

Expungement is the removal of a criminal case from your record. This factsheet outlines what cases likely are and are not expungeable in Maryland. **This is not legal advice.** Please consult an attorney about your particular situation. In Maryland, a person's criminal and traffic records can be viewed by the public through Judiciary Case Search (<http://casesearch.courts.state.md.us/casesearch/>). The public availability of these records may impact your ability to find employment, secure housing, and access other benefits.

Important note: Charges that resulted in a nolle prosequi, acquittal, or dismissal no longer appear on Maryland Case Search. However, these charges are not automatically expunged and could be discovered through a background search or fingerprint check. We recommend consulting with an attorney to determine what remains on your record and what can be expunged.

PROCESS

- Whether a case is expungeable is determined primarily on the dispositions you received in the case.
- You cannot expunge individual charges, only the case as a whole.
If one charge in the case cannot be expunged, then the case as a whole cannot be expunged.
- Visit MDexpungement.com to generate your petition for free, or a MVLS attorney can help you if you qualify.
- You cannot file for expungement in any case if you have an active criminal proceeding.
- If you are not a US citizen, expungement may be detrimental to future immigration proceedings. Please consult an immigration attorney before filing.

BASIC GUIDELINE

- This is a GENERAL overview of expungement law. In certain circumstances there may be other factors that determine eligibility.
- If your guilty conviction is not listed as one of the eligible convictions on the back, then it is probably not expungeable.

To see a full list of guilty convictions, please go to:

mvslaw.org/new-expungeable-convictions

TURN PAGE TO SEE A LIST OF EXPUNGEABLE DISPOSITIONS

To apply for free legal help please visit: MVLSLAW.ORG/APPLY-FOR-SERVICES

Or call intake (9 am - 12 pm, Monday - Thursday) at 1 (800) 510-0050

EXPUNGEMENTS

ELIGIBLE DISPOSITIONS

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|---|--|
| <p>Nolle prosequi/Not Guilty/Acquittal/Dismissal/Transfer to Juvenile Court</p> <p>You can file immediately but if the disposition date is within the last 3 years, you must also file a General Waiver and Release</p> | <p>Stet</p> <p><u>Waiting time:</u> 3 years from disposition date</p> |
| <p>Guilty for a nuisance crime (ex. loitering, drinking alcohol in public, failure to pay fare)</p> <p><u>Waiting time:</u> 3 years from the completion of your sentence before filing</p> | <p>Not criminally responsible for a nuisance crime, trespass, telephone misuse, and disturbing the peace</p> <p><u>Waiting time:</u> 3 years after you were ruled not criminally responsible</p> |
| <p>Guilty for CDS possession/paraphernalia, Trespass, Misdemeanor Theft, Prostitution, Disorderly Conduct, B&E of a Vehicle, Unauthorized Removal of Property, Driving on a Suspended License.</p> <ul style="list-style-type: none"> <u>Waiting time:</u> 10 years from the end of sentence/probation No other convictions during your sentence/probation or for 10 years after your sentence/probation You must wait for any conviction you receive to become eligible for expungement | <p>Guilty for Assault 2nd, Felony Theft, Burglary, CDS Possession with Intent to Distribute, or Common Law Battery</p> <ul style="list-style-type: none"> <u>Waiting time:</u> 15 years from the end of sentence/probation No other convictions during your sentence/probation or for 15 years after your sentence/probation You must wait for any conviction you receive to become eligible for expungement |
| <p>Probation Before Judgement (PBJ)</p> <ul style="list-style-type: none"> <u>Waiting time:</u> 3 years, or the length of the probation, whichever is longer <ul style="list-style-type: none"> DUI/DWI are not expungeable If you were convicted of another non-expungeable crime within 3 years of this PBJ, the PBJ cannot be expunged | <p>Guilty for Marijuana Possession</p> <ul style="list-style-type: none"> <u>Waiting time:</u> 4 years from disposition date Amount of marijuana no longer matters |
| <p>Juvenile Transfer</p> <p>If you were charged as an adult and your case was transferred to juvenile court, the adult court case is immediately expungeable</p> | <p>To apply for free legal help please visit: <u>MVLSLAW.ORG/APPLY-FOR-SERVICES</u></p> <p>Or call intake 9 a.m. - 12 p.m. Monday through Thursday at 1(800) 510-0050 or (410) 547-6537</p> |