

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

**CERTIFICATE OF REHABILITATION
& PARDON INSTRUCTION PACKET**



FORMS INCLUDED IN THIS PACKET

General Information – Petition for Certificate of Rehabilitation	SDSC Form #CRM-208
General Information – Application for Pardon	SDSC Form #CRM-209
Instruction Sheet – Certificate of Rehabilitation & Pardon	SDSC Form #CRM-210
Information on How to Apply for a Pardon	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
Certificate of Rehabilitation	CA Dept. Corrections & Rehab. Form 3



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

- CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101
- EAST COUNTY DIVISION, 250 E. MAIN ST. EL CAJON, CA 92020
- NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
- SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

GENERAL INFORMATION – PETITION FOR CERTIFICATE OF REHABILITATION

Purpose	Does	<ul style="list-style-type: none"> • Serves as an automatic recommendation and application to the Governor for a pardon to accelerate potential pardon relief without requiring involvement and recommendation from the Board of Parole Hearings or further investigation. For information about a pardon, see General Information – Application for Pardon (SDSC Form #CRM-209). • Enhances a person’s potential for becoming licensed by state boards and serve as an official document to demonstrate a person’s rehabilitation, which could improve employment possibilities.
	Does not	<ul style="list-style-type: none"> • Seal or erase the record of conviction. • Prevent the offense from being considered as a prior conviction if the person is later convicted of a new offense. • Allow a person to answer on employment applications that the person has no record of conviction. • Relieve a person of the obligation to register as a sex offender unless the person is granted relief under Penal Code section 290.5. • Restore “all the rights, privileges, and franchises” lost due to a conviction, unless a pardon is also granted.
Eligibility Criteria	<p>Since conviction, a person has lived an honest and upright life, conducted oneself with sobriety and industry, exhibited good moral character, conformed to and obeyed the laws of the land, and satisfies either (1) or (2) below:</p> <p>(1) Was convicted of a felony (excluding a felony sex offense specified in (2) below) and the person presents satisfactory evidence of five years’ residence in California immediately prior to the filing of the petition, plus one of the following:</p> <ul style="list-style-type: none"> • An additional four years if convicted of violating Penal Code sections 187, 209, 219, 4500, or 18755; Military and Veterans Code section 1672(a); or any offense which carries a life sentence. • An additional two years if convicted of any other offense that does not carry a life sentence. <p>(2) Was convicted of a misdemeanor sex offense specified in Penal Code section 290, or a felony sex offense specified in Penal Code section 290 and granted probation, and all of the following apply:</p> <ul style="list-style-type: none"> • The accusatory pleading has been dismissed pursuant to Penal Code section 1203.4. • The person has not been incarcerated in any penal institution or agency since the pleading was dismissed pursuant to Penal Code section 1203.4. • The person is not on probation for the commission of any other felony. • The person presents satisfactory evidence of five years’ residence in California immediately prior to filing the petition, plus an additional five years required for the Penal Code section 290 offense. 	
Ineligibility Criteria	<p>A person is ineligible to apply for a certificate of rehabilitation if the person does not meet the above eligibility criteria, or if the person is/was:</p> <ul style="list-style-type: none"> • Convicted only of misdemeanors (except those convicted of a misdemeanor sex offense, as noted above). • Convicted of Penal Code sections 269, 286(c), 287(c), 288, former 288a(c), 288.5, 288.7 or 289(j) (although the Governor has the right to pardon someone convicted of these offenses if there are extraordinary circumstances). • Serving mandatory life parole. • Sentenced to death. • In military service. 	
How to Apply	<p>A Certificate of Rehabilitation & Pardon Instruction Packet (SDSC PKT-016) may be found on the Superior Court’s website at www.sdcourt.ca.gov.</p>	



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GENERAL INFORMATION – APPLICATION FOR PARDON

Any person who has been convicted of a criminal offense in California may apply directly to the Governor for a pardon (direct 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 Penal Code section 4852.01 et seq. automatically serves as a recommendation and application to the Governor for a pardon.

