

**JUVENILE
PETITION TO
EXPUNGE
MARIJUANA-
RELATED
OFFENSE
RECORDS**

**PURSUANT TO
A.R.S. § 36-2862**

(Forms & Instructions)

Juvenile petition to expunge record of marijuana offense

Checklist

You may use the forms and instructions to ask the court to expunge your juvenile record of marijuana arrest, charge, adjudication, or disposition if . . .

- ✓ Your case was resolved in the Juvenile Department of the Superior Court of Maricopa County;
- ✓ You were a minor when the action occurred;

AND

- ✓ You are eligible under the expungement statute (A.R.S. § 36-2862). Specifically, you want to expunge one or more of the following:
 - 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.
 - Possessing, transporting, cultivating, or processing not more than six marijuana plants at your primary residence for personal use.
 - Possessing, using, or transporting paraphernalia related to the cultivation, manufacture, processing, or consumption of marijuana.

*marijuana includes cannabis

Do not use the forms in this packet if:

- ✗ Your case was resolved in a court other than the Juvenile Department of the Superior Court of Maricopa County.
- ✗ You were arrested in Maricopa County, but not charged in any court.

Read me: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks can be found on the Law Library Resource Center website.

Juvenile petition to expunge record of marijuana offense

This packet contains court forms and instructions to file for expungement of your juvenile record of marijuana offense. Items in bold are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	File Number	Title	# Pages
1	JVEX1k	Checklist. You may use this packet if...	1
2	JVEX1t	Table of Contents (this page)	1
3	JVEX10i	Instructions to complete the forms in this process	3
4	JVEX10p	Procedures to submit the forms in this process	2
5	JVEX10f	Petition to Expunge Marijuana-related Offense Records and Restore Civil Rights, Including Firearms Rights, Pursuant to A.R.S. § 36-2862	3

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

Instructions for completing a juvenile petition to expunge marijuana-related offense records pursuant to A.R.S. § 36-2862

Please read the following before completing the petition form.

Who can use the petition form:

You may seek expungement of your marijuana-related juvenile 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.

*marijuana includes cannabis

- If you are seeking expungement of case records, and you had more than one eligible offense under more than one case number, file a separate petition for each case number.
- Identify the court where you will be filing. If you will file in the Juvenile Department of the Superior Court of Maricopa County, you must use the Juvenile Petition to Expunge Marijuana-Related Offenses.

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:

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

- Failure to provide enough 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 defense attorney may be able to provide any information needed to fill out the petition.
- You may find information about your case by contacting the Juvenile Department of the Superior Court and asking for a Records Request.

Where to file your petition:

If you are seeking expungement of ONLY law enforcement records relating to an arrest that did not result in a criminal complaint being filed 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.

Type or print neatly using black ink. Fill out all fields required by the forms. Provide any optional information known to you.

Form: Petition to Expunge Juvenile Marijuana-related Offense Records

1. At the top of the first page, type or print the name, mailing address, email address, and phone numbers of the person filing this form.
2. Under “In the Matter of:” print your first name, middle initial, last name, and date of birth above the line for Petitioner.
3. Print the case 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.
4. Fill in the other blanks and check boxes with the information requested.
5. Date and sign your name and provide the contact information requested below the signature line.

Please note: If you owe fines, fees, or other monetary penalties on other non-eligible charges 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.

Do not copy
or file this page

Procedures for completing a juvenile petition to expunge marijuana-related offense records pursuant to A.R.S. § 36-2862

Step 1: Put documents together. You will need the following forms:

- Original Petition to Expunge Juvenile Marijuana-related Offense Records.
- Optional – Any supporting documentation.

Step 2: Photocopy: Make one (1) photocopy of the documents.

Step 3: Separate the copies into two (2) document sets:

Set 1: Originals for Clerk of Superior Court <ul style="list-style-type: none">• Petition to Expunge Juvenile Marijuana-related Offense Records• Any supporting documentation (optional)	Set 2: Copies for You: <ul style="list-style-type: none">• Petition to Expunge Juvenile Marijuana-related Offense Records• Any supporting documentation (optional)
---	---

Step 4: Go to the Clerk of Superior Court at one of the following locations:

Clerk of Superior Court
Juvenile Division
3131 West Durango Street
Phoenix, AZ 85009

or

Clerk of Superior Court
Juvenile Division
1810 South Lewis Street
Mesa, AZ 85210

Step 5: File the sets of documents with the Clerk of Superior Court.

- The Clerk will date stamp all document sets and keep the original documents.
- The Clerk will return a set to you for your records.
- eFile via: <https://efiling.clerkofcourt.maricopa.gov/>. eFiling is only available if you have an existing case number beginning with JV.

