

CFP BOARD

**FITNESS STANDARDS
FOR CANDIDATES FOR
CFP® CERTIFICATION
AND FORMER
CFP® PROFESSIONALS
SEEKING REINSTATEMENT**

PROPOSED CRIMINAL EXPUNGEMENT REVISIONS

A. Conduct that Presents an Absolute Bar

If an Applicant has engaged in conduct that resulted in any of the following, then Applicant is subject to an Absolute Bar.

2. A Felony Criminal Conviction (which for purposes of an ~~a~~Absolute ~~b~~Bar shall not include the admission into a program that defers or withholds the entry of a judgment of conviction or a conviction that was Expunged) for:
 - a. [List of Felonies]

C. Conduct that Requires an Applicant to File a Petition for Fitness

If the Applicant has engaged in conduct that resulted in any of the following, then Applicant must file a Petition for Fitness:

4. A Felony Criminal Conviction that does not result in an Absolute Bar.
5. A Relevant Misdemeanor Criminal Conviction involving a second (or more) alcohol and/or drug-related offense where the most recent offense was within 7 years of Applicant's application.

D. Conduct that May Require an Applicant to File a Petition for Fitness

If the Applicant has engaged in conduct (including the following) for which Enforcement Counsel would recommend that the DEC grant the Petition with a Public Notice or deny the Petition with a Temporary or Permanent Bar, then Applicant must file a Petition for Fitness:

1. A Criminal Conviction for an offense that is not a Felony, for a crime that would be an Absolute Bar if the Criminal Conviction were for a felony.
2. Any other Relevant Misdemeanor Criminal Conviction.

GLOSSARY:

Conviction: ~~A final judgment resulting from a guilty verdict, guilty plea, or nolo contendere (no contest) plea, or admission into a program that defers or withholds the entry of a judgment of conviction.~~

Criminal Conviction: As defined in Article 7.1 of the Procedural Rules.

Expunged: As defined in Article 7.1 of the Procedural Rules.



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