Purpose	Does	<ul style="list-style-type: none"> • Restore “all the rights, privileges, and franchises” of which the person has been deprived due to a conviction, with exceptions. • Allow restoration of firearm right to specified offenders if granted a full and unconditional pardon, unless the conviction was for a felony involving the use of a dangerous weapon (see also, Pen. Code, § 4852.17). • Allow certain ex-felons to be considered for appointment as a county probation officer or state parole officer, but not for any other peace officer positions (Gov. Code, § 1029).
	Does not	<ul style="list-style-type: none"> • Seal or erase the record of conviction (see 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. • Affect any of the provisions of the Medical Practice Act (Bus. & Prof. Code, § 2000 et seq.) or the power or authority of the Board of Medical Examiners, or the power or authority of any board that issues a certificate permitting application of one’s art or profession on the person of another. (See also, Pen. Code, § 4852.15.) • Allow a pardoned person to answer on employment applications that the person has no record of conviction. • Automatically restore the ability to own or possess a firearm. • Pardon convictions from another state or federal court. • Necessarily prevent deportation.
Direct Pardon	<p>The direct pardon procedure is available to 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 direct pardon procedure is also available to individuals who have convictions of Penal Code sections 269, 286(c), 287(c), 288, former 288a(c), 288.5, 288.7, and 289(j), with the exception of those serving mandatory life parole or a death sentence for those offenses, or persons in military service.</p>	
How to Apply	<p>A Certificate of Rehabilitation & Pardon Instruction Packet (SDSC PKT-016) may be found on the Superior Court’s website at www.sdcourt.ca.gov.</p>	



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INFORMATION SHEET – CERTIFICATE OF REHABILITATION & PARDON

Certificate of Rehabilitation	Eligibility	Refer to the Information on How to Apply for a Pardon form from the Office of the Governor of the State of California to determine eligibility. See also, General Information – Petition for Certificate of Rehabilitation (SDSC Form #CRM-208) for additional information.			
	District Attorney	Any petition submitted to the court will first be sent to the Office of the District Attorney to review and confirm eligibility requirements. If a petitioner is deemed eligible, a hearing date will be set and the Office of the District Attorney will conduct further investigation regarding rehabilitation. Consider contacting the Office of the District Attorney before submitting a petition.			
	Filing the Petition	<p>1. Petitioner must complete the following forms, which are included in the Certificate of Rehabilitation & Pardon Instruction Packet (SDSC PKT-016) and may be found on the Superior Court’s website at www.sdcourt.ca.gov:</p> <ul style="list-style-type: none"> • Petition for Certificate of Rehabilitation and Pardon (CA Dept. Corrections & Rehab. Form 1). • Notice of Filing of Petition for Certificate of Rehabilitation and Pardon (CA Dept. Corrections & Rehab. Form 2) - leaving blank the date the petition was filed, and the date/time/department of the hearing. <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;"> <p style="text-align: center;">Office of the District Attorney OR</p> <p>Attn.: Paralegal 330 West Broadway, 8th floor San Diego, CA 92101 (619) 615-6415</p> </td> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;">San Diego Superior Court, Central Division Criminal Records, Business Office 1100 Union St., Room 150 San Diego, CA 92101</p> </td> </tr> </table>		<p style="text-align: center;">Office of the District Attorney OR</p> <p>Attn.: Paralegal 330 West Broadway, 8th floor San Diego, CA 92101 (619) 615-6415</p>	<p style="text-align: center;">San Diego Superior Court, Central Division Criminal Records, Business Office 1100 Union St., Room 150 San Diego, CA 92101</p>
	<p style="text-align: center;">Office of the District Attorney OR</p> <p>Attn.: Paralegal 330 West Broadway, 8th floor San Diego, CA 92101 (619) 615-6415</p>	<p style="text-align: center;">San Diego Superior Court, Central Division Criminal Records, Business Office 1100 Union St., Room 150 San Diego, CA 92101</p>			
	Order to Show Cause Hearing	If the Office of the District Attorney determines the petitioner has not met the required eligibility criteria, they 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 Office of the District Attorney determines that the petitioner has met the eligibility criteria, all parties will be mailed notice of the hearing date.			
	Providing Notice	<p>Once a hearing date is set, the Office of the District Attorney will send copies of the Petition for Certificate of Rehabilitation and Pardon (CA Dept. Corrections & Rehab. Form 1) and Notice of Filing for Certificate of Rehabilitation and Pardon (CA Dept. Corrections & Rehab. Form 2) to:</p> <ul style="list-style-type: none"> • The Governor of California. • The Office of the District Attorney of each county in which the petitioner was convicted of a felony. <p>The Office of the District Attorney 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.				

