

Applying for an Occupational License with a Criminal Record?

When you apply for an occupational license in Georgia:

- You must disclose your record, even if it has been pardoned, expunged, or restricted and sealed. This includes both your Georgia Criminal Record and any out-of-state or Federal Criminal Record.
 - You will need certified dispositions for each arrest and conviction on your record. Contact the clerk of court for these documents.
- If an applicant does not honestly and completely disclose their record, that is a valid reason for the Licensing Board to deny their application.

Licensing Tip: Start looking into ways you can deal with your record well before you apply for an occupational license. Even though you must disclose all charges on your record, you can reference remedies like restriction and sealing or pardon to support your application.

Writing a Statement of Explanation for your Record

- Explain each arrest on your record in your own words.
 - Explain the facts briefly.
 - Explain how the charges were resolved (dismissal, conviction, etc.)
 - Provide less info about arrests that were not charged and charges that were not convictions. Provide more info about the circumstances surrounding convictions.
 - Take responsibility, show how you've moved on, and say what you have learned.
 - Describe in detail any remedies you have applied to your record. This includes out-of-state expungements, restriction and sealing, retroactive first offender, and pardons.
- Be prepared to speak to the board about your record and your rehabilitation.

Licensing Tip: Review the template letter attached to this flyer for an example of how to explain your record to a Licensing Board. Make sure that you customize your letter to match your specific record and circumstances.

Your Rights and Applying for an Occupational License in Georgia

Know Your Rights – Georgia Code 43-1-19(q)

How will my Criminal Record impact licensing?

- A Licensing Board cannot deny or revoke your professional license unless your criminal record directly relates to the licensed work. The Board must consider:
 - The nature and seriousness of your record and how it relates to your chosen occupation.
 - Your age at the time of the charges on your record.
 - How long it has been since the charges on your record.
 - All mitigating circumstances relative to your record, including substance use, abuse, homelessness, mental health challenges, or anything else that contributed to your record.
 - Evidence that you are rehabilitated and currently fit to perform the licensed work.

How will my current sentence impact licensing?

- A Licensing Board cannot deny or revoke your license just because you are on probation or parole, unless you are serving a sentence for felony crime against another person or for a crime on the sex offense registry.
 - The exception above applies only to violent crimes against another person (e.g. battery or assault.)
 - There are some charges, such as theft, that may involve a victim but do not automatically exclude applicants from occupational licensing while still under sentence.
 - Unsure of how this applies to you? Contact us!
 - For the fastest response, email intake@gjp.org

Licensing Tip: Applying for a Real Estate License?

If you are interested in getting a Georgia real estate license but aren't sure if your record will be a problem, you can submit a criminal background clearance form, even before you start real estate classes or pass the exam. Find the form here: <https://grec.state.ga.us/wp-content/uploads/pdfs/RealEstate/GRECbackgroundclearance.pdf>

For More Information: Intake Staff
intake@gjp.org
 404-827-0027 ext. 1