

PETITION TO SEAL CRIMINAL CASE RECORDS

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(Forms & Instructions)

Law Library Resource Center

Petition to Seal Criminal Case Records

Checklist

You may use the instructions and forms to ask the Court to seal your criminal case records if . . .

- ✓ You were convicted of a criminal offense and have completed all the terms and conditions of the sentence that were imposed by the court, including:
 - Payment of all monetary obligations and restitution to all victims.
 - Completion of all other terms of the sentence.
 - Receiving an absolute discharge from the Arizona Department of Corrections.

OR

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

OR

- ✓ You were arrested for a criminal offense and no charges were filed.

Do not use the forms in this packet if:

- ✗ You do not fit one of the categories above.
- ✗ The court denied your previous petition, and it is less than 3 years from the date of the denial of that petition.

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.

Instructions for completing a 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:

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

- ✓ Convicted of a criminal offense and have completed all the terms and conditions of the sentence that were imposed by the court, including the payment of all monetary obligations and restitution to all victims.

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.

Where to file your petition:

- If you were convicted of an offense listed in the petition: 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 indictment, information, criminal citation or complaint was filed against you. (Exception: if the citation or complaint was filed in a justice court and your case was subsequently transferred to the superior court, the petition must be filed in the superior court.)
- If no charges were filed but you had an initial appearance: You must file in the court where you had your initial appearance.
- If you were arrested but no initial appearance was held and no charges were filed: You must file the petition in the superior court in the county where you were arrested.

- If you have multiple cases, you must file a separate petition for each case as set forth above.

Required information:

To complete the petition, you must, at a minimum, 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 required information:

- At the top of the first page, type or print the name, mailing address, email address, and phone number of the person filing this form.
- Print the name of the court where you are filing the petition.
- Below, fill in the caption as it appears in the case for which you seek to have your case records sealed. If no charges were filed and this is a petition to seal only arrest records, put your name in the "In Re the Matter of:" portion of the caption instead of the "STATE OF ARIZONA" portion of the caption.
- Indicate the type of criminal records you are asking the court to seal. Check only the boxes that apply.

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 for which you are requesting records be sealed.
- 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 counts (if charges were filed).
- If no charges were filed, indicate whether you had an initial appearance. If you mark "yes," indicate whether the initial appearance was in the court in which you are filing your petition.
- Important: If no charges were filed but you had an initial appearance, you must file in the court where you had your initial appearance. If you were arrested but no initial appearance was held, you must file in the superior court in the county where you were arrested.

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).
- Enter the name of the justice court and justice court case number if the case was initially filed in a justice court but was transferred to the superior court.

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.
- Check the third box if you were convicted on the charges.
Enter the date of the judgment of guilt.

Section II. Sentence Compliance (required except when no charges were filed)

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 you have received an absolute discharge from the Arizona Department of Corrections. If you check “yes,” it is strongly encouraged that you attach a certificate of absolute discharge. The court may otherwise not have sufficient information to grant your petition.
4. Check “Yes,” “No,” or “N/A” regarding whether you have been discharged from probation. If you check “yes,” it is strongly encouraged that you attach a copy of your order of discharge. The court may otherwise not have sufficient information to grant your petition.

If you checked “No” to #1, #2, #3, or #4 above, you are not eligible to have your case records sealed and cannot file this petition.

Section III. Prior Sealing of Records

1. Check “Yes” if you have previously filed a petition to seal case records under ARS § 13-911 in this case.

Enter the date you filed your last petition if applicable.

If you previously filed a petition in this case and the court denied the petition, you must wait 3 years from the date of the denial to refile the petition.

Section IV. Other Information for the Court

1. If you are filing this petition to have a conviction sealed, indicate whether you have been convicted of any other offense since the conviction for which you are asking the court to seal records. Check “N/A” if no charges were filed and you are seeking to seal arrest records only, or if charges were filed but were dismissed.
2. Indicate whether there are any charges pending against you.
3. 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 on the court’s own motion. Indicate whether you are requesting a hearing.
4. Include any details that you want the court to take into consideration when reviewing your petition.
5. List and attach copies of any other pertinent documentation. Do not include any originals.

