



## INSTRUCTIONS FOR COMPLETING THE PHOENIX MUNICIPAL COURT'S PETITION TO SEAL CRIMINAL CASE RECORDS PURSUANT TO A.R.S. § 13-911

*Please read the following before completing the petition form.*

### WHO CAN USE THE PETITION FORM & ELIGIBILITY

You may file a petition to seal the case records related to the most recent criminal offense if you were:

- Convicted of a criminal offense and have completed all the terms and conditions of the sentence imposed by the court, including the payment of all monetary obligations and restitution to all victims, and have not been convicted of any other subsequent offenses, to include any conviction for driving under the influence (ARS §§ 28-1381 through 28-1383), but not including any other misdemeanor traffic violation under Arizona Revised Statutes, Title 28.

OR

- Charged with a criminal offense and the charge was subsequently dismissed or resulted in a not guilty verdict at trial.

OR

- Arrested for a criminal offense and no charges were filed.

AND

The following period of time has passed since you completed the conditions of sentence and were discharged by the court:

- 3 years for a class 1 misdemeanor offense
- 2 years for a class 2 or 3 misdemeanor offense

**Please Note: If you have a prior felony conviction it may cause additional years to be added to the base year wait time listed above. (A.R.S. § 13-911 (F))**

### WHERE TO FILE YOUR PETITION

- IF YOU WERE CONVICTED OF AN OFFENSE: you must file in the court where you were convicted.

- IF ALL CHARGES WERE DISMISSED, YOU WERE FOUND NOT GUILTY ON ALL CHARGES, OR THE CONVICTION WAS VACATED: You must file in the court where the criminal citation or complaint was filed against you.
- IF NO CHARGES WERE FILED BUT YOU HAD AN ARRAIGNMENT: You must file in the court where you had your arraignment.
- IF YOU WERE ARRESTED BUT NO ARRAIGNMENT WAS HELD AND NO CHARGES WERE FILED: You must file the petition in the superior court in the county where you were arrested.

## REQUIRED INFORMATION

*To complete the petition, you must provide the court with the following information as required by Rule 36.1, Arizona Rules of Criminal Procedure:*

- Your name, address, date of birth, and email address.
- Any name you used at the time of arrest, charge, or conviction, if different from your current name.
- The offense(s) for which you are requesting records be sealed and if charges were filed, the court's case number.
- Whether there are any outstanding fines, fees, restitution, or other court-ordered financial obligations for the offense.
- Whether you have completed the conditions of your probation or sentence.

If you were represented in court by an attorney, your defense attorney may be able to provide any information needed to fill out the petition. You may also contact the arresting agency or search public record archives to gather pertinent information.

- Department of Public Safety: <https://www.azdps.gov/services/public/records/criminal>
- Arizona Judicial Branch's Public Access to Court Case Information: <https://apps.supremecourt.az.gov/publicaccess/caselookup.aspx>

## COMPLETE THE PETITION AND PROVIDE THE REQUIRED INFORMATION

### SECTION I. CASE RECORDS RELATED TO A CRIMINAL OFFENSE

#### 1. PETITIONER'S INFORMATION (required)

- Enter your name, address, date of birth, and email address.
- Enter any name you used at the time of arrest, charge, or conviction (if different from your current name).

#### 2. CASE RECORD INFORMATION (required)

- Describe the offenses or charges you were charged with.

- Enter the name of the court that adjudicated the charges, or if charges were not filed, the court that would have adjudicated the charges.
- Enter the court case number and charges (if charges were filed).

**3. ADDITIONAL CASE RECORD INFORMATION (if known)**

- Enter the date and location of the arrest.
- Enter the name of the arresting agency.
- Enter the name of the prosecuting agency (if charges were filed).

**4. DESCRIBE YOUR SITUATION (required)**

- Check the first box if you were arrested for a criminal offense but no charges were filed.  
**If you check this box, you can skip SECTION II and go to SECTION III.**
- Check the second box if you were charged with one or more criminal offenses but the charges were dismissed or resulted in a not guilty verdict at trial.  
Enter the date of the dismissal or not guilty verdict.  
**If you check this box, you can skip SECTION II and go to SECTION III.**
- Check the third box if you were convicted on the charges.  
Enter the date of the judgment of guilt.  
**If you check this box, go to SECTION II.**

**SECTION II. SENTENCE COMPLIANCE (required)**

1. Check “Yes”, “No” or “N/A” regarding whether you have completed all required monetary terms of the sentence.
2. Check “Yes”, “No” or “N/A” regarding whether you have completed all other terms of the sentence.
3. Check “Yes”, “No” or “N/A” regarding whether the requisite period of time (provided below) has passed since you completed the conditions of probation or sentence and were discharged by the court.
  - 3 years for a class 1 misdemeanor offense
  - 2 years for a class 2 or 3 misdemeanor offense

**Please Note: If you have a prior felony conviction it may cause additional years to be added to the base year wait time listed above. (A.R.S. § 13-911 (F))**

If you checked “No” to #1, #2 or #3 above, you **are not eligible** to have your case records sealed and you may not file this petition.

### SECTION III. PRIOR SEALING OF RECORDS

1. Check “Yes” if you have previously filed a petition to seal case records under A.R.S. § 13-911 for this case. Enter the date you filed your last petition.

If you previously filed a petition and the court denied the petition, pursuant to A.R.S. § 13-911(L), you must wait 3 years from the date of the denial to refile the petition.

### SECTION IV. OTHER INFORMATION FOR THE COURT

1. Include any details that you want the court to take into consideration when reviewing your petition.
2. List and attach copies of any other pertinent documentation. Do not include any originals.

### OATH OR AFFIRMATION

Read the oath or affirmation and sign and date the petition.

### REQUESTING A HEARING

Although a hearing is not required for the court to make a ruling, a hearing may be held if requested by you, the prosecutor or the victim, or at the court’s discretion. Keep in mind that **you cannot request a hearing after the court rules on your petition**—you must make the request beforehand.

### APPEAL

If your petition is denied, you may appeal but only on the basis of your eligibility to petition the court.

### MANDATORY WAITING PERIOD UNDER A.R.S. § 13-911(L) IF PETITION IS DENIED

If your petition is denied, you must wait 3 years from the date of denial to file another petition.

Failure to provide enough details or information about the records you want to have sealed may result in the court dismissing your petition.