

A Maryland Judiciary Production
My Laws, My Courts, My Maryland
EXPUNGEMENT: HOW TO FILE YOUR PETITION WITH THE COURT – PART 6

Welcome. This is the final video in the Maryland Courts' six-part series on expungement. These videos provide an overview of expunging adult court and law enforcement records only. They do not address expungement of juvenile records or records from other state agencies.

This video covers how to file your petition with the court and what happens if it is granted. We will discuss the steps you can take to file your expungement petition with the court. We'll review fees, how the court will notify you, and when you may need to appear at a hearing. Finally, we'll go over what to expect if the court grants your petition for expungement.

That's a lot of material. Let's get started with how to file and the fees you may need to pay.

CHAPTER HEADING FULL SCREEN TEXT: FILING AND FEES

File your petition for expungement in the clerk's office of the court where your case was heard. Complete and sign your forms, including a General Waiver and Release, if needed. Make copies to keep for your records. If you want proof that you filed by a particular date, bring copies with you when you file and ask the clerk to put a date stamp on them. Submit the originals to the court.

You may have to pay a court fee. Find information about expungement fees at mdcourts.gov/legalhelp/expungement. If you can't afford to pay the fee, ask the clerk about waiving it. Or, watch our video *Can't Afford Filing Fees?*

Once you have filed your forms, the expungement process can take three to six months or longer. After a judge reviews your petition, the court will send you a notice about whether your petition has been granted or denied, or if a hearing to clarify information will be scheduled.

Let's discuss the possibility of a court hearing.

CHAPTER HEADING FULL SCREEN TEXT: EXPUNGEMENT HEARINGS

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If the State’s Attorney or a law enforcement agency has filed an objection, your case may take longer because the court may schedule a hearing. If a hearing is scheduled, the court will notify you by mail so that you may participate in the hearing. A hearing allows the judge to get more information from both sides and decide on your expungement request.

A lawyer may represent you at the hearing. Even if you do not hire a lawyer, consider consulting with a lawyer for legal advice before the hearing. You may speak with a lawyer free-of-charge at the Maryland Courts Self-Help Center. The number there is 410-260-1392. You may also live chat with a lawyer at mdcourts.gov/selfhelp. Lawyers at the Center will not represent you in court, but they can guide you in using court forms and in preparing for the hearing.

If the judge grants your request for expungement, the court will send you a final copy of the court order expunging your record. Let’s turn to what happens after the court grants an expungement.

CHAPTER HEADINGFULL SCREEN TEXT: FINAL ORDERS

Be sure to keep a copy of all documents from your case, including the final court order stating that the expungement was granted. Once a case is expunged, court documents are destroyed. The court will not be able to provide you with another copy if you need one in the future.

Even after a record has been expunged, it may continue to be available to individuals performing background checks. Some companies and agencies download case information and retain it for a long period of time. If they have access to older data, they may find the information which has been expunged from the official court record. If you are asked about expunged information, you may need to provide a copy of the court order to prove the record has been expunged.

Now, let’s review.

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CHAPTER HEADING FULL SCREEN TEXT: SUMMARY

File your forms with the court which heard your case and pay any fees. Unless the court schedules a hearing, it will send you a notice regarding the outcome of your petition. If your records are expunged, be sure to keep a copy of all documents in a secure place. You may need them in the future.

On behalf of the Maryland Courts, we hope this information about expungement has been helpful. Thanks for watching.