



Advocates, judges discuss expungement changes

By: Heather Cobun Daily Record Legal Affairs Writer June 16, 2016

Maryland courts have been flooded with expungement requests since changes went into effect in October, more coming as part of the massive Justice Reinvestment Act passed by the General Assembly earlier this year. "Clean Slate: Bench and Bar Partnerships to Implement Expungement Laws," a session Friday morning at the Maryland State Bar Association's annual meeting, aims to bring lawyers and judges up to speed on change affecting expungement.

"This is our first big chance to get at everyone," said program chair Amy L. Petkovsek, director of advocacy for training and pro bono at Maryland Legal Aid.

Petkovsek said the expansion of expungable offenses, including convictions for offenses that are no longer criminal, has caused a surge in people seeing help clearing their records.

"We expected a lot, but it's been huge," she said, adding that at one expungement clinic, volunteers saw more than 600 clients.

Volunteer attorneys are crucial, according to Petkovsek, and the MSBA conference is a chance to spread the word.

"This is a really simple volunteer opportunity," she said. "It's so important and they can provide us so much assistance."

Mary-Denise Davis, who runs expungement clinics for the Maryland Office of the Public Defender, said she off as many as 150 petitions for expungement in one week and clerk's offices are "jammed."

"Before these changes, nobody was talking about expungements," Davis said.

Now, demand has drastically increased, which Petkovsek attributes to word spreading about the new opportunity for expungement.

"Once clients in the communities we serve heard that it's working... then we've really seen an influx," she said.

District court judges on the panel will explain how the Judiciary has responded to the increased demand for expungements, according to Petkovsek, as well as the process once paperwork is filed with the court.

Davis said she will walk attendees through the practicalities of expungement and discuss recent legislation expungement as well as policies advocates are still pushing for and why. Legislation to make certain offenses automatically expungable, for one, would have addressed the backlog of cases, she said.

"I don't know how we're ever going to get caught up because there's this huge backlog and if we're not doing anything with the cases today that result in a favorable disposition, we're just adding to the backlog," Davis said.

In addition, private databases are still not regulated, according to Davis, and can retain a record of a conviction after it's been expunged from public records.

Matthew Stubenberg, director of information technology for Maryland Volunteer Lawyers Services, will also discuss about demographics and his online tool at www.mdexpungement.com, which facilitates finding expungable offenses and filing the necessary paperwork.



A sign outside a legal assistance program in Baltimore in October. Changes in Maryland's expungement law have led to a flood of requests in the state court system. (File photo)

For more information about volunteer opportunities, contact Amy Petkovsek at Maryland Legal Aid (apetkovsek@mdlabor.org) or Mary-Denise Davis at the Maryland Office of the Public Defender (mdavis2@opd.state.md.us).

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