Maryland Legal Aid: Who We Are

Maryland Legal Aid is a non-profit law firm dedicated to providing high-quality legal advocacy to protect and advance human rights for Maryland's most vulnerable lowincome individuals, families and communities.

Established in 1911, Maryland Legal Aid provides free civil legal services to lowincome individuals and families statewide and serves Baltimore City and Maryland's 23 counties from 12 full-service offices. Maryland Legal Aid receives funding from federal, state and local governments, foundations, the United Way and other private sources. Because of certain funding limitations, most clients have incomes at or below 125% of the federal poverty guidelines. Further, Maryland Legal Aid focuses its practice on civil issues (e.g., housing, consumer, family, and public benefits) and does not accept criminal, personal injury, or traffic court matters, even if a person is financially eligible. Maryland Legal Aid does, however, provide assistance with criminal record expungements.



Maryland Criminal Record Expungement

Your criminal record may keep you from securing employment, housing, a loan, credit, or custody of a child. Here are a few things you should know about criminal record expungement in Maryland:

What is a criminal record expungement?

A criminal record expungement means that any arrests or criminal records are destroyed or sealed. An expunged record cannot be seen by the public. However, the record may still be seen by government agencies, police, military, and other agencies that require a security clearance for a particular job.

Maryland Legal Aid Offices

Allegany/Garrett 138 Baltimore Street Suite 204 Cumberland, MD 21502 (301) 777-7474 (866) 389-5243

Anne Arundel/Howard 2024 West Street

Suite 204 Annapolis, MD 21401 (410) 972-2700 (800) 666-8330

3451 Court House Drive 2nd Floor Ellicott City, MD 21043 (410) 480-1057

Baltimore City 500 E. Lexington Street

Baltimore, MD 21202 Telephone Intake: (410) 951-7750 866-635-2948 Business Line: (410) 951-7777

(800) 999-8904 Baltimore County

215 Washington Avenue Suite 305 Towson, MD 21204 (410) 427-1800

(877) 878-5920 Cecil/Harford

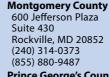
103 S. Hickory Avenue Bel Air, MD 21014 (410) 836-8202

(800) 444-9529 Lower Eastern Shore

Dorchester, Somerset, Wicomico, Worcester 201 E. Main Street Salisbury, MD 21801 (410) 546-5511 (800) 444-4099

Midwestern Maryland

Carroll, Frederick, Washington 22 S. Market Street Suite 11 Frederick, MD 21701 (301) 694-7414 (800) 679-8813



Prince George's County 8401 Corporate Drive

Suite 200 Landover, MD 20785 (301) 560-2100 (888) 215-5316 (301) 560-2100

Southern Maryland

Calvert, Charles, St. Mary's 15045 Burnt Store Road 3rd Floor Hughesville, MD 20637 (301) 932-6661 (877) 310-1810

Upper Eastern Shore Caroline, Kent,

Queen Anne's, Talbot 106 N. Washington Street Suite 101 Easton, MD 21601 (410) 763-9676 (800) 477-2543

STATEWIDE PROGRAMS & RESOURCES

Community Lawyering Initiative (443) 451-2805

Farmworker Program (800) 444-4099

Foreclosure Legal Assistance Project (888) 213-3320

Long-Term Care Assistance Project

(866) 635-2948 Maryland Senior Legal

Helpline (866) 635-2948 Veterans' Hotline

(443) 863-4040 TTY Users: Call Maryland Relay, Dial 7-1-1

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Visit <u>www.peoples-law.org</u> for self-help legal information and community resources. For more information visit <u>www.mdlab.org</u>.

Maryland Criminal Record Expungement

Expungement



What cases can be expunged from Maryland state records?

Not all cases can be expunded, however, the following list includes examples of items that CAN be expunded from Maryland state records, with some exceptions:

- Favorable dispositions (Nolle Prosequi, Not Guilty, Dismissal, Acquittal, Release Without Charge);
- Stet (after three years);
- Probation Before Judgment (after three years generally, with some exceptions);
- Juvenile Transfer (you were charged as an adult, but then transferred to juvenile court);
- Some civil citations;
- Convictions for nuisance crimes:
- Marijuana possession and associated paraphernalia;
- Some convictions are eligible after a 10- or 15-year waiting period;
- Maryland Legal Aid attorneys can only file expungements in Maryland State cases.

IMPORTANT: If you have a current charge, active warrant, or pending criminal case, you cannot file a petition to expunge any records until these matters are resolved

Resources to help you find and review your Criminal Record to see what items are expungeable

You can perform an online case search of your Maryland criminal record back to 1990: http://casesearch.courts.state.md.us/casesearch

- This will NOT show any cases that resulted in dispositions of nolle prosequi, acquittal, or dismissal.
- Even if a case does not show on the Maryland Judiciary Case Search, that does NOT necessarily mean that it has been expunded.

For a more thorough criminal background check of all cases for which you were fingerprinted, you can request a Criminal Justice Information System/CJIS report.

- 6776 Reisterstown Road, Suite 102, Baltimore, MD 21215
- Call 410-764-4501 or 1-888-795-0011 (toll free) to make an appointment
- Appointments can be made at the Reisterstown Road office or at MVA locations in Bel Air, Frederick, Glen Burnie, Salisbury, and Waldorf.
- The cost is \$38.00 payable by Visa, MasterCard, or cashier's check at the Reisterstown Road office. The fee can only be paid with Visa or MasterCard at MVA locations. Cash and money orders are not accepted.

Are any records automatically expunged?

Any case with a disposition of not guilty, acquittal, or dismissal after October 1, 2021 will be automatically expunged after three years. This applies to criminal charges, civil offenses for possession of less than 10 grams of marijuana, and many serious traffic violations. However, you may be able to have a case expunged earlier if you sign a waiver of your right to file a lawsuit against the associated law enforcement agency.

Organizations that may be able to help you with your criminal record expungement:

- Maryland Legal Aid See office locations and telephone numbers on reverse side
- Homeless Persons Representation Project Phone: 410-685-6589 Website: www.hprplaw.org
- Maryland Center for Legal Assistance Phone: 410-260-1392 Website: www.mdcla.org

What happens after my expungement has been filed?

After you or your attorney submits your petition for expungement to the court, the State's Attorney's Office has 30 days to object. If that happens, a hearing will be scheduled. If the court orders your record expunged, the process can take up to one year. Agencies such as the police department have 60 days from the date of the court order to remove your record.

Make sure you confirm that your record was expunged by ordering a CJIS report. Always keep a copy of your court records and expungement court order.

Do I still have to disclose my Criminal Record on employment applications after Expungement?

You do not have to disclose arrests and convictions on employment applications if they have been expunged from your record. However, some employers (e.g. military employers or employers who require a security clearance) may still be able to see these items on your record. In these instances, it is generally better to disclose your record.

