

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

**CERTIFICATE OF REHABILITATION
& PARDON INSTRUCTION PACKET**



FORMS INCLUDED IN THIS PACKET

General Information – Certificate of Rehabilitation	SDSC Form #CRM-208
General Information - Pardon	SDSC Form #CRM-209
Instruction Sheet – Certificate of Rehabilitation & Pardon	SDSC Form #CRM-210
“How to Apply for a Pardon” State of CA, Office of the Governor	Information Sheet from www.cdcr.ca.gov
Petition for Certificate of Rehabilitation & Pardon	CA Dept. Corrections & Rehab. Form 1
Notice of Filing of Petition for Certificate of Rehabilitation & Pardon	CA Dept. Corrections & Rehab. Form 2



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

- CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101
- EAST COUNTY DIVISION, RAMONA, 1428 MONTECITO RD., RAMONA, CA 92065
- NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
- SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

GENERAL INFORMATION – PETITIONS FOR CERTIFICATE OF REHABILITATION (PEN. CODE § 4852.01 et seq.)

The granting of a Certificate of Rehabilitation restores to the applicant some of the rights of citizenship which were forfeited as a result of a conviction. Defendants convicted of a felony, or a misdemeanor sex offense specified in Pen. Code § 290, and who were granted probation, must obtain relief pursuant to Pen. Code § 1203.4 before a Certificate of Rehabilitation may be granted.

Purpose	Does	<p>Relieve specified sex offenders of further duty to register. (Pen. Code § 290.5 (a))</p> <p>Enhance an ex-felon's potential for becoming licensed by state boards. (Pen. Code § 4853)</p> <ul style="list-style-type: none"> ➤ Serve as an official document to demonstrate an ex-felon's rehabilitation, which could enhance employment possibilities. ➤ Serve as an automatic recommendation and application to the Governor for a pardon.
	Does not	<ul style="list-style-type: none"> ➤ Erase the felony conviction or seal the criminal record. (Pen. Code § 4852.17) ➤ Prevent the offense from being considered as a prior conviction if the person is later convicted of a new offense. ➤ Allow an ex-felon to answer on employment applications that he/she has no record of conviction. ➤ Give an ex-felon the right to vote. This right is automatically restored after termination from probation or discharge from parole.
Eligibility Criteria	<p>A Person is eligible to apply for a Certificate of Rehabilitation if he/she:</p> <ul style="list-style-type: none"> ➤ Has been convicted of a felony and served a sentence in a California prison or other state penal institution or agency; ➤ Was discharged on completion of the sentence or released on parole prior to May 13, 1943; ➤ Has not been incarcerated in a state prison or other state penal institution or agency since being released; and ➤ Presents satisfactory evidence of three years residence in California immediately prior to the filing of the petition. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> ➤ Was convicted of a felony or a misdemeanor sex offense specified in Pen. Code § 290, the accusatory pleading of which was dismissed pursuant to Pen. Code § 1203.4; ➤ Has not been incarcerated in any penal institution or agency since the dismissal of the accusatory pleading; ➤ Is not on probation for the commission of any other felony; and ➤ Presents satisfactory evidence of five years residence in California immediately prior to the filing of the petition. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> ➤ Was convicted of a felony and, on May 13, 1943, was confined in a state prison or other institution or agency to which he/she was committed, or was convicted of a felony after May 13, 1943 and committed to a state prison or other institution or agency 	
Ineligibility Criteria	<p>Persons who are ineligible to apply for a Certificate of Rehabilitation include those who do not meet the above eligibility criteria and those who were/are:</p> <ul style="list-style-type: none"> ➤ Convicted only of misdemeanors (except those convicted of a misdemeanor sex offense specified in Pen. Code § 290, which was dismissed pursuant to Pen. Code § 1203.4). ➤ Convicted of Pen. Code §§ 286(c), 288, 288a (c), 288.5, or 289(j). ➤ Serving a mandatory life parole. ➤ Committed to prison under a death sentence. ➤ In the military service. 	
How to apply	<p>A Certificate of Rehabilitation and Pardon Instruction Packet (SDSC #PKT-016) may be obtained from this court and may be found at www.sdcourt.ca.gov.</p>	



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GENERAL INFORMATION FOR AN APPLICATION FOR A PARDON (PEN. CODE §§ 4800 et seq, 4853)

Any person who has been convicted of a criminal offense in California may apply directly to the Governor for a pardon. The granting of a pardon restores to the applicant some of the rights of citizenship which were forfeited as a result of the conviction. The granting of a Certificate of Rehabilitation pursuant to Pen. Code § 4852.01 automatically serves as a recommendation and application to the Governor for a pardon.

