

Instructions for Filing a Petition to Expunge

Required Forms (typed or printed):

Petition for Dismissal - The Petition for Dismissal and the Order for Dismissal must be completed and the box checked indicating whether the case included probation or if the defendant was not placed on probation. If the defendant is requesting a felony charge be reduced to a misdemeanor, please check two separate boxes indicating the request. Any research needed to complete the form should be done prior to the time of filing.

Order for Dismissal - Must have the defendant's name and case number.

Transmittal & Agency Review - Must have the defendant's name and case number.

Associated Fees:

- \$120 for cases that included probation
- \$60 for cases without probation

Filing fees for an expungement must be paid at the time of initial filing of the petition.

If you wish to receive a copy of the Order of Dismissal, at the time of filing, please provide the court with a self-**addressed stamped envelope**. If the Request for Expungement is contested, a court hearing will be scheduled and the defendant will be notified.

A copy of the Petition must be mailed or delivered to the District Attorney who prosecuted your case. Additionally if probation was ordered in your case, a copy must be mailed to the Probation Department.

Please keep in mind, if you have multiple convictions, you will need to complete a separate Petition for Dismissal for each conviction.

Who does not qualify for a Petition for Dismissal?

If you have served state prison time and on parole or are a parolee, you are ineligible to Petition the court to dismiss your case. You may still be eligible to apply for a Pardon. There are certain Misdemeanor/Felony violations that are prohibited from being expunged. Seek the advice of an attorney if you are not sure if you qualify.

Note: Pursuant to Penal Code section 1203.4, the order does not relieve him or her of the obligation to disclose the conviction in response to any direct question contained in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.