

# Expungement-Part 6 (How to File)

This is the final video in the Expungement series. It covers the steps you can take to file your petition with the court and what happens if it is granted. This video also addresses filing fees and when you may need to appear at a hearing.

## Filing and Fees

- File your petition in the clerk's office of the court where your case was heard.
- Include a General Waiver and Release, if needed.
- Make copies to keep for your records. If you want proof you filed by a particular date, bring copies with you and ask the clerk to date-stamp your copies.
- You may have to pay a fee. Find information about fees at [mdcourts.gov/legalhelp/expungement](http://mdcourts.gov/legalhelp/expungement). If you cannot afford the fee, ask about fee waivers. Or, watch the video *Can't Afford Filing Fees?*
- The process can take three to six months or longer. The court will send a notice about whether your petition has been granted or denied, or if a hearing will be scheduled.

## Expungement Hearings

- 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. You will be notified by mail so you may participate.
- A hearing allows the judge to get more information from both sides and decide on your request.
- A lawyer may represent you at the hearing. Consider consulting with a lawyer before the hearing.

## Final Orders

- Be sure to keep a copy of all documents, including the final order. Once a case is expunged, court documents are destroyed. The court will not be able to provide you another copy.
- Even after a record has been expunged, it may continue to be available to individuals performing background checks. Some companies download case information and retain it for a long time.
- 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.

### Watch the Video



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**TIP 42**

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## Legal Help

- Speak to a lawyer free-of-charge at the Maryland Courts Self-Help Center. Call 410-260-1392, or live chat at [mdcourts.gov/selfhelp](https://mdcourts.gov/selfhelp).
- These lawyers will not represent you in court, but they can guide you in preparing for the hearing.



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