- Mail to or leave in external deposit box at:

Durango (Juvenile) Facility
3131 W Durango Street
Phoenix, AZ 85009

Southeast (Juvenile) Facility
1810 S Lewis Street
Mesa, AZ 85210

Step 6: Wait for the Court to notify you.

- Upon filing the petition, notice of the petition will be given to the appropriate prosecutors as required by law.
- The prosecuting agency has thirty (30) days to respond to the petition.
- If you requested a hearing and a hearing is set, the Court will notify you. The petition may be ruled upon without a hearing.
- You will be mailed a signed copy of the Order granting or denying your petition at the address listed on the petition. Please be sure your current mailing address is updated with the court.
- If the Court denies your petition, you may file a direct appeal pursuant to A.R.S. § 13-4033(A)(3).

If you have any questions regarding your rights, please refer to the Arizona Rules of Juvenile Procedure and Title 8 of the Arizona Revised Statutes located at: <https://govt.westlaw.com/azrules> and <https://www.azleg.gov/arstitle/>.



Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Representing Self, without a Lawyer OR Attorney for _____

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

In the Matter of:

Case Number: _____

(FIRST, MI, LAST)

**PETITION TO EXPUNGE
MARIJUANA-RELATED OFFENSE
RECORDS and to RESTORE
FIREARMS RIGHTS, PURSUANT TO
A.R.S. § 36-2862**

Address: _____

Date of Birth: _____

The above-named Petitioner, pursuant to A.R.S. § 36-2862, hereby requests that the Court order expungement of Petitioner's juvenile delinquency records and restoration of Petitioner's firearms rights (if applicable). As grounds for this petition, Petitioner states as follows:

A. REQUIRED INFORMATION

1. Eligible Charge.

I hereby request that the law enforcement and court records for the following juvenile delinquency offense, eligible under ARS § 36-2862, be expunged. (Choose from the following; if you had more than one eligible offense under more than one case number, file a separate petition for each offense.)

- Possessing, consuming, or transporting two and one-half (2 ½) ounces or less of marijuana, of which not more than twelve and one-half (12 ½) grams was in the form of marijuana concentrate.
- Possessing, transporting, cultivating, or processing not more than six (6) marijuana plants at my primary residence for personal use.
- Possessing, using, or transporting paraphernalia relating to the cultivation, manufacture, processing, or consumption of marijuana.

2. Name of citing or referring/arresting law enforcement agency: _____
_____.

3. Either:

a. I have a Juvenile Court case number which is: _____
_____.

OR

b. I completed diversion. (If you completed diversion, you will not have a Juvenile Court case number.)

4. My name at the time of referral/arrest was (if different): _____
_____.

B. ADDITIONAL INFORMATION RELATED TO THE ELIGIBLE CHARGE(S)
(Complete all fields known to you)

1. I was referred/arrested on (insert date): _____.

2. Name of prosecuting agency: _____.

3. I was adjudicated delinquent for the offense: Yes No.

If Yes, insert date of adjudication here: _____.

4. One or more non-eligible charges were filed against me in this same case:
 Yes No.

5. My disposition included a term of probation: Yes No.

6. My case was dismissed: Yes No.

If Yes, insert the date of dismissal here: _____.

7. There is an outstanding arrest warrant in this case: Yes No.

8. There is an active payment plan on my case: Yes No.

C. SUPPORTING DOCUMENTATION (Optional)

Attached is documentation that supports my petition. (The court may find it helpful to have documents that support your request for expungement, for example, the citation or juvenile court petition against you, adjudication and disposition order, payment plan, or any other official document showing a juvenile court case number, crime lab report showing weight of marijuana seized, or DPS or FBI case extract. However, you are not required to provide any supporting documents.)

D. HEARING REQUEST

I understand that I can request a hearing on my petition, but the court may choose to proceed without a hearing. I hereby request a hearing: Yes No.

E. ACKNOWLEDGMENT REGARDING RESTORATION OF FIREARM RIGHTS

I understand that even if I am granted restoration of my civil rights, including firearm rights pursuant to this petition, I may still be prohibited from having my civil rights restored or the right to possess and carry a firearm under other state or federal laws.

DECLARATION:

I declare under penalty of perjury that the information I have provided in this petition and any attachments is true and correct to the best of my knowledge.

I understand that this petition may be dismissed if the information I have provided is insufficient. I also understand that this petition may be denied if information in this petition is found to be inaccurate.

Petitioner's Signature

Date

Petitioner's Mailing Address

Petitioner's Email Address

Petitioner's Phone Number

To the best of my knowledge, the information provided in this petition is true and correct.

Attorney's Name Printed

Attorney's signature

Attorney's Bar Number

Attorney's Mailing Address

Attorney's Phone Number and Email Address