Information on How to Apply for a Pardon (www.cdcr.ca.gov/bph/clemency)

Clemency – Overview

Background

A California Governor's pardon is an acknowledgement from the Governor that a person has been rehabilitated after a conviction. The Governor's authority to grant a pardon is found in Section 8 of Article V of the Constitution of the State of California. In most cases, it relieves the recipient of many, but not all, of the penalties associated with a criminal conviction (Pen. Code, § 4853.). Please visit [Governor's Office Internet website](http://www.gov.ca.gov) (www.gov.ca.gov) for more information on the rights of citizenship that may be restored under a [pardon](http://www.gov.ca.gov/pardons) (www.gov.ca.gov/pardons).

There are three primary methods by which an individual may obtain a pardon. A pardon may be obtained by first receiving a certificate of rehabilitation. Alternatively, if someone is ineligible to receive a certificate of rehabilitation, that person may pursue a direct pardon through the Governor's Office. Finally, there are procedures in place for those currently incarcerated to receive a pardon.

Pardons with Certificates of Rehabilitation

For most people, the first step in applying for a pardon is to obtain a certificate of rehabilitation from the superior court in the county where the applicant currently lives. (Pen. Code, § 4852.01.) Receiving a certificate of rehabilitation serves as an official document to demonstrate an offender's rehabilitation, which may enhance the applicant's employment options, and may be considered by state licensing Boards. It does not erase or seal the applicant's criminal record. Furthermore, it does not prevent the conviction from being considered for later convictions. (Pen. Code, § 4852.17.) There are several eligibility criteria that must be satisfied under Penal Code sections 4852.01, 4852.03, and 4852.05, in order to apply for a certificate of rehabilitation. A certificate of rehabilitation is not an automatic pardon; it is an automatic application for a pardon. In the event that a certificate of rehabilitation is issued by a court, the certificate of rehabilitation shall be reviewed by the Board of Parole Hearings within one year. (Pen. Code, § 4852.16, (b).) Thereafter, the Board shall issue a recommendation as to whether the Governor should pardon that individual. (Pen. Code, § 4852.16, (b).) Penal Code section 4852.18. requires the Board of Parole Hearings to provide the clerk of the superior court of each county a set of sample forms for a [Petition for Certificate of Rehabilitation and Pardon](#), a [Notice Of Filing Of Petition For Certificate Of Rehabilitation And Pardon](#), and a [Certificate Of Rehabilitation](#). For additional information or questions about pardons, please send an email to BPHpardon@cdcr.ca.gov

Pardons without Certificates of Rehabilitation

Those who are ineligible for a certificate of rehabilitation may pursue a pardon directly through the Governor's Office. This procedure is used primarily by people who were convicted of a crime in California and now reside outside the state. The direct pardon procedure is also available to people who are not eligible for a certificate of rehabilitation because they have been convicted of specified sex offenses or misdemeanor offenses. (Pen. Code, § 4852.01, (d).)

The Governor is required to make the application for a pardon available on the [Governor's Office Internet website](http://www.gov.ca.gov) (www.gov.ca.gov) (Pen. Code, §4802.5.). You may visit the Governor's Office Internet website for more information on how to apply for a direct [pardon](http://www.gov.ca.gov/pardons) (www.gov.ca.gov/pardons).

All applications for a direct pardon received by the Governor shall be promptly forwarded to the Board of Parole Hearings for an investigation and recommendation to the Governor. (Pen. Code, § 4802.5.) The Board shall examine and consider all applications that are referred and all transcripts of judicial proceedings and all affidavits or other documents submitted in connection with the pardon. (Pen. Code, § 4812, (a).)

In the case of a person twice convicted of a felony, the application for pardon or commutation of sentence shall be made directly to the Governor, who shall transmit all papers and documents relied upon in support of and in opposition to the application to the Board. (Pen. Code, § 4802.) Thereafter, and upon completion of investigation, the Board shall transmit its written recommendation to the Governor. (Pen. Code, § 4813.) The Governor may not grant a pardon or commutation to a person twice convicted of a felony except with the approval of the Supreme Court. (Cal. Const., art.V, § 8.)

Commutations and Pardons for Inmates

Persons who are currently incarcerated may be eligible for a Governor's pardon or commutation of sentence. The Board may report to the Governor the names of any person imprisoned in state prison, who in its judgment ought to have a commutation of sentence or be pardoned based on good conduct, unusual term of sentence, or other causes including evidence of intimate partner battering. (Pen. Code, § 4801.) The Board is expressly authorized to make recommendations to the Governor at any time regarding applications for pardon or commutation (Pen. Code, § 4812, (b).) Additionally, upon request of the Governor, the Board is obligated to investigate and report on all applications for reprieves, pardons, and commutations of sentence. (Pen. Code, § 4812, (a).) Under these circumstances, the Board is required to make recommendations to the Governor for each of these cases. (Pen. Code, § 4812, (a).)

