

## FORM 1 INSTRUCTIONS

1. After completing the ***Petition for Certificate of Rehabilitation and Pardon***, file it with the Superior Court 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.
  - To the **five (5)** years there shall be added **five (5)** years in the case of any person convicted of any offense or attempted offense for which sex offender registration is required pursuant to P.C. 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. For those convictions, two years shall be added to the five years imposed by this section.
  - 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.

## 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 Superior Court in the county in which you reside.