

**INSTRUCTIONS FOR COMPLETING A PETITION TO EXPUNGE MARIJUANA-RELATED OFFENSE RECORDS
PURSUANT TO A.R.S. SECTION 36-2862.**

Please read the following before completing the Petition form.
(The Petition form may be found online at: www.phoenix.gov/court)

WHO CAN USE THE PETITION FORM:

You may seek expungement of your marijuana-related criminal records by filing the Petition form, if you were either arrested, charged, convicted or acquitted of any of the following offenses:

1. Possessing, consuming, or transporting two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate.
2. Possessing, transporting, cultivating, or processing not more than six marijuana plants at your primary residence for personal use.
3. Possessing, using, or transporting paraphernalia related to the cultivation, manufacture, processing, or consumption of marijuana.

REQUIRED INFORMATION:

To complete the petition, you must, at a minimum, provide the court with the following information as required by Rule 36, Arizona rules of criminal procedure:

- Your name, address, date of birth, and email address, if you have an email address;
- A description of the offense for which you are seeking expungement as stated on the Petition form;
- The name of the law enforcement agency that arrested you for the marijuana-related offense; and
- The court's case number if your arrest resulted in a criminal complaint being filed with the court.

Failure to provide sufficient details about the records you want to have expunged may result in the court dismissing your petition. If that occurs, you may file a new petition with additional details about your records. The court cannot order expungement of any arresting agency records if you do not identify the arresting agency.

If you were represented in court by an attorney, your attorney may be able to provide any information needed to fill out the Petition. The court may also be able to provide you with this information. In addition, the Federal Bureau of Investigation (<https://www.fbi.gov/services/cjis/identity-history-summary-checks>) and/or the Arizona Department of Public Safety (<https://www.azdps.gov/services/public/records/criminal>) may be able to assist you with criminal records and/or history.

WHERE TO FILE YOUR PETITION:

If you are seeking expungement of ONLY police or sheriff's records relating to an arrest that did not end up in court, then you must file your Petition in the Superior Court located in the county where you were arrested. Otherwise, you must file your Petition in the court where the case was resolved by either dismissal or conviction.

FILL OUT THE ENTIRE PETITION. TYPE OR PRINT NEATLY USING BLACK INK:

- Inside the box print your first name, middle initial, last name, and date of birth. Write in the complaint number of the case that you want the court to expunge. If you are seeking to expunge ONLY an arrest record, leave the case number blank, the court will assign a case number when you file your Petition. In seeking only to expunge an arrest record, remember you must file your Petition in the Superior Court in the County where you were arrested.
- Fill in the other blanks and check boxes with the information requested.
- Date and sign your name and provide the contact information requested.

PLEASE NOTE:

- If you owe fines, fees, or other monetary penalties on other non-expungement-eligible offenses in the same case for which you are seeking expungement, if the court grants your petition, you will need to ask the court for a new payment plan.
- If you were convicted of a felony in superior court, and the court grants your petition and restores your civil rights, in order to be eligible to vote, you must complete and submit a new voter registration form. Please refer to your County Recorder's Office for additional questions about voter registration.