

# Certificates of Qualification for Employment (CQEs)

## Timeline of a CQE

- 1) Petitioner applies for CQE on ODRC's website
- 2) Application is reviewed by ODRC
- 3) ODRC approves application
- 4) Petitioner files ODRC-approved application in the Court of Common Pleas where petitioner resides
- 5) Investigation by court
- 6) Court approves/denies within 60 days
- 7) Approval is sent to ODRC
- 8) ODRC issues CQE

## Waiting Periods for requesting a CQE

- Felonies: 1 year from final discharge
- Misdemeanors: 6 months from final discharge
- **Early Petition option**
  - Released from prison after receiving 90 days of credit toward satisfaction of person's stated prison term or a 10% reduction of state prison term, can apply any time after incarceration
  - Released from prison with certificate of achievement and employability, can apply any time after incarceration
  - Released from local facility upon recommendation of sheriff or designee, can apply any time after incarceration
  - Was neither incarcerated nor received community control (only citation or ticket), can apply at any time
  - If individual receives early termination of community control, has complied with special conditions, and has no outstanding fines or restitution, can apply at termination of community control

## Exclusions

- Sex offense requirements (registration and related duties)
- License suspension, cancellation, or revocation which occurred due to 12+ points, vehicular homicide or vehicular manslaughter, OVI or failure to consent to blood, breath or urine test, if relief is available by law to grant limited driving privileges
- Restrictions on employment as a prosecutor or law enforcement officer

- A health care professional license if convicted of, or eligible for intervention in lieu of conviction, for aggravated murder, murder, voluntary manslaughter, felonious assault, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, aggravated burglary, or unlawful distribution of an abortion inducing drug
- Immediate suspension of health care professional license for addiction or improperly distributing a controlled substance
- Denial of employment at a pain clinic (a category III distributor of dangerous drugs)
- Suspension of license of health care professional for failure to pay child support

### **Application Process**

- Apply on ODRC website
  - Must have an email address
  - Create an account on ODRC CQE website
- Copy/save answers in a separate document so that you don't lose your progress if there are problems with the website

### **Answering Questions**

- Skip Question 1 (for now) and return after completing 2-4
- Begin with Question 2: "Define why a certificate will materially assist you in obtaining employment or occupational licensing"
  - How the criminal record prevents you from working
  - Denials of specific jobs or job opportunities and licenses
  - Whether the CQE would help you work in a certain field, get a license, or work in a particular type of facility
- Question 3: "Define why you have a substantial need for a certificate in order to live a law-abiding life"
  - Begin with "I have been living a law-abiding life for [amount of time]. I have a substantial need for a certificate to allow me to be an even more productive citizen."
  - Tell your story:
    - Why are you interested in this field/job? Is there a connection to law-abiding life than can be shared?
    - Emphasize desire to serve the community and support yourself/your family
    - Would the certificate help with wages, benefits, or hours?
    - Have you already invested in pursuing this career? (licensing/school)
    - Any specific limitations to moving ahead with the desired career?
- Question 4: "Describe why granting the petition would not pose an unreasonable risk to the safety of the public or any individual"

- What was going on in your life at the time of the offense and how has that changed since the offense?
- Be careful not to minimize responsibility for the offense- changes of circumstance are ok, but you should not make excuses for the offense
- Focus on your growth, what you have done to be a good citizen
- Question 1: “Define the reasons you believe the certificate of qualification for employment should be granted”
  - Use the answers from questions 2-4 and make an introductory summary of those answers to respond to question 1

#### **After application is approved by ODRC**

- File in the Court of Common Pleas where you reside
- Court will notify other courts where you have convictions and allow those courts to send comments regarding issuance of the certificate
- Court will also notify that county’s prosecutor
- Court may order an investigation
- The court should issue the CQE if the petitioner establishes all of the following by a preponderance of the evidence:
  - Granting the petition will materially assist the individual in obtaining employment or occupational licensing
  - The individual has a substantial need for the relief requested in order to live a law-abiding life
  - Granting the petition would not pose an unreasonable risk to the safety of the public or any individual
- Court must grant or deny CQE within 60 days of the investigation
  - If a few months go by and you haven’t heard anything, call the court and ask about the progress of your case
  - Denials are appealable
- You must then send the approval to ODRC who will issue the CQE

**The information on this flyer is not legal advice.**

**If you are seeking representation or legal advice, please contact SEOLS or LASC.  
An attorney-client relationship does not exist between you and SEOLS or LASC.**

#### **How to contact us:**

Call us at 614-824-2503 or 844-302-1800  
Visit us online at [seols.org](http://seols.org) or [columbuslegalaid.org](http://columbuslegalaid.org)