Declarations and Acknowledgments

Read the Declarations and Acknowledgements. Make sure you understand this section and do not have any questions. If you agree with these statements, sign and date the petition and provide your address below the signature line.

Appeal

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

Mandatory waiting period 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 about the records you want to have sealed may result in the court dismissing your petition. If that occurs, you may file a new petition with additional details about your records.

Procedures for submitting a Petition to Seal Criminal Case Records pursuant to A.R.S. § 13-911

Step 1: Complete the Petition and provide required information.

- If your conviction resulted in a prison sentence:
 - It is recommended that you attach to the Petition a *Certificate of Absolute Discharge from Imprisonment* from the Arizona Department of Corrections. The Department of Corrections (“DOC”) office is located at 1601 W. Jefferson, Phoenix. Before issuing a statement, DOC will require the Superior Court’s proof of payment of all financial sanctions for that case. Therefore, you should get a financial statement and payment history from the Clerk of Superior Court’s Criminal Financial Obligations Section. You may request a payment history in person from the Criminal File Counter, South Court Tower, 175 West Madison Street, 12th Floor, Phoenix, AZ 85003 or the File Counter, Southeast Regional Court Facility, 222 East Javelina Avenue, Mesa, AZ 85210. You will need to fill out a request and pay a fee, and the payment history will be sent to you. Contact Criminal Financial Obligations for details and more options at (602) 372-5375.
 - Additional DOC information may be available at <https://corrections.az.gov/>.
- If you have been discharged from probation:
 - It is recommended that you attach to the Petition a copy of your order of discharge. To get an Order of Discharge from Probation, you may call the Clerk of Superior Court and ask for a copy from the docket. You may also email a request to Adult Probation at APDRecordsRequest@jbazmc.maricopa.gov.

Step 2: Put documents together and separate into four (4) sets. You will need the following forms:

Set 1: Originals for Clerk of Superior Court: <ul style="list-style-type: none">• Petition to Seal Case Records• Optional – Any supporting documentation	Set 2: Copies for Judge: <ul style="list-style-type: none">• Petition to Seal Case Records• Optional – Any supporting documentation•
Set 3: Copies for County Attorney’s Office: <ul style="list-style-type: none">• Petition to Seal Case Records• Optional – Any supporting documentation	Set 4: Copies for You: <ul style="list-style-type: none">• Petition to Seal Case Records• Optional – Any supporting documentation

Step 3: Deliver or mail.

The completed petition can be filed in person, mailed, efiled, or deposited in the external depository boxes as described below. The Clerk of Superior Court is open Monday through Friday from 8:00 a.m. to 5:00 p.m. There is no filing fee.

- File in Person at:

Criminal File Counter
South Court Tower
175 W. Madison Street, 12th Floor
Phoenix, AZ 85003

File Counter
Southeast Regional Court Facility
222 E Javelina Avenue
Mesa, AZ 85210

- Mail to:

Clerk of Superior Court
Criminal Operations
175 W. Madison Street, 4th Floor
Phoenix, AZ 85003

- eFile via: <https://efiling.clerkofcourt.maricopa.gov/>.

- Leave in external deposit box at:

County Administration Building
4th Avenue Entrance
301 West Jefferson Street
Phoenix, AZ 85003

Southeast Facility Court Facility
South Entrance
222 East Javelina Avenue
Mesa, AZ 85210

Northeast Regional Center
Main Entrance
18380 North 40th Street
Phoenix, AZ 85032

Northwest Regional Center
Main Entrance
14264 West Tierra Buena Lane
Surprise, AZ 85374

Step 4: 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 after the petition is filed to respond stating any objections to the petition. You may file a reply no later than fifteen (15) days after the response is filed.