Purpose	Does	<ul style="list-style-type: none"> ➤ Allow an ex-felon to serve on a jury. (Code Civ. Proc. § 203(a)(5)) ➤ Allow restoration of firearm right, with federal approval, to specified offenders if granted a full and unconditional pardon, unless the conviction was for a felony involving the use of a dangerous weapon. (Pen. Code § 4854) ➤ Allow certain ex-felons to be considered for appointment as a county probation officer or state parole agent, but not to any other peace officer positions. (Gov. Code § 1029) ➤ Allow specified sex offenders still required to register after obtaining a Certificate of Rehabilitation to be relieved of the duty to register. (Pen. Code § 290.5(b)(1))
	Does not	<ul style="list-style-type: none"> ➤ Seal or erase the record of conviction. (Pen. Code § 4852.17) ➤ Prevent the pardoned offense from being considered as a prior conviction if the person is later convicted of a new offense. ➤ Allow a pardoned person to answer on employment applications that he/she has no record of conviction. ➤ Restore ability to own a firearm to ex-felons convicted of any offense involving the use of a dangerous weapon. (Pen. Code § 4854) ➤ Pardon convictions from another state or federal convictions. ➤ Necessarily prevent deportation.
Traditional Pardon	The traditional pardon procedure, see Pen. Code §§ 4800-4813, is available to those persons who are ineligible to petition for a Certificate of Rehabilitation. This procedure is used primarily, although not exclusively, by California ex-felons who reside out-of-state and are therefore unable to satisfy the residency requirement. The traditional pardon procedure is also available to those individuals who have convictions for Pen. Code §§ 286(c), 288, 288a(c), 288.5 and 289(j).	
How to apply	A Certificate of Rehabilitation and Pardon Instruction Packet (SDSC #PKT-016) may be obtained from this court and is available at www.sdcourt.ca.gov .	



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INSTRUCTION SHEET – CERTIFICATE OF REHABILITATION & PARDON

Certificate of Rehabilitation	Eligibility	Refer to the "How to Apply for a Pardon" information forms from the Office of the Governor of the State of California to determine eligibility.				
	District Attorney	The Office of the District Attorney reviews and confirms eligibility requirements and may conduct an investigation regarding rehabilitation.				
	Filing Fees	There is no filing fee or any other court-related fee required when filing a Certificate of Rehabilitation. (Pen. Code § 4852.09)				
	Filing the Petition	<p>1. The petitioner must complete the following forms:</p> <ul style="list-style-type: none"> ➤ Notice of Filing For Certificate of Rehabilitation and Pardon (Form 2) - leaving the date, time, and department area blank. ➤ Petition for Certificate of Rehabilitation and Pardon (Form 1). <p>2. The forms must be submitted or mailed to one of the following locations:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Office of the District Attorney Attn.: Paralegal 330 West Broadway, 8th floor San Diego, CA 92101 (619) 531-4267 </td> <td style="width: 10%; text-align: center; vertical-align: middle;">OR</td> <td style="width: 40%; vertical-align: top;"> San Diego Superior Court, Central Division 220 West Broadway, Room 2005 San Diego, CA 92101 </td> </tr> </table>		Office of the District Attorney Attn.: Paralegal 330 West Broadway, 8 th floor San Diego, CA 92101 (619) 531-4267	OR	San Diego Superior Court, Central Division 220 West Broadway, Room 2005 San Diego, CA 92101
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	Order to Show Cause Hearing	If the District Attorney's Office determines the petitioner has not met the required eligibility criteria, it will notify the petitioner and court of the ineligibility status. Upon receiving such notice, the court will take no further action in the matter unless the petitioner files a motion to issue an Order to Show Cause regarding eligibility.				
	Hearing Date	If the District Attorney's Office determines that the petitioner has met the eligibility criteria, all parties will be mailed notice of the hearing date.				
Providing Notice to the D.A. and Governor	<p>Once a rehabilitation hearing date is set, the District Attorney's Office will send copies of the Notice of Filing for Certificate of Rehabilitation and Pardon (Form 2) and the Petition for Certificate of Rehabilitation and Pardon (Form 1) to:</p> <ul style="list-style-type: none"> ➤ The Governor of California. ➤ The District Attorney of each county in which the petitioner was convicted of a felony. <p>The District Attorney's Office will send notification to each of these offices at least thirty (30) days before the hearing.</p>					
Pardon	Upon the granting of a Certificate of Rehabilitation, the court will forward the order to the Governor. This order constitutes an application for a pardon.					

