Law Library Resource Center

Instructions for completing an Application to Designate a Felony Conviction as a Class 1 Misdemeanor Conviction under A.R.S. § 13-604.01

(The application form may be found online at: www.azcourts.gov/selfservicecenter/Forms)

Please read A.R.S. § 13-604.01, Supreme Court Administrative Order No. 2026-136, and the following before completing the application form.

A. Who can use the application form:

You may file an application to ask the court to designate your felony conviction as a class 1 misdemeanor conviction if ALL of the following apply:

- The conviction is for a class 4, 5, or 6 felony not involving a dangerous offense.
- The conviction was not for a violation of A.R.S. §§ 13-2910, 13-3102, or 13-3821.
- The offense did not involve a victim.
- You have not previously been convicted of any felony offense in Arizona or any other state, including a conviction under federal law.
- You have completed all terms and conditions imposed by the court for the conviction, including full payment of all monetary obligations, including restitution if applicable.
- At least 5 years have passed since you completed your sentence, and you have not been convicted, in Arizona or any other state, including a conviction under federal law, of a subsequent misdemeanor offense involving a victim