

Circuit Court for Anne Arundel County  
Case No. C-02-JV-18-000426

UNREPORTED  
IN THE APPELLATE COURT  
OF MARYLAND

No. 1826

September Term, 2024

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IN RE: K.L.

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Nazarian,  
Arthur,  
Zarnoch, Robert A.  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: July 22, 2025

\*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

K.L., appellant, appeals from a decision of the Circuit Court for Anne Arundel County denying her petition for expungement of her juvenile record. On appeal, she contends that the court erred in denying her petition because she met the statutory criteria to have her juvenile record expunged, but was “never given the chance to show the court” evidence that would have been relevant to evaluating her best interests, her stability in the community and the safety of the public. The State concedes that the court erred in not holding a hearing on her petition. For the reasons that follow, we shall reverse the judgment and remand the case to the circuit court to hold a hearing on appellant’s expungement petition.

In 2018, the juvenile court found appellant involved in committing the delinquent act of harassment by electronic mail, as prohibited by Section 3-805 of the Criminal Law Article. Following a disposition hearing, appellant was determined to be in need of guidance, treatment, and rehabilitation; placed on unsupervised probation; ordered to attend school regularly and obey curfew; ordered to participate in counseling until successfully discharged; and ordered to have no contact with the victims. Appellant’s probation was terminated successfully in 2019.

In 2024, appellant filed a petition for expungement of her juvenile record, which alleged that she had met all of the statutory criteria for such an expungement. The State filed a response indicating that it did not object to the petition. However, the primary victim and both of the victim’s parents filed objections to the petition wherein they described the harm, both immediate and long-term, that appellant’s actions had caused the victim. On October 22, 2024, the court entered an order denying the petition without a

hearing, finding that appellant’s “actions have had a long-lasting deleterious effect on the victims.” This appeal followed.

Section 3-8A-27.1(c) of the Courts and Judicial Proceedings Article provides that the court may order a juvenile record expunged if certain criteria are met including that: (1) the person is at least 18 years old; (2) at least 2 years have elapsed since the finding of delinquency; (3) the person has not been adjudicated delinquent more than once; (4) the person has not been subsequently convicted of any offense; (5) there are no pending charges against the person; (6) the person was not adjudicated delinquent for an offense that, if committed by an adult, would constitute a fourth-degree sex offense, an offense that involved the use of a firearm in a crime of violence, a crime of violence, or a felony; (7) the person was not required to register as a sex offender; and (8) the person fully paid all monetary restitution ordered by the court. Then, if those criteria are satisfied, the court “shall consider the best interests of the person, the person’s stability in the community, and the safety of the public in its consideration of the petition for expungement.” Cts. & Jud. Proc. Art. § 3-8A-27.1(d). In determining whether to grant the petition, the court must hold a hearing within 30 days after the petition is served unless: (1) no objection is filed, in which case it may grant the petition without a hearing, or (2) if it finds that the petition fails on its face to meet the requirements under subsection (c). Cts. & Jud. Proc. Art. § 3-8A-27.1(e)(1)-(3).

Here, the court did not find that the petition failed on its face to meet the criteria set forth in subsection (c). And, based on the record before us, it appears that appellant was statutorily eligible for an expungement. Thus, the court was required to hold a hearing on

appellant's petition. In fact, it is unclear how the court could have properly considered appellant's best interests, appellant's stability in the community, and the safety of the public without providing appellant, and the victim, an opportunity to present evidence with respect to those factors. Consequently, we shall reverse the judgment and remand the case to the circuit court to conduct a hearing on appellant's petition for expungement.

**JUDGMENT OF THE CIRCUIT  
COURT FOR ANNE ARUNDEL  
COUNTY REVERSED AND CASE  
REMANDED FOR FURTHER  
PROCEEDINGS CONSISTENT WITH  
THIS OPINION. COSTS TO BE PAID  
BY ANNE ARUNDEL COUNTY.**