

Jacksonville attorney Janet Reed publishes overview of expunction in North Carolina

Expunction, also known as expungement in other jurisdictions, can be a powerful tool to assist those seeking a fresh start, explains Janet P. Reed, Esq.

JACKSONVILLE, NORTH CAROLINA, UNITED STATES, January 12, 2019 /EINPresswire.com/ -- Attorney Janet <u>Reed</u>, based in North Carolina, has published an overview of expunction. The complete article will be published on her Blog at

https://janetreedesq.blogspot.com/ Note: Detailed discussion of expunction and the specific procedures is beyond the scope of this overview and those interested are encouraged to discuss the specifics with a qualified attorney.

Expunction refers to a process by which a court orders provides that a person's record of a prior proceeding is deleted from the public record. It is important to note that there may be limitations to the effects of expunction. Although an expunction order may extend to certain private entities, not all private entities are subject to the expunction order.



Janet Pittman Reed lawyer in North Carolina



Janet P Reed, Attorney in North Carolina

Expunction in North Carolina is generally a creature of statute and must be specifically authorized by statute. There are four broad categories of expunctions in North Carolina: (1) convictions or other matters based on age of the person at the time of the offense or age of the offense; (2) dispositions that do not constitute a conviction, such as dismissals or diversions; (3) drug offense; and (4) specific offenses identified by the General Assembly where defendant's culpability may be lessened or otherwise warrant relief. Each category is governed by a different statute and may have requirements specific to the category.

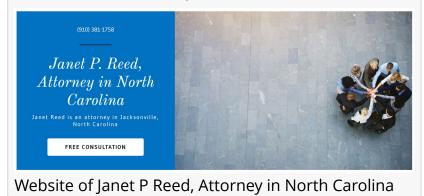
One important note for petitioners as well as practitioners is that if a person is seeking more than one expunction, order of obtaining the expunctions may still matter. Legislative amendment in 2017 has largely done away with the importance of the order, but expunction under some categories still requires that the petitioner has not previously obtained other types of expunctions. Thus, for individuals seeking multiple expunctions, it is critical to work with a qualified attorney to ensure that there is no issue regarding order of the expunctions. As previously mentioned, each type of expunction is governed by a separate statute and must meet the requirements of those statutes. There are, however, still general commonalities among expunctions. The person seeking the expunction must file a petition seeking expunction with the appropriate court showing that they meet the requirements of the relevant statute. Only in very limited circumstances do the statute provide for automatic expunction.

Generally, expunction is mandatory rather than discretionary. Therefore, once a court determines that the requirements of the statute has been met, expunction is typically required. Most petitions are filed in the place of conviction, but proper venue is determined by statute and again requires consultation with a qualified attorney. Typically, expunction process requires the petitioner to consent to record checks. While most expunction petitions require a fee, courts are authorized to allow petitioners to proceed as indigent person.

Expunction can be a powerful tool to assist those seeking a fresh start. Individuals interested in expunction should consult with a qualified attorney to navigate the process, advises Ms. Reed.



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About Janet Pittman Reed

Janet P. Reed is an attorney in Jacksonville, North Carolina, and handles Family Law cases such as Divorce & Separation, Personal Injury, Traffic, Criminal Law, Driver's License Restoration Services, and Civil Litigation cases.

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Expunction can be a powerful tool to assist those seeking a fresh start. Individuals interested in expunction should consult with a qualified attorney to navigate the process" Janet Pittman Reed, lawyer in North Carolina Website: <u>https://janetreedlaw.com/</u> Blog: <u>https://janetreedesq.blogspot.com/</u> Attorney Profile: <u>https://solomonlawguild.com/janet-p-</u> <u>reed</u> News: <u>https://hype.news/janet-p-reed-attorney-in-north-</u> <u>carolina/</u> LinkedIn: <u>https://www.linkedin.com/in/janetpittmanreed/</u> Twitter: https://twitter.com/leglone?lang=en Janet P. Reed The Law Office of Attorney Janet Pittman +1 910-381-1758 email us here



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