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| **Ask the court to expunge a cannabis charge** |

Congratulations {{ users }}, you have finished the form to ask the court to expunge a cannabis charge. This page will give you the information needed to complete the process.

## Next steps

1. Print and sign your completed petition.
2. Get a copy of the Petition to the District Attorney’s Office.
   * Must be delivered before your hearing.
   * You may either hand deliver or first-class mail the petition, this depends on which choice you made on the form.
   * You don’t need to provide proof of hand delivery or mailing but may want to obtain and preserve proof of delivery or mailing for your records.
3. **Keep a copy of the petition for yourself.**
4. The clerk will tell you how to "go to" the hearing. It will probably happen over the phone or a "Zoom" video conference.
5. Check the order when you get it to make sure it is correct.

## What happens in the hearing?

At a hearing, you can tell the judge why you think the marijuana record(s) should be expunged.

Even if you don't request a hearing, the judge could still hold a hearing where you must be present.

If a hearing is scheduled, the clerk's office will notify you of the hearing date and time where you must be present.

## Records will be Permanently Destroyed

An order of expungement requires the clerk of the court where the record was created and the Commissioner of Probation to destroy or permanently erase the trial court records of eligible marijuana offenses within their care, custody, or control, except for information contained in the domestic violence record keeping system.

An order of expungement also requires criminal justice agencies to destroy or permanently erase the record from all publicly available police logs maintained pursuant to G.L. c. 41, § 98F, within the agencies' care, custody, or control.

Further, criminal justice agencies are required to respond to inquiries from any party, including criminal justice agencies, a county agency, a municipal agency, or a state agency that no record of eligible marijuana offenses exists.

## If the petition is granted

If the judge allows your petition for expungement, the clerk will provide you with a certified copy of the expungement order, the docket sheets and the criminal complaint related to the expungement.

If you want copies of the police report, any documents that you filed, or the petition, you must make copies before the court orders expungement.

Once the record is destroyed, you will not be able to get a copy from the court.

**Read** the order as soon as you get it. Call the court to fix any mistakes. You may need to go back in front of the judge to get the order corrected.