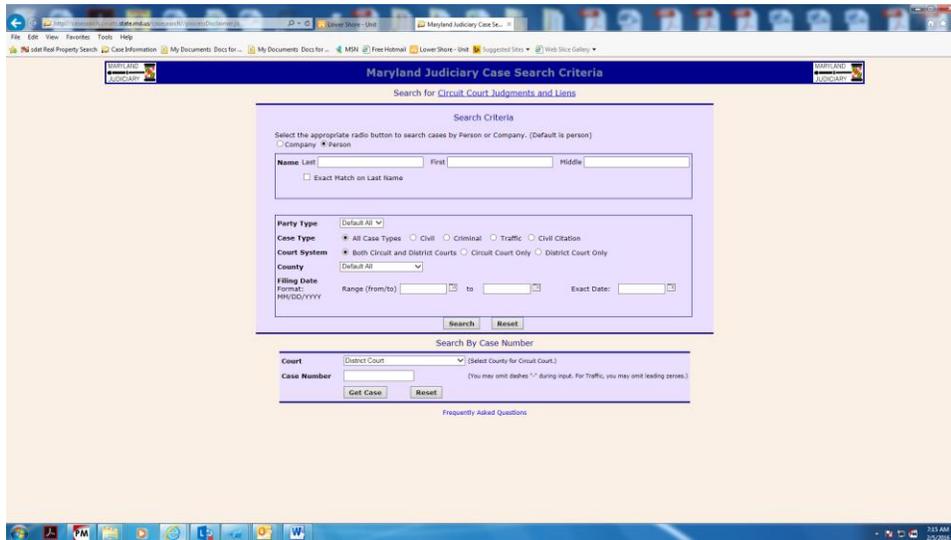


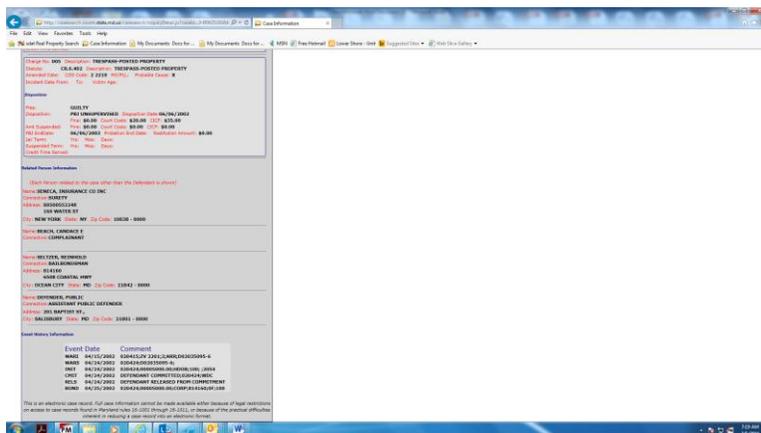
MDExpungement creates petitions by capturing information from case search.

To avoid mistakes, it is helpful to know more about case search than is ordinarily necessary for our practice.

At the very bottom of the case search screen there is a link to “frequently asked questions.” This link provides a lot of information about case search.



At the bottom of the case information screen are two columns. The left column is labeled “Event date.” The right column is labeled “Comment.”



The Wicomico County clerk suggested that a date in the event date column represents the date when the event was entered into the computer, while a date in the comment column represents when the event happened. Accordingly the comment column date should be used in the event of a discrepancy.

Codes/acronyms are used in case search. Most of the acronyms are at <http://mdcourts.gov/casesearch2/pdfs/criminaleventcodes.pdf>

The expungement petition has a space for an arrest date or a service of summons date. INIT (which stands for initial appearance), will, according to the clerk, also be the date of arrest if there was an arrest. WARS stands for service of a summons. CIT stands for citation. WARI stands for issuance of a summons.

Expungement petitions also require identification of the law enforcement agency that served the summons or arrested the petitioner. Law Enforcement agency codes are at pages 60-69 of a draft court document at <http://www.courts.state.md.us/district/efile/UserManual.pdf>

Lower Shore Law Enforcement codes include

Berlin PD	AK
Ocean City PD	CT
Pocomoke City PD	CX
Snow Hill PD	EL
Ocean Pines PD	HM
Worcester County Sheriff's Department	ZW
Cambridge PD	AS
Hurlock PD	FP
Secretary PD	FS
Dorchester County Sheriff's Department	ZI
Crisfield PD	BC
Princess Anne PD	EE
UMES PD	JB
Somerset County Sheriff's Department	ZS
Salisbury PD	DE
Delmar PD	GP
Fruitland PD	GS
Salisbury State University PD	HZ
Wicomico County Sheriff's Department	ZV
Maryland State Police	MSP
Natural Resources Police	NSP

