Temporary protective orders can be sealed if a permanent order is denied. Arrest records for persons not charged with a crime may be sealed after the time for refile charges has lapsed.

Contact Wirth Law Office to learn how to file for a pardon or expungement.

## Don't Go It Alone Get Proper Representation

Wirth Law Office provides reliable legal counsel to resolve family law, criminal law, bankruptcy, immigration, estate, probate and personal injury matters.

With offices in Tulsa, Bartlesville, Okmulgee, Wagoner, Muskogee and Oklahoma City, Wirth Law Office has the resources and reach to tackle legal problems wherever they arise in Northeast Oklahoma.



# 918-879-1681

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