

This brochure is about expunging juvenile records about you from Maryland state court records only.

Who uses expungement?

Defendants in state *criminal* cases or individuals with a state juvenile record. This brochure provides information on expunging juvenile records only.

A juvenile record is a court record and police record concerning a child alleged or adjudicated delinquent or in need of supervision, or who has received a citation for a violation.

If you want to expunge adult criminal records, see the brochure: *Expungement of Criminal Records* as that procedure is different.

How do I file for expungement?

File a "Petition for Expungement of Records" with the court that heard your case, in person or by mail.

The court will then send a copy of your petition to the victims in your case, certain family members of the victim and the state's attorney.

The court may or may not schedule a hearing. If no one files an objection, the court may grant your request without a hearing. If you did not meet the requirements of the law, the court may deny your petition without a hearing.

If your petition for expungement is denied, you can appeal the court's decision.

Expungement of Juvenile Records

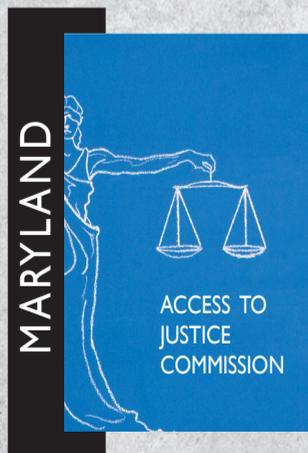
I have a juvenile record. Can I file for expungement?

Yes, if:

- 1. You are 18 or older and at least 2 years have passed since the last official action in your juvenile record;
- 2. You have not been adjudicated delinquent more than once;
- 3. You have not been convicted of any offense since your juvenile case;
- 4. You do not have a pending delinquency petition or criminal charge;
- 5. You have not been adjudicated delinquent for an offense that, if committed by an adult, would be a felony, a crime of violence, or a fourth degree sexual offense;
- 6. You were not required to register as a sex offender;
- 7. The offense you were adjudicated delinquent for did not involve the use of a firearm in the commission of a crime of violence;
- 8. You have fully paid any monetary restitution ordered by the court in your delinquency case; AND
- 9. You meet one of the following:
 - a. The State's Attorney entered a nolle prosequi;
 - b. The petition was dismissed;
 - c. The court, in an adjudicatory hearing, did not find the allegations in the petition to be true;
 - d. The adjudicatory hearing was not held within 2 years after the petition was filed; or
 - e. The court, in a disposition hearing, either found that you required guidance, treatment or rehabilitation, or did not find that you required guidance, treatment or rehabilitation.

The court will also consider:

- 1. Your best interests;
- 2. Your stability in the community;
- 3. The safety of the public.



www.mdcourts.gov/mdatjc

410.260.1258

For more information

See MD. CODE, COURTS AND JUDICIAL PROCEEDINGS § 3-8A-27.1.

Court forms are available on the Maryland Judiciary's website at www.mdcourts.gov/courtforms.

Read Maryland's laws at www.mdcourts.gov/lawlib/researchtools/sourcesmdlaw.html.

Visit the Maryland Judiciary, Department of Family Administration website at www.mdcourts.gov/family/index.html.

Visit the People's Law Library of Maryland, an online legal resource, at www.peoples-law.org.

Visit any public law library in person. Call 410.260.1430 or find out more online at www.mdcourts.gov/lawlib.

Visit or call the Clerk's Office of the court that heard your case.