Charge 5: TRESPASS-POSTED PROPERTY
PBJ UNSUPERVISED

Update Information

Case Information	Personal Information	Attorney Information
Incident Date: 04/15/2002	Name: Big Bad	<input checked="" type="checkbox"/> Include Attorney Information
Incident Location: WICOMICO COUNTY	DOB: 7/3/1958	Name: Robert McCaig
Following Incident: charged with BURGLARY-4TH DEGREE-DWELL and related charges.	Address: 827 Bingo Street	Address: 111 High Street
Disposition Date: 06/06/2002	City: SALISBURY	City: Salisbury
Charges: BURGLARY-4TH DEGREE-DWELL and Other Charges	State: MD	State: Maryland
Arresting Agency: WICOMICO COUNTY SH-X	Zip: 21804	Zip: 21801
Complainant: BEACH, CANDACE E	Phone:	Phone: 410-546-5511

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After entering a case number, a screen appears with the charges and toward the bottom of that screen there will be an update information section (above) that has case search information. This information will go into the expungement petition if not edited at Update Information.

The program certainly appears to be much more right than wrong, but it does occasionally pull wrong information from case search, so comparing the case search information to the information in Update Information is necessary. (So far I have seen the warrant issuance -WARI on case search - date rather than the arrest date, and I have seen the wrong law enforcement agency identified.)

Sometimes case search will not have a birthdate, and, if not, it may be necessary to add the birth date in update information.

The program picks up and enters only the first charge from case search followed by “and other charges.”

The Wicomico County District Court does not accept petitions that do not identify **all** of the charges.

To add charges, delete “and related charges” in the Update Information “charges” box, and type the additional charges in the box. (In some cases, there may not be enough room to add all of the charges, so it may be necessary to type up a separate addendum.)

Charge 5: TRESPASS-POSTED PROPERTY
PB| UNSUPERVISED

Update Information

Case Information	Personal Information	Attorney Information
Incident Date: 04/15/2002	Name: Big Bad	<input checked="" type="checkbox"/> Include Attorney Information
Incident Location: WICOMICO COUNTY	DOB: 7/3/1958	Name: Robert McCall
Following Incident: charged with BURGLARY-4TH DEGREE-DWELL and related charges.	Address: 827 Bingo Street	Address: 111 High Street
Disposition Date: 06/06/2002	City: SALISBURY	City: Salisbury
Charges: BURGLARY-4TH DEGREE-DWELL and Trespass Posted Property	State: MD	State: Maryland
Arresting Agency: WICOMICO COUNTY SHER	Zip: 21804	Zip: 21801
Complainant: BEACH, CANDACE E	Phone:	Phone: 410-546-5511

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If the address in case search is not the defendant's current address, the address should be deleted from update information and a current address should be added.

At least in Wicomico County, if an attorney is representing the petitioner, the petitioner need not sign if the attorney signs. (The petitioner must, however, sign a release/waiver if a release/waiver is required.)

If you have registered to use, and sign into, the program , and enter the case number, your name and address will appear to the right of update information, and when the petition is generated your name and address will appear to the left of the petition signature line.

(If you have not registered, and you want your name and address to appear, you need to check the "include attorney information box" in update information and enter your name and address in the boxes underneath.)

If you are signing the petition and the petitioner is not signing, it may make sense to delete entirely the petitioner's address from update information before generating the petition. There is only one signature line and if the petitioner's address is under the signature line, your signature will appear over the petitioner's current or former address.

(Alternatively, you can simply enter your address in lieu of the petitioner's address in the update information screen, but that will prove a bit redundant since your address will already appear on the petition to the left of the address under the signature line.)

The application does not generate an order.

The District Court clerk's office will prepare an order.

The Wicomico County Circuit Court (and perhaps other Circuit Courts) will not prepare the order. It must be submitted with the petition, and substantial completion of the order is required. A form order is at

<http://www.courts.state.md.us/courtforms/internal/ccdccb075.pdf>

At least with Wicomico County Circuit Court orders, at the bottom of the proposed order it is, among other things, necessary to enter the name and address of each custodian of records to which the order is to be sent.

Addresses for some Lower Shore records custodians are as follows. I will add additional names and addresses as those become relevant to expungement petitions I prepare, and I would appreciate it if each of you would let me know any names and addresses that should be added now or in the future so others don't have to search for the information.

Criminal Justice Information System	Custodian of Records, CJIS, CR, P.O. Box 32708 Pikesville MD 21282
Salisbury City Police	Custodian of Records, Salisbury City Police, 699 W. Salisbury City Parkway, Salisbury, MD 21801
Wicomico County Sheriff's Department	Custodian of Records, Wicomico County Sheriff's Department, 401 Naylor Mill Road, Salisbury, MD 21801
Wicomico County Detention Center	Custodian of Records, Wicomico County Detention Center, 411 Naylor Mill Road, Salisbury, MD 21801
Wicomico County States Attorney	Custodian of Records, Office of the States Attorney, 309 E. Main Street, Salisbury, MD 21803