How to Apply for a Pardon

State of California

Office of the Governor

Statement of Philosophy

A California Governor's pardon is an honor traditionally granted only to individuals who have demonstrated exemplary behavior following conviction for a felony. A pardon will not be granted unless it has been earned. Obtaining a pardon is a distinct achievement based upon proof of a useful, productive, and law-abiding life following conviction. The Governor has complete discretion in deciding whether to grant a pardon. A pardon is a privilege—not a right—and not granted to every person who applies.

Absent extraordinary and compelling circumstances, an application will not be considered unless the applicant has been discharged from probation or parole for at least 10 years without further criminal activity during that period. The 10-year rule may be waived in truly exceptional circumstances (for example, factual innocence), if the applicant can demonstrate such circumstances warranting a specific need for the pardon.

Pardons

Applications may be accepted from any person who has been convicted in California of a felony or certain specified misdemeanor sex offenses. In most cases, the first step in applying is to obtain a Certificate of Rehabilitation from the superior court in the county where the applicant currently resides. All other cases are by way of a direct or "traditional pardon" application. The procedure utilized will depend on the circumstances of each applicant, as explained below.

Once an application is filed under either procedure, the case is referred to the Board of Prison Terms (Board) for investigation. The Board may contact the district attorney, investigating law enforcement agency, and other persons with relevant information on the applicant.

No fee is charged for applying for a pardon.

Effect of a Pardon

A pardon does not seal the individual's criminal record, and the pardon is itself a public record. When a pardon is granted, the California Department of Justice and the Federal Bureau of Investigation are notified so that they may update their records on the applicant. The pardon is filed with the Secretary of State, reported to the Legislature, and is a public record.

Restoration of Rights

The most frequent reasons for requesting a pardon are for personal satisfaction and for licensing, bonding, or other employment purposes.

A pardon does not seal or expunge the record of the conviction. (Penal Code sec. 4852.17.) If the person is subsequently convicted of a new offense, the prior conviction may be considered even after a pardon has been granted. A person who has been pardoned cannot say that he or she has no record of arrests or convictions. The person can, however, say that he or she has been convicted and pardoned.

A pardon is not necessary to vote. An individual convicted of a felony becomes eligible to vote in California after successful discharge from probation or parole. (California Constitution, art. II, sec. 4.) A person who receives a pardon may serve on a jury. (Code of Civil Procedure sec. 203(a)(5) and Penal Code sec. 4852.17.)

A person convicted of a felony who receives a full and unconditional pardon may be employed as a state parole officer or as a county probation officer but cannot otherwise be employed as a peace officer. (Gov. Code sec. 1029.)

A person convicted of a felony cannot own or possess firearms. (Penal Code sec. 12021.) If the individual receives a full and unconditional pardon, he or she may own or possess any type of weapon that may lawfully be possessed by others in California, unless the person was convicted of an offense that involved the use of a dangerous weapon. A California pardon does not necessarily permit the possession of weapons under the laws of another state or the federal government. The law governing the right to own or possess firearms can be found in Penal Code section 4854.

The granting of a pardon does not prevent some licensing agencies from still considering the conviction in determining whether a license should be granted to practice certain professions. The law regarding licensing determinations can be found in Penal Code section 4853.

The Governor of California cannot grant a pardon for a conviction suffered in another jurisdiction, such as another state or a federal proceeding. A person convicted in another state must apply for a pardon in that state. Federal pardon information can be obtained from the Pardon Attorney, U.S. Department of Justice, 500 First Street Northwest, Washington, D.C. 20530.

Certificate of Rehabilitation

A Certificate of Rehabilitation is a court order declaring that a person convicted of a felony is now rehabilitated. If a petition for a Certificate of Rehabilitation is granted, it is forwarded to the Governor by the court and constitutes the application for a pardon. The laws pertaining to the Certificate of Rehabilitation can be found in Penal Code sections 4852.01 to 4852.21. Receipt by the Governor of a Certificate of Rehabilitation does not guarantee that a pardon will be granted.