In the case of a person twice convicted of a felony, the application for pardon or commutation of sentence shall be made directly to the Governor, who shall transmit all papers and documents relied upon in support of and in opposition to the application to the Board. (Pen. Code, § 4802.) Thereafter, and upon completion of investigation, the Board shall transmit its written recommendation upon such application to the Governor. (Pen. Code, § 4813.) The Governor may not grant a pardon or commutation to a person twice convicted of a felony except with the approval of the Supreme Court (Cal. Const., art.V, § 8.). For more information please visit the Governor's [commutations](http://www.gov.ca.gov/commutations) (www.gov.ca.gov/commutations) web page.

**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

Court use only

Type Applicant's Full Name – First, Middle, Last, and Suffix

Date of Birth _____
Month Day, Year

CII Number _____

Criminal Case Number _____
List all applicable Criminal Numbers

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 Convictions

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 all that apply]

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

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 complete my probation on _____, and obtained relief under Penal Code section 1203.4 on _____.
Date probation ended Date 1203.4 granted by the court

Felony conviction was reduced to a misdemeanor (Provide court information): _____;

Second Most Recent Felony Convictions

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 all that apply*]

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

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
Complete my probation on _____, and obtained relief under Penal Code
Date probation ended
Section 1203.4 on _____.
Date 1203.4 granted by the court

Felony conviction was reduced to a misdemeanor (Provide court information): _____;

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 all that apply*]

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

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
complete my probation on _____, and obtained relief under Penal Code
Date probation ended
section 1203.4 on _____.
Date 1203.4 granted by the court

Felony conviction was reduced to a misdemeanor (Provide court information): _____;

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. (Pen. Code, § 4852.05.)

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 and ZIP Code

Applicant's Driver License Number

Applicant's Email Address

Applicant's Home Phone Number

Applicant's Work Phone Number

Applicant's Cell Phone Number

FORM 1 INSTRUCTIONS

1. Obtain Your Criminal Records

To complete this form, you will need information regarding each of your felony convictions, including the date of each conviction, the specific charge or charges for which you were convicted, the county of the conviction, and the sentence that was given. In addition, you will need to know the date that you were released from prison or jail and/or discharged from parole or probation.

This information may be obtained through the court in which the conviction(s) took place, or you may obtain a copy of your state criminal record through the California Department of Justice. You may only obtain your own records from the Department of Justice. Information regarding this request may be obtained through the Office of the Attorney General website at <https://oag.ca.gov/fingerprints/record-review>. Regardless of the number of convictions, you will be filing only a single petition.

2. Confirm Your Eligibility

You are *ineligible* for a certificate of rehabilitation if any of the following are true:

- You were convicted only of misdemeanors (other than sex offenses defined in Penal Code section 290, which were subsequently expunged) (Pen. Code, §4852.01, (b).)
- You were convicted of specific sex crimes involving minor children as enumerated under Penal Code sections 286, subdivision (c), 288, 288a, subdivision (c), 288.5, and 289, subdivision (j). (Pen. Code, § 4852.01, (c).)
- You are serving mandatory life parole. (Pen. Code, § 4852.01, (c).)
- You were sent to state prison under a death sentence. (Pen. Code, § 4852.01, (c).)
- You are currently in military service. (Pen. Code, § 4852.01, (c).)

Minimum Period of Rehabilitation

In order to be granted a certificate of rehabilitation you must satisfy a minimum period of rehabilitation. In every case, you must have resided continuously for **five** years in this state prior to filing the petition. (Pen. Code, § 4852.06) The period of rehabilitation begins to run upon your discharge from custody or upon release on parole or probation, whichever is sooner. (Pen. Code, § 4852.03, (a).) The period of rehabilitation shall constitute **five** years residence in this state, **plus** a period of time determined by the following rules:

- An additional **four** years in the case of any person convicted of violating Section 187 (murder), 209 (aggravated kidnapping), 219 (derailing or wrecking a train), 4500 (assault with force likely to cause great bodily injury), or 12310 (use of explosives or destructive devices causing death, mayhem, or great bodily injury) of the Penal Code, or subdivision (a) of Section 1672 of the Military and Veterans Code (acting or failing to act so as to cause another person's death), or any other offense which carries a life sentence. (Pen. Code, § 4852.03, (a)(1).)
- An additional **five** years in the case of any person convicted of any offense or attempted offense for which sex offender registration is required pursuant to Penal Code 290, except for convictions for violations of subdivision (b), (c), or (d) of Section 311.2 (possession or distribution of media depicting a minor engaging in sexual conduct), or of Section 311.3 (sexual exploitation of a child), 311.10 (advertising obscene matter depicting a minor engaging in sexual conduct), or 314 (indecent exposure). For those convictions, two years shall be added to the five years imposed by this section. (Pen. Code, § 4852.03, (a)(2).)