- Requesting a hearing. If a hearing is requested by you, the prosecutor, the victim, or on the court's own motion, the Court will notify you. The petition may be ruled upon without a hearing. Keep in mind that you cannot request a hearing after the court rules on your petition – you must make the request beforehand.
- The Court must wait at least thirty (30) days before it can grant or deny the petition, unless the prosecuting agency and all victims provide notice that they do not object.
- You will be mailed a signed copy of the Order granting, denying, or dismissing your petition at the address listed on the petition. If your address changes, you will need to file a change of address form with the Clerk of Superior Court. The change of address form can be downloaded at:
<https://www.superiorcourt.maricopa.gov/SuperiorCourt/LawLibraryResourceCenter>.
- If you have questions before you file the petition, you can contact the Clerk of Superior Court at (602) 372-5375. If you have not received an Order after 120 days from the date you submitted your petition, you can contact Criminal Administration at (602) 506-8575.

If you have any questions regarding your rights, please refer to the Arizona Rules of Criminal Procedure and Title 13 of the Arizona Revised Statutes located at: <https://govt.westlaw.com/azrules> and <https://www.azleg.gov/arstitle/>.

In the Superior Court of the State of Arizona
In and for the County of _____

Case Number _____

CIVIL COVER SHEET- NEW FILING ONLY
(Please Type or Print)

Plaintiff's Attorney _____

Attorney Bar Number _____

Is Interpreter Needed? Yes No

If yes, what language(s):

Plaintiff's Name(s): (List all) Plaintiff's Address: Phone #: Email Address:

(List additional Plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List All)

(List additional Defendants on page two and/or attach a separate sheet)

RULE 26.2 DISCOVERY TIER OR MONETARY RELIEF CLAIMED:

IMPORTANT: Any case category that has an asterisk (*) MUST have a dollar amount claimed or Tier selected. State the monetary amount in controversy or place an "X" next to the discovery tier to which the pleadings allege the case would belong under Rule 26.2.

Amount Claimed \$ _____ Tier 1 Tier 2 Tier 3

NATURE OF ACTION

Place an "X" next to the **one** case category that most accurately describes your primary case. **Any case category that has an asterisk (*) MUST have a dollar amount claimed or Tier selected as indicated above.**

100 TORT MOTOR VEHICLE:

- 101 Non-Death/Personal Injury*
- 102 Property Damage*
- 103 Wrongful Death*

110 TORT NON-MOTOR VEHICLE:

- 111 Negligence*
- 112 Product Liability – Asbestos*
- 112 Product Liability – Tobacco*
- 112 Product Liability – Toxic/Other*
- 113 Intentional Tort*

- 114 Property Damage*
- 115 Legal Malpractice*
- 115 Malpractice – Other professional*
- 117 Premises Liability*
- 118 Slander/Libel/Defamation*
- 119 Recovery of Damages under A.R.S. §12-514* (Please provide Plaintiff DOB ___/___/___)
- 116 Other (Specify) _____*

120 MEDICAL MALPRACTICE:

- 121 Physician M.D.* 123 Hospital*
- 122 Physician D.O.* 124 Other*

130 & 197 CONTRACTS:

- 131 Account (Open or Stated)*
- 132 Promissory Note*
- 133 Foreclosure*
- 138 Buyer-Plaintiff*
- 139 Fraud*
- 134 Other Contract (e.g., Breach of Contract)*
- 135 Excess Proceeds-Sale*
- Construction Defects (Residential/Commercial)*
 - 136 Six to Nineteen Structures*
 - 137 Twenty or More Structures*
- 197 Credit Card Debt (Maricopa County Filings Only)*

145 & 150-199 OTHER CIVIL CASE TYPES:

- 156 Eminent Domain/Condemnation*
- 151 Eviction Actions (Forcible and Special Detainers)*
- 152 Change of Name
- 153 Transcript of Judgment
- 154 Foreign Judgment

- 158 Quiet Title*
- 160 Forfeiture*
- 175 Election Challenge
- 179 NCC-Employer Sanction Action (A.R.S. §23-212)*
- 180 Injunction against Workplace Harassment
- 181 Injunction against Harassment
- 182 Civil Penalty
- 186 Water Rights (Not General Stream Adjudication)*
- 187 Real Property *
- 145 Special Action
- 194 Immigration Enforcement Challenge (A.R.S. §§1-501, 1-502, 11-1051)
- 199 Expungement
- 202 Out of State Restoration of Civil Rights
- 201 Seal Criminal Case Records (A.R.S. §13-911)

144 & 150-199 UNCLASSIFIED CIVIL:

- Administrative Review (See Lower Court Appeals cover sheet in Maricopa)
- 150 Tax Appeal (All other tax matters must be filed in the AZ Tax Court)
- 155 Declaratory Judgment
- 157 Habeas Corpus
- 184 Landlord Tenant Dispute – Other*
- 190 Declaration of Factual Innocence (A.R.S. §12-771)
- 191 Declaration of Factual Improper Party Status
- 193 Vulnerable Adult (A.R.S. §46-451)*
- 165 Tribal Judgment
- 167 Structured Settlement (A.R.S. §12-2901)
- 169 Attorney Conservatorships (State Bar)
- 170 Unauthorized Practice of Law (State Bar)
- 171 Out-of-State Deposition for Foreign Jurisdiction

- 172 Secure Attendance of Prisoner
- 173 Assurance of Discontinuance
- 174 In-State Deposition for Foreign Jurisdiction
- 176 Eminent Domain– Light Rail Only*
- 177 Interpleader– Automobile Only*
- 178 Delayed Birth Certificate (A.R.S. §36-333.03)
- 183 Employment Dispute – Discrimination*
- 185 Employment Dispute – Other*
- 198 Verified Rule 27(a) Petition*

- 196 Verified Rule 45.2 Petition
- 195(a) Amendment of Marriage License (Maricopa County Filings Only)
- 195(b) Amendment of Birth Certificate
- 200 Application/Motion Objecting to Foreign Subpoena
- 163 Other* _____
(Specify)

EMERGENCY ORDER SOUGHT

- Temporary Restraining Order Provisional Remedy OSC Election Challenge
- Employer Sanction Other (Specify) _____

COMMERCIAL COURT (Maricopa County Only)

This case is eligible for the Commercial Court under Rule 8.1, and Plaintiff requests assignment of this case to the Commercial Court. More information on the Commercial Court, including the most recent forms, are available on the Court’s website at:
<https://www.superiorcourt.maricopa.gov/commercial-court/>.

Additional Plaintiff(s):

Additional Defendant(s):

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 State OR Defendant

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

STATE OF ARIZONA

Case Number: _____

-vs-

PETITION TO SEAL CRIMINAL CASE
RECORDS
(A.R.S. § 13-911)

Defendant (FIRST, MI, LAST)

OR if no charges were filed:

In Re the Matter of:

Name (FIRST, MI, LAST)

Read A.R.S. § 13-911 in its entirety before completing this petition. This petition is intended to help those who are seeking to seal a criminal case record under A.R.S. § 13-911 and refers solely to the records that exist under the control of the courts, Department of Public Safety, prosecutor's offices and law enforcement agencies. Any case record that was published or distributed prior to sealing may still be accessible and may not be impacted by the granting of an order to seal case records.

NOTE: Items marked with an asterisk (*) are required fields.

Pursuant to A.R.S. § 13-911, Petitioner hereby petitions the court to order the sealing of the following criminal case records related to Petitioner, as indicated in this petition. (Check only those that apply)

Arrest records of an arrest occurring on or about _____ [insert date] by the following law enforcement agency: _____.

Charging documents created by the following prosecuting agency (Do not check this box if no charges were filed): _____.

Case Number: _____

All records relating to the eligible charge(s) in court case number: _____.

As grounds for this petition, Petitioner states as follows:

SECTION I. CASE RECORDS RELATED TO A CRIMINAL OFFENSE

1. PETITIONER'S INFORMATION (required)*

- a. Petitioner's name:* _____
- b. Petitioner's address:* _____
- c. Date of birth:* _____
- d. Email address:* _____
- e. Name at the time of arrest, if not the same as above:* _____

2. CASE RECORD INFORMATION (required)*

- a. What were you charged with or the offense for which you were arrested if no charges were filed: _____

- b. Court that adjudicated the charge(s) or if charges were not filed, the court that would have adjudicated the charge(s): _____

- c. Court case number if charge(s) were filed: _____
 - 1. Count I: _____
 - 2. Count II: _____
 - 3. Count III: _____
 - 4. Count IV: _____

Additional counts continue on a separate page.

- d. If no charges were filed, did you have an initial appearance? Yes No.

If you marked "yes," was your initial appearance in this court? Yes No.

IMPORTANT: If no charges were filed but you had an initial appearance, you **MUST** file in the court where you had your initial appearance. If you were arrested but no initial appearance was held, you must file in the superior court in the county where you were arrested.

3. ADDITIONAL CASE RECORD INFORMATION (if known)

- a. Location of arrest: _____
- b. Name of the arresting agency: _____
- c. Date of arrest: _____
- d. Name of the prosecuting agency if charges were filed: _____

- e. Name of the justice court and the justice court case number if the case was initially filed in a justice court but was transferred to the superior court. _____

4. DESCRIBE YOUR SITUATION (required)*

You must check at least one box that applies to your situation.

- I was arrested for a criminal offense and no charges were filed. If checked, please go to Section III.
- I was charged with one or more criminal offenses and the charge(s) were subsequently dismissed or resulted in a not guilty verdict at trial. A dismissal or not guilty verdict was entered on _____.
- I was charged with a criminal offense and a judgment of guilt was entered on _____.

SECTION II. SENTENCE COMPLIANCE

- 1. I have satisfied all required monetary terms of the sentence, including outstanding fines, fees, restitution, or other court-ordered financial obligations.* Yes No N/A.
- 2. I have completed all other terms of the sentence, such as incarceration, probation, employment, classes, drug/alcohol testing, or other requirements.* Yes No N/A.
- 3. I have received an absolute discharge from the Arizona Department of Corrections.*
 Yes No N/A. (If you checked "yes," it is strongly encouraged that you attach a certificate of absolute discharge.)

4. I have been discharged from probation.* Yes No N/A. (If you checked “yes,” it is strongly encouraged that you attach a copy of your order of discharge.)

You cannot file this petition if you checked “No” to question 1, 2, 3, or 4 above.

SECTION III. PRIOR SEALING OF RECORD(S)

1. Have you previously filed a petition to seal case records under A.R.S. § 13-911 in this case?
 Yes No.

If yes, what was the date of your last petition? _____

SECTION IV. OTHER INFORMATION FOR THE COURT

1. If you are filing this petition to have a conviction sealed, have you been convicted of any other offenses since the conviction for which you are asking the court to seal records? Yes No N/A.
2. Are there any pending charges that you are aware of that have been filed against you?
 Yes No.
3. Unless the petitioner, prosecutor, or victim requests a hearing, the court may grant or deny a petition without a hearing. Do you request a hearing? Yes No.
4. Is there anything else you would like the court to consider regarding this petition?

5. Attached is other pertinent documentation (non-originals). List attached documents:

DECLARATIONS AND ACKNOWLEDGMENTS

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.

Date

Petitioner / Petitioner's Attorney Signature

Printed Name: _____

Address: _____

City, State, Zip: _____

NOTICE

You must notify the court of any new charges that are filed against you after this petition is filed, regardless of state or jurisdiction.

If you filed an appeal from a limited jurisdiction court regarding the charges that you seek to have sealed, you must also file a petition in superior court if you want those records sealed.