Generally, any person convicted of a felony who still resides in California may apply to the superior court in his or her county of residence for a Certificate of Rehabilitation, provided that he or she meets the requirements of demonstrated rehabilitation required by law. (Penal Code sec. 4852.06.)

Special laws apply to those convicted of sex offenses. Persons convicted of misdemeanor sex offenses specified in Penal Code section 290 may apply if the conviction has been dismissed under Penal Code section 1203.4. Persons convicted of felony offenses under Penal Code section 286(c), 288, 288a(c), 288.5, or 289(j) are not eligible for a Certificate of Rehabilitation. A Certificate of Rehabilitation may relieve some offenders from having to register as a sex offender under Penal Code section 290. For more information on 290 registration requirements, contact the California Department of Justice, Sexual Registration Unit.

Who May Apply

You are eligible to apply for a Certificate of Rehabilitation if you:

1. were convicted of a felony and served your sentence in a California prison; and
 - were discharged or released on parole prior to May 13, 1943; and
 - have not been incarcerated in a state penal institution since release; and
 - have resided for three years in California immediately prior to filing the petition.

OR

2. were convicted of a felony, or a misdemeanor sex offense specified in Penal Code section 290 that was dismissed under Penal Code section 1203.4; and
 - have been discharged from custody, parole, or probation; and
 - have not been incarcerated in any penal institution, jail, or agency since release; and
 - are not on probation for the commission of any other felony; and
 - have resided for five years in California immediately prior to filing the petition.

OR

3. were convicted of a felony after May 13, 1943; and
 - were sentenced to state prison; and
 - were discharged from custody or released on parole; and
 - have resided for five years in California immediately prior to filing the petition.

Persons who are not eligible to apply for a Certificate of Rehabilitation include:

1. those who do not meet the above requirements; or
2. those who were convicted of misdemeanors, except those convicted of a misdemeanor sex offense as discussed above; or

3. those who were convicted of sex offenses under Penal Code sections 286(c), 288, 288a(c), 288.5, or 289(j); or
4. those who are serving a mandatory life parole; or
5. those committed to prison under a death sentence; or
6. those persons in the military service.

When to Apply

Persons eligible for a Certificate of Rehabilitation may file a petition with the superior court in their county of residence once they have completed the period of rehabilitation. The period of rehabilitation begins to run upon discharge from incarceration or upon release on probation or parole. The period of rehabilitation requires five years residence in California, **PLUS**:

1. four years for persons convicted of Penal Code sections 187, 209, 219, 4500, or 12310, or Military and Veterans Code section 1672(a), or any other offense that carries a life sentence; or
2. five years for any person convicted of any offense for which sex offender registration is required under Penal Code section 290, except for convictions for violations of subdivision (b), (c), or (d) of section 311.2 or of section 311.3, 311.10, or 314 (these convictions require an additional two years); or
3. two years for any persons convicted of any offense not listed above and that does not carry a life sentence; or
4. any additional years ordered by the court if the person served consecutive sentences.

Procedure for Applying

The petition for Certificate of Rehabilitation must be filed in the superior court of the applicant's current county of residence. (Penal Code sec. 4852.06.) The Petition for Certificate of Rehabilitation can usually be obtained from the court clerk, probation department, or public defender's office. The petitioner is required to notify the district attorney in their county of residence and the district attorney of each county in which the petitioner was convicted of a felony. The notice must identify all crimes for which the person is requesting a Certificate of Rehabilitation. The form for sending these notices can also be obtained from the court clerk, probation department, or public defender.

Persons applying for the Certificate of Rehabilitation are entitled to assistance in processing their petitions from the county probation office(s), state parole office(s), and for persons under the age of 30, from the California Youth Authority. The person may also be represented by counsel of his or her own selection. If the person does not have counsel, he or she may be represented by the public defender, the probation department, or the court may assign counsel. (Penal Code section 4852.08.)

Once a petition is filed, the court will schedule a hearing. Before the hearing, the court may require an investigation by the district attorney. At the hearing, the court may require testimony and records pertaining to the petitioner, including information about the conviction offense and the person's conduct while incarcerated and since release.

If the court finds that the petitioner has demonstrated rehabilitation, the court may declare that the petitioner is rehabilitated. A certified copy of the Certificate of Rehabilitation issued by the court is transmitted to the Governor and becomes the application for a pardon.

