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Expungement: Forms You Need to File – Part 4

Welcome to the Maryland Courts' video series on expungement. This six-part series covers various aspects of expungement. The series looks at case types that are eligible, how long you have to wait, and what happens after the court grants expungement.

This video talks about forms you need to file.
If you want to ask the court to expunge a criminal case, you need to file a Petition for Expungement.

CHAPTER HEADING FULL SCREEN TEXT: PETITION FOR EXPUNGEMENT

A petition is a formal written request made to the court asking for some action. In expungement cases, your petition asks the court to remove your case from court records. If you were convicted or pled guilty, complete form CC-DC-CR-072B. The form is called a Petition for Expungement of Records, Guilty Disposition.

If your case ended in a favorable disposition, use form CC-DC-CR-072A to ask the court for an expungement. Your case may have resulted in a favorable disposition, if it did not end in a guilty plea or conviction. Favorable dispositions include:

1, You were acquitted or found not guilty
2) Your case was dismissed
3) The court ordered probation before judgment
4) The State's Attorney chose not to prosecute, also known as nolle prosequi
5) Your case was indefinitely postponed, or stetted
6) You were found not criminally responsible

In all of these cases, use form CC-DC-CR-072A.

There are some cases that the court will automatically expunge, meaning you do not need to submit a written request. This will happen if all charges in a case have a disposition of not guilty, acquittal, dismissal, or nolle prosequi, entered on or after October 1, 2021. In this situation, the court will expunge the record after three years. You may ask the court to expunge these records before three years have passed. To do so, use the form titled Petition for Expungement of Records Acquittal, Dismissal, Not Guilty, or Nolle Prosequi, (Less Than 3 Years Has Passed Since Disposition). This is form number CC-DC-CR-072C.

In some instances, you may want to file a waiver.

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CHAPTER HEADING FULL SCREEN TEXT: GENERAL WAIVER AND RELEASE

You may decide to file a General Waiver and Release form along with your petition. The form number is CC-DC-CR-078. This form allows the court to consider your petition before the end of the required waiting period. In most cases resulting in a favorable disposition, the law requires you to wait three years before filing an expungement petition. In some instances, you may file earlier than three years, if you file a General Waiver and Release.

By completing this form, you agree to waive certain rights, including the right to pursue civil claims for actions such as wrongful arrest, detention, or confinement. If you do not understand the rights you are waiving, talk to a lawyer.

CHAPTER HEADING: LEGAL HELP

If you do not have a lawyer, you may speak with one free of charge by calling the Maryland Court Help Center at 410-260-1392. You may also chat live at mdcourts.gov/helpcenter These lawyers can provide brief advice, but they will not represent you in court. They can explain the legal rights addressed in a General Waiver and Release. They can also help you find and complete court forms.

Finally, where can you find these forms? Find them at the courthouse or online at mdcourts.gov/courtforms. Links to these specific forms are also at mdcourts.gov/legalhelp/expungement

CHAPTER HEADING FULL SCREEN TEXT: SUMMARY

Let's do a quick review. Use form CC-DC-CR-072B to ask the court to expunge cases ending in conviction. Use form CC-DC-CR-072A if your case had a favorable disposition. If needed, attach the General Waiver and Release form CC-DC-CR-078.

Use form CC-DC-CR-072C if you want to ask the court to expunge a case that is eligible for automatic expungement, but you don't want to wait three years.

We hope this information on expungement forms has been helpful. On behalf of the Maryland Courts, thanks for watching.