

How to Get Certified Court Records for Immigration

For green card, citizenship, and immigrant visa cases · USCIS and National Visa Center (NVC) · By Joseph Botelho, Immigration Attorney

A BACKGROUND CHECK shows something happened. A CERTIFIED COURT RECORD shows how it ended. Immigration needs the court record.

USCIS: an original or court-certified copy of the arrest record and final disposition for **each incident**, or a certified statement from the court that no record exists. **NVC:** a certified copy of each court and prison record for **any conviction**.

Dismissed, sealed, expunged, or juvenile? USCIS forms still ask. Disclose it.

WHAT "CERTIFIED" MEANS

The **clerk of the court** stamps or seals the copy and signs it as a true copy of the court record. A website printout, screenshot, police report, or background check is **not** certified.

DOCUMENTS TO REQUEST FOR EACH CASE

Document	What it shows	When
Certified docket (case history)	Every event, first charge to final result	Always
Complaint / charging document	Exact charges and statutes	Always
Disposition	How each charge ended	Always
Sentencing record / judgment	Jail, probation, fines, conditions	If any penalty
Proof probation ended	Completion or termination	If on probation
Plea colloquy (transcript or audio)	What you admitted at the plea	If your attorney asks
Sealing / expungement / vacatur order	That the record was cleared, and why	If it applies

OUTCOMES THAT MAY STILL COUNT AS A CONVICTION

Under immigration law, it can count if you **pleaded guilty or no contest, or admitted sufficient facts**, and the judge imposed **any penalty** (probation, a fine, conditions), even if the case was later dismissed.

Outcome	Generally
CWOF (continuance without a finding, Massachusetts)	May count. Admission + conditions like probation
Deferred adjudication	May count if there was a plea or admission + penalty
Pretrial diversion	May not count if no admission was required
Nolle prosequi (charge dropped)	Generally not a conviction
Juvenile delinquency adjudication	Generally not a conviction (unless tried as an adult). Still disclose.
Expunged for rehabilitation	Generally still counts

Have an immigration attorney read your certified record before you file.

FIND YOUR CASE IN 4 STEPS (NO CASE NUMBER NEEDED)

- 1. Statewide court portal.** Massachusetts: MassCourts (most criminal cases searchable by docket number only).
 - 2. Your own state criminal record.** Request it from your state's criminal records agency (Massachusetts: your CORI). It often lists the court and docket number.
 - 3. FBI Identity History Summary.** \$18. Lists fingerprint-based arrests with agency and date. Often missing the outcome, so you still need the court.
 - 4. The clerk's office.** Call or visit the criminal clerk and ask for certified copies of every document in the table on page 1.
- Federal case?** Search **PACER** (\$0.10/page, \$3 cap per document, waived if \$30 or less per quarter). PACER copies are not certified: ask the federal district court clerk to certify (\$12 per document).
- File destroyed or lost?** Ask the clerk for a **certified letter** on court letterhead stating the record does not exist or cannot be found.

BRING THIS TO THE CLERK'S OFFICE: CHECKLIST

- ☐ Photo ID
- ☐ Every name you have used (maiden names, spelling variations)
- ☐ Date of birth
- ☐ Approximate arrest date, city, and police department
- ☐ Docket or case number, if you found it
- ☐ Payment for copy and certification fees (ask what they accept)
- ☐ A list of the documents you need (table on page 1)

BEFORE YOU SEND ANYTHING

- ☐ Every arrest, citation, or charge is covered, not only convictions
- ☐ Every record carries the clerk's seal or stamp and signature
- ☐ Sealing, expungement, or vacatur orders included where they apply
- ☐ An immigration attorney reviewed the records before filing

TALK TO AN ATTORNEY BEFORE YOU FILE IF...

- You have ANY arrest, charge, or conviction, anywhere, at any age
- Your case ended in a CWOFF, deferred adjudication, diversion, or probation
- A record was sealed, expunged, or vacated
- You cannot locate a record or the court destroyed it

Protect your case from notario fraud. In the United States, a notary public is not a lawyer and cannot give legal advice. Only a licensed attorney or a DOJ-accredited representative may give you immigration legal advice.

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