Upon receipt of the application, the Governor may request that the Board of Prison Terms conduct its own investigation and prepare a report. If the petitioner has been convicted of more than one felony in separate proceedings, the California Supreme Court must approve granting a pardon before the Governor may do so.

Traditional Pardon

The traditional pardon procedure is available to those who are not eligible for a Certificate of Rehabilitation. This procedure is used primarily by those who were convicted of felonies in California and now reside outside the state. The traditional pardon procedure is also available to individuals who are not eligible for a Certificate of Rehabilitation because they have been convicted of sex offenses under Penal Code sections 286(c), 288, 288a(c), 288.5, or 289(j), and those convicted of misdemeanor offenses. The traditional pardon procedure is covered by Penal Code sections 4800-4813.

Applicants for a traditional pardon must write directly to the Governor's Office to request an application at the following address:

**Governor's Office
State Capitol
Attention: Legal Affairs Secretary
Sacramento, CA 95814**

The applicant should complete the Application for Clemency and return it to the Governor's Office. In addition, the applicant must send Notice of Intention to Apply for a Traditional Pardon to the District Attorney of each county in which the applicant was convicted of a felony.

Applications may be forwarded by the Governor's Office to the Board of Prison Terms for investigation and recommendation.

If the applicant has been convicted of more than one felony in separate proceedings, the California Supreme Court must approve granting a pardon before the Governor may do so.

As with those who apply via a Certificate of Rehabilitation, there is no requirement that the Governor entertain granting a pardon, and the length of time needed to complete the pardon process cannot be accurately predicted.

Revised September 14, 2004

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____

Applicant's County of Residence

In the Matter of the Application of

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth _____
Month Day, Year

CII Number _____

Criminal Case Number(s) _____
List applicable Criminal Case Number(s)

Court use only

PETITION FOR CERTIFICATE OF REHABILITATION AND PARDON
Pursuant to Penal Code Sections 4852.01 and 4852.06

The above-named applicant hereby respectfully represents and shows that:

FELONY HISTORY

[All felony convictions must be listed. If you have suffered more than three (3) felony convictions, attach additional sheets following the same format.]

Most Recent Felony Conviction

On or about _____, I was convicted of the crime of _____,
Month Day, Year Indicate crime and Penal Code Section

in the county of _____, California. My sentence for this offense was:

[Check appropriate box]

Commitment to state prison or other state institution at _____ ;
Name of institution or city where located

Probation with suspended sentence to state prison or other state institution;

Probation, after the sentencing proceedings were suspended.

Thereafter, on or about _____, I was;
Date released from custody

[Check appropriate box]

Discharged from state prison or other state institution after completing my sentence;

Released on parole, from which I was finally discharged _____ ;
on Discharge date

Released from custody on probation after serving a jail sentence;

As a condition of my probation, I was released from custody after serving time in jail, and successfully completed my probation on _____, and obtained relief under Penal Code section 1203.4 on _____.
Date probation ended Date 1203.4 granted by the Court

Second Most Recent Felony Conviction

On or about _____, I was convicted of the crime of _____,
Month Day, Year Indicate crime and Penal Code Section

in the county of _____, California. My sentence for this offense was:

[Check appropriate box]

Commitment to state prison or other state institution at _____;
Name of institution or city where located

Probation with suspended sentence to state prison or other state institution;

Probation, after the sentencing proceedings were suspended.

Thereafter, on or about _____, I was;
Date released from custody

[Check appropriate box]

Discharged from state prison or other state institution after completing my sentence;

Released on parole, from which I was finally discharged _____;
on Discharge date

Released from custody on probation after serving a jail sentence;

As a condition of my probation, I was released from custody after serving time in jail, and successfully completed my probation on _____, and obtained relief under Penal Code section 1203.4 on _____.
Date probation ended Date 1203.4 granted by the Court

Third Most Recent Felony Conviction

On or about _____, I was convicted of the crime of _____,
Month Day, Year Indicate crime and Penal Code Section

in the county of _____, California. My sentence for this offense was:

[Check appropriate box]

Commitment to state prison or other state institution at _____;
Name of institution or city where located

Probation with suspended sentence to state prison or other state institution;

Probation, after the sentencing proceedings were suspended.

