

For Clerk's Use Only

COURT

COUNTY

STATE OF ARIZONA -vs- _____ Defendant (FIRST, MI, LAST)	[CASE NUMBER:] _____ NOTICE OF RIGHT TO APPLY TO HAVE CONVICTION SET ASIDE; RESTORE CIVIL RIGHTS AND RIGHT TO POSSESS A FIREARM
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RIGHT TO APPLY TO SET ASIDE A CONVICTION
(A.R.S. § 13-905)

On fulfillment of the conditions of probation or sentence and discharge by the court, you may apply to the court where you were sentenced to have the judgment of guilt set aside. Your attorney or probation officer may apply on your behalf.

If you were convicted of multiple offenses, the court must act on each individual case and each individual count. If you have more than one case number, you must file a separate application for each case number. Note that a conviction for certain offenses cannot be set aside and the granting of an application to set aside a conviction will not remove a penalty, driver license restriction, or limitation, imposed by the Department of Transportation.

SUSPENSION OF CIVIL RIGHTS AND OCCUPATIONAL DISABILITIES
(A.R.S. § 13-904)

A conviction for a felony suspends the following civil rights of the person sentenced; the right to vote; the right to hold office; the right to serve as a juror; the right to possess a firearm; and during any period of imprisonment any other civil rights the suspension of which is reasonably necessary for the security of the institution in which the person sentenced is confined or for the reasonable protection of the public.

RIGHT TO AUTOMATIC RESTORATION OF CIVIL RIGHTS (FIRST OFFENDERS)
(A.R.S. § 13-907)

On final discharge (“final discharge” means completion of probation or the receipt of an absolute discharge from the State Department of Corrections of the United States Bureau of Prisons), any person

who has not previously been convicted of a felony offense shall automatically be restored any civil rights that were lost or suspended as a result of the conviction if the person pays victim restitution imposed. A person entitled to automatic restoration of civil rights pursuant to A.R.S. § 13-907 is not required to file an application. If you have not paid victim restitution at time of discharge from probation, you may apply for restoration of civil rights pursuant to A.R.S. § 13-908 (see below). Restoration of the right to possess a firearm requires an application pursuant to A.R.S. § 13-910 (see below).

RESTORATION OF CIVIL RIGHTS (SECOND OR SUBSEQUENT OFFENSE)
(A.R.S. §§ 13-906, 13-907 and 13-908)

If you have previously been convicted of a felony you may apply for restoration of any civil rights that were lost or suspended as a result of the conviction on final discharge from probation or no sooner than two (2) years from the receipt of an absolute discharge from the State Department of Corrections or the United States Bureau of Prisons. Your attorney or probation officer may apply on your behalf. The restoration of civil rights is in the discretion of the judicial officer.

RESTORATION OF RIGHT TO POSSESS A FIREARM
(A.R.S. § 13-910)

If you were **convicted of a dangerous offense** under § 13-704 or an offense committed in another state that would be a dangerous offense under § 13-704 **you may not file for restoration of the right to possess a firearm.**

If you were convicted of a serious offense as defined in § 13-706 or an offense committed in another state that would be a serious offense under § 13-706 you may not file for restoration of the right to possess a firearm for **ten (10) years** from the date of absolute discharge from the State Department of Corrections or the United States Bureau of Prisons. The restoration of the right to possess a firearm is in the discretion of the judicial officer.

If you were convicted of any other felony offense you may not file for the restoration of your right to possess a firearm for **two (2) years** from the date of completion of probation or upon receipt of an absolute discharge from the State Department of Corrections or the United States Bureau of Prisons. The restoration of civil rights is in the discretion of the judicial officer.

RECEIPT BY DEFENDANT

I received a copy of this notice explaining my rights to apply for restoration of my right to possess a firearm, conviction set aside, and restoration of civil rights.

Date

Defendant