

In certain cases, criminal records may be expunged. Expungement means that information about a criminal offense is removed from court and law enforcement records. In Maryland, a petition, or formal request, must be filed with the court where the crime occurred. A judge must determine whether the petition can be granted. Make sure you keep copies of the expungement order and all related documents.

This brochure is about expunging adult criminal records from Maryland state court records only.

## Must I tell anyone about information that the court expunged?

A Maryland **employer or educational institution** may not require, as a condition of employment or admission, that you disclose expunged information about yourself. (Md. Code, Criminal Procedure § 10-109.)

The **State of Maryland** may not require you to disclose expunged information when you apply for a state license, permit, or other registration.

You may be required to provide information about expunged cases in certain other circumstances not governed by Maryland law.

## Who uses expungement?

Expungements apply in Maryland criminal (adult) and juvenile (delinquency) cases. For other types of records, please see:

**Juvenile records:** See the brochure *How Can I Expunge My Juvenile Record?*

**Peace or protective order cases:** If the state brought a criminal case against you for the same incident, you may have both a civil and criminal case. To shield information about the civil case, see the brochure *Can I Keep the Public from Seeing Information about Me in a Peace or Protective Order Case?*

**Civil cases:** If you want to limit public access to records in a civil case (or if you are a victim or witness in a criminal case) see the brochure *Can I Keep the Public from Seeing Information about Me in a Court Case?*

**Criminal convictions:** If you want to keep your misdemeanor convictions from public view, see the brochure *Can I Limit Access to Information about Certain Criminal Convictions?*

## For more information

Legal Help Page:  
[mdcourts.gov/legalhelp/expungement.html](http://mdcourts.gov/legalhelp/expungement.html)

Court forms:  
[mdcourts.gov/courtforms](http://mdcourts.gov/courtforms)

Maryland laws:  
[mdcourts.gov/lawlib/researchtools/sourcesmdlaw.html](http://mdcourts.gov/lawlib/researchtools/sourcesmdlaw.html)

People's Law Library of Maryland:  
[peoples-law.org](http://peoples-law.org)

Public law libraries:  
[mdcourts.gov/lawlib](http://mdcourts.gov/lawlib)  
or call 410-260-1430

Clerk's office:  
Visit or call the court that heard your case.

[mdcourts.gov/accesstojustice](http://mdcourts.gov/accesstojustice)

410-260-1392

# How Can I Expunge My Criminal Record?



[mdcourts.gov](http://mdcourts.gov)

# I was the defendant in a criminal case. Can I file for expungement?

## Yes, if:

- Maryland's Governor pardoned you within the past 10 years; or
- You can show good cause; or
- The act on which your conviction was based is no longer a crime; or
- The case was filed against you initially in criminal court, and then later transferred to juvenile court.\*

\* If you were charged as an adult and your case was transferred to juvenile court, you have two records. Follow the procedures in this brochure to expunge the adult criminal record. See *How Can I Expunge My Juvenile Record* for information on expunging the juvenile portion of your record.

## Yes, if four (4) years have passed and:

- You were convicted of possession of marijuana.

## Yes, if three (3) years have passed and:

- You received probation before judgment (except DUI/DWI);\* or
- The court indefinitely postponed your case ("stet"); or
- The crime you were convicted of or found not criminally responsible for is listed in Md Code, Criminal Procedure §10-105(a)(9); or
- You were found not criminally responsible for trespass, disturbing the peace or telephone misuse.

\* Your case cannot be expunged if you received probation before judgment AND you have a subsequent conviction other than a minor traffic offense, OR you are a defendant in a criminal case.

## Yes, if ten (10) years have passed and:

- You were convicted of a misdemeanor listed in Md. Code, Criminal Procedure §10-110.

## Yes, if three (3) years have passed OR you file a General Waiver and Release [form CC-DC-CR-078] \* and:

- You were found not guilty ("acquitted"); or
- The state did not prosecute the charge against you (called "nolle prosequi"); or
- Your case was dismissed.

\* Filing this form waives certain legal rights. You may want to speak to a lawyer.

## Yes, if fifteen (15) years have passed and:

- You were convicted of common law battery (Md. Code, Criminal Law §3-203); or
- You were convicted of a domestically related crime listed in Md. Code, Criminal Procedure §6-233.

**Time passed begins tolling after you complete your sentence (including probation) or court-ordered treatment.**

# How do I file for expungement?

- Fill out a Petition for Expungement of Records.
  - Complete CC-DC-072A if your petition is based on an acquittal (not guilty), dismissal, probation before judgment, nolle prosequi, stet.
  - Complete CC-DC-072B if your petition is based on a guilty disposition.
- If appropriate, fill out a General Waiver and Release (form CC-DC-CR-078).
- Pay any fees, unless waived.
- File the form(s) in person or by mail with the Clerk's Office of the court that heard your case.
- Expunging court records removes information from files about criminal charges. **Expungement may not eliminate all available records.** For instance:
  - Motor Vehicle Administration files may hold traffic-related criminal records.
  - Police files may hold information about arrests that did not lead to criminal charges being filed.

Contact each agency that has criminal records about you to find out its expungement procedures.

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