- An additional **two** years in the case of any person convicted of committing any offense not listed above and which does not carry a life sentence. (Pen. Code, §4852.03, (a)(3).)
- Additionally, the trial court hearing your application for a certificate of rehabilitation may add additional years if you served consecutive sentences. The amount of additional time will not exceed the sum of the maximum penalties for all your crimes. (Pen. Code, § 4852.03, (a)(4).)

Felony Probation

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.

3. File Your Documents

After completing the ***Petition for Certificate of Rehabilitation and Pardon***, you must file it with the superior court in the county of conviction or in your county of residency. (Pen. Code, § 4852.06.)

- You are entitled to be represented by an attorney of your own selection, or by the public defender. (Pen. Code, § 4852.08.)
- 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 Division of Juvenile Facilities. (Pen. Code, § 4852.04)
- 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. (Pen. Code, § 4852.2.)
- You are not required to pay filing fees of any kind in connection with this proceeding. (Pen. Code, § 4852.09.)

4. Notice of Filing

When the court sets a hearing date on your petition, you are required to give notice of that date at least 30 days before the hearing. You must formally notify the District Attorney for each county in which you have been convicted, the county in which the petition is filed, and the Governor's Office. (Pen. Code, § 4852.07.) For more information on the notice requirements, please reference the ***Notice of Filing of Petition for Certificate of Rehabilitation and Pardon***.

5. After a Certificate of Rehabilitation is Issued

A certificate of rehabilitation is not an automatic pardon; it is only an automatic application for a pardon. In the event that a certificate of rehabilitation is issued by a court, the certificate of rehabilitation shall be reviewed by the Board of Parole Hearings within one year. Thereafter, the Board shall issue a recommendation as to whether the Governor should pardon that individual. (Pen. Code, § 4852.16, (b).)

**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

Court use only

Type Applicant's Full Name – First, Middle, Last, and Suffix

Date of Birth _____
Month Day, Year

CII Number _____

Criminal Case Number _____
List all applicable Criminal Numbers

**NOTICE OF FILING OF PETITION FOR CERTIFICATE OF
REHABILITATION 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 or courts 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 the _____ day of the _____ to commence
Day of Hearing Month, Year

at _____ a.m. p.m., of said day, or as soon as the matter can be heard, in
Time of hearing

its courtroom, department _____ at the courthouse in the city of
Department

_____, county of _____, state of California.
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 and ZIP Code

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

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

FORM 2 INSTRUCTIONS

1. After completing this **Notice of Filing for Certificate of Rehabilitation and Pardon**, Penal Code section 4852.07 requires that you 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;
 - the District Attorney of each 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 these individuals **at least thirty days prior** to the date set for your hearing. (Pen. Code, § 4852.07.) You may do so by using one or both of the following forms:
 - **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**, 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, you may do so by using 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 each individual, 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, with the Superior Court in the county in which you reside.

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
Certificate Number _____
Date of Birth _____
Month Day, Year
CII Number _____
Criminal Case
Number _____
List all applicable Criminal Numbers

Court use only

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of _____, presently residing
Type Applicant's Full Name – First, Middle, Last, and Suffix

at _____, heretofore filed, praying for
Type Applicant's Street Address, City, State, and Zip Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
of the State of California, came on regularly for hearing on this _____ day
Day of the Month
of _____ and proof having been made to the
Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from
satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the
required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion
of the term to which the petitioner was sentenced, or upon the release on parole or probation on

_____, that, where appropriate, petitioner has obtained relief pursuant to
Month, Day, Year

Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation
and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code
Section 485.15); and that petitioner has been _____, time convicted of a felony;
Total Number of Felony Convictions

*WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and
decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship
(except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the
Governor of the State of California grant a full pardon to said petitioner.*

Done in open court this _____ day of _____
Day of the Month Month, Year

Judge of said Superior Court – TYPED or PRINTED

Judge of said Superior Court – SIGNATURE