Thereafter, on or about _____, I was;
Date released from custody

[Check appropriate box]

Discharged from state prison or other state institution after completing my sentence;

Released on parole, from which I was finally discharged _____;
on Discharge date

Released from custody on probation after serving a jail sentence;

As a condition of my probation, I was released from custody after serving time in jail, and successfully completed my probation on _____, and obtained relief under Penal Code section 1203.4 on _____.
Date probation ended Date 1203.4 granted by the Court

RESIDENCY HISTORY

I am now a resident of the State of California, and I have continuously resided in the State of California from _____, to the present date.
Month Day, Year

APPLICANT'S DECLARATION

During the period of my rehabilitation, I have lived an honest and upright life, conducted myself with sobriety and industry, and exhibited good moral character. I have conformed to and obeyed all the laws of the land.

WHEREFORE, Your petitioner prays that the Court make its order and decree declaring that the petitioner has been rehabilitated; and for a Certificate of Rehabilitation recommending that the Governor of the State of California grant petitioner a full pardon; and that for such purpose, a time be appointed for the hearing of the foregoing petition; and that other and necessary proper orders may be made in the premises.

Applicant's Signature Month Day, Year

Applicant's Street Address

Applicant's City, State ZIP Code

FORM 1 INSTRUCTIONS

1. After completing the ***Petition for Certificate of Rehabilitation and Pardon***, file it with the County Clerk's office in the county in which you reside. In every case, you must have resided continuously for **five (5)** years in this state prior to filing the petition.
2. The period of rehabilitation begins to run upon your discharge from custody or upon release on parole or probation, whichever is sooner. The period of rehabilitation shall constitute **five (5)** years residence in this state, **plus** a period of time determined by the following rules:
 - To the **five (5)** years there shall be added **four (4)** years in the case of any person convicted of violating Section 187, 209, 219, 4500, or 12310 of the penal code, or subdivision (a) of Section 1672 of the Military and Veterans Code, or any other offense which carries a life sentence.
 - To the **five (5)** years there shall be added **two (2)** years in the case of any person convicted of committing any offense not listed above and which does not carry a life sentence. (The majority of applicants require a **seven-year** rehabilitation period).
 - To the **five (5)** years the trial court hearing the application for the Certificate of Rehabilitation may add additional years when a person has served consecutive sentences. The amount of additional time will not exceed the sum of the maximum penalties for all the crimes.
 - Any person discharged after completion of his/her term or released on parole before May 13, 1943, is not subject to the periods of rehabilitation set forth in these rules.
3. If you were released on felony probation and successfully completed probation, you must obtain relief under Penal Code Section 1203.4 before applying for a Certificate of Rehabilitation.
4. You are entitled to be represented by an attorney of your own selection, or by the public defender. You are entitled to receive assistance from all rehabilitative agencies including officers from adult probation and parole, and for persons under the age of 30 years, from the Youth Authority.
5. It is unlawful for anyone, other than an attorney, to accept any fee, money or anything of value for their services in representing you in this proceeding.
6. You are not required to pay filing fees of any kind in connection with this proceeding.
7. When the Court sets a hearing date on your Petition, you are required to give notice of that date at least thirty (30) days before the hearing. You must formally notify the District Attorney for each county in which you have been convicted, and the Governor's Office.
8. A Certificate of Rehabilitation is not an automatic pardon; it is only an automatic application for a pardon.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____

Applicant's County of Residence

In the Matter of the Application of

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth _____
Month Day, Year

CII Number _____

Criminal Case Number(s) _____
List applicable Criminal Case Number(s)

<i>Court use only</i>

NOTICE OF FILING OF PETITION FOR CERTIFICATE OF REHABILITATION AND PARDON
Pursuant to Penal Code Sections 4852.01 and 4852.06

To the Governor of the State of California:

District Attorney, County of _____ ;
County of Residence

District Attorney, County of _____ ;
Most recent felony in county of conviction, if different from **County of Residence**

District Attorney, County of _____ ;
2nd most recent felony in county of conviction, if applicable

District Attorney, County of _____ ;
3rd most recent felony in county of conviction, if applicable

You and Each of You Will Please Take Notice That On the _____ day _____ ;
of _____
Date you filed your **Petition for Certificate of Rehabilitation and Pardon**

the undersigned has filed a petition in the above-mentioned court(s) for a Certificate of Rehabilitation and

Pardon in accordance with the provision of Chapter 3.5, Title 6, Part 3 of the Penal Code of the State of

California, and that said petition has, by said court, been set for a hearing on _____ day of the _____
Day of hearing

_____ to commence at _____ a.m. p.m., of said day, or as soon
Month, Year Time of hearing

as the matter can be heard, in its courtroom, department _____ at the courthouse
Department

in the city _____, county _____ state of California.
of _____ of _____
City where hearing will be held County where hearing will be held

Applicant's Signature Month Day, Year

Applicant's Street Address

Applicant's City, State ZIP Code

AFFIDAVIT OF SERVICE BY MAIL

STATE OF CALIFORNIA

City of _____, County of _____

I, _____ being first duly sworn, deposes, and says:
Full Name - First Middle Last and Suffix, if applicable

I am a citizen of the United States, am over the age of 18 years, and am not a party to the above-entitled

proceeding. I am a resident of the County _____, State of
of _____ California.
County of Residence

My residence business address is _____
Street Address

City, State ZIP Code

On the _____ day of _____, I served the attached Notice to each person listed below
Day of the Month Month, Year

Full Name - First Middle Last and Suffix, if applicable Street Address County

Full Name - First Middle Last and Suffix, if applicable Street Address County

Full Name - First Middle Last and Suffix, if applicable Street Address County

Full Name - First Middle Last and Suffix, if applicable Street Address County

by placing a copy of this Notice in a sealed envelope and mailing it first class, postage pre-paid to each person as listed above. There is a delivery service by United States mail at each of the places so addressed, or there is a regular communication by mail between the place of mailing and each of the places so addressed.

Subscribed and sworn to before me this _____ *day of* _____ .
Day of the Month Month, Year

Full Name of Notary Public - TYPED or PRINTED Notary Public - SIGNATURE

In and for the City of _____, *County of* _____, *California.*

NOTICE OF SERVICE IN PERSON

Receipt of copy of this Notice is hereby admitted this _____ day of _____ .
Day of the month Month, Year

**Governor's Office
State Capitol
Legal Affairs Division**

Full Name of Governor's staff - TYPED or PRINTED

Governor's staff - SIGNATURE

Governor's staff - TITLE

Month Day, Year

Receipt of copy of this Notice is hereby admitted this _____ day of _____ .
Day of the month Month, Year

Full Name of District Attorney staff - TYPED or PRINTED

District Attorney staff - SIGNATURE

County District Attorney

Month Day, Year

Receipt of copy of this Notice is hereby admitted this _____ day of _____ .
Day of the month Month, Year

Full Name of District Attorney staff - TYPED or PRINTED

District Attorney staff - SIGNATURE

County District Attorney

Month Day, Year

Receipt of copy of this Notice is hereby admitted this _____ day of _____ .
Day of the month Month, Year

Full Name of District Attorney staff - TYPED or PRINTED

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County District Attorney

Month Day, Year

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Day of the month Month, Year

Full Name of District Attorney staff - TYPED or PRINTED

District Attorney staff - SIGNATURE

County District Attorney

Month Day, Year

FORM 2 INSTRUCTIONS

1. After completing this **Notice of Filing for Certificate of Rehabilitation and Pardon**, make enough copies to distribute one (1) copy to:
 - the Governor of California;
 - the District Attorney in your county of residence where you filed your **Petition for Certificate of Rehabilitation and Pardon**, and;
 - each District Attorney of the county in which you were convicted of a felony.

2. This **Notice of Filing for Certificate of Rehabilitation and Pardon** must be served to all of the aforementioned individuals **at least thirty (30) days prior** to the date set for your hearing. You may do so by utilizing one or both of the following forms, in any combination necessary, as long as all of the aforementioned individuals have been served.
 - **Affidavit of Service by Mail (Form 2A)** - If you intend to have a Notary Public mail a copy of the **Notice of Filing for Certificate of Rehabilitation and Pardon** to each of the aforementioned individuals, you may do so by having the Notary Public complete and sign the **Affidavit of Service by Mail**. Mailing procedures are outlined in the Affidavit.
 - **Notice of Service in Person (Form 2B)** - If you intend to hand-deliver a copy to each of the aforementioned individuals, you may do so by utilizing this form and having each individual sign in the appropriate space indicating that a copy of the **Notice of Filing for Certificate of Rehabilitation and Pardon** was received.

3. After you have served all the aforementioned individuals, personally or by mail, file this completed **Notice of Filing for Certificate of Rehabilitation and Pardon** and the **Affidavit of Service by Mail** or **Notice of Service in Person**, or both, as the case may be, with the County Clerk's office in the county in which you reside.