



Illinois Law for Certificates of Rehabilitation

Effective January 1, 2016

Certificates of rehabilitation lift statutory bars to jobs, licenses or other necessities such as employment that result from a conviction history. Certificates may be used to provide a way for qualified people with criminal records to demonstrate rehabilitation or a commitment to rehabilitation. They are an essential resource that supports reentry and promotes public safety.

- **EFFECTIVE JANUARY 1, 2016:** Public Act 99-0381, the revised Certificates law eliminated the exclusion from "eligible offender" of a person who has been convicted of committing or attempting to commit a Class X felony or a forcible felony. This expanded eligibility for who may prove their rehabilitation and receive a **Certificate of Relief from Disabilities** (no waiting period for occupational licensing), and **Certificate of Good Conduct** (the minimum period of good conduct in which the applicant must have conducted him/herself if the most serious crime of which the individual was convicted is a misdemeanor shall be one year and if the most serious crime of which the individual was convicted is a Class 1, 2, 3, or 4 felony shall be two years).
- **Now the only eligibility limitations are:**
 - No limit to the number of felony convictions
 - Any felony that resulted in "great bodily harm or permanent disability" - not eligible
 - Conviction for aggravated DUI or aggravated domestic battery - not eligible
 - Offenses that require post-release registration (sex offenses, offenses against children, rape, arson) - not eligible
- Employers have immunity from third-party claims if they have hired the holder of a **Certificate of Relief from Disabilities** or **Certificate of Good Conduct**.
- Before a person with a criminal record pays a fee for licensing, the Department of Professional Regulation offers a **free of charge**, non-binding advisory opinion regarding whether his or her criminal offense will be a permanent obstacle to occupational licensing.
- **Pro Bono Panel for Obtaining Certificates of Rehabilitation:** Safer Foundation has partnered with a statewide group of attorneys and law school clinics that are available to assess a potential certificate applicants' eligibility for relief, and if eligible, the attorneys will represent the applicants in court **free of charge**. The Circuit Court that entered a sentence of conviction has exclusive jurisdiction to grant **Certificates of Rehabilitation**.

For information, Contact:

Anthony Lowery
Director, Policy and Advocacy
Safer Foundation
312-431-8992

Anthony.Lowery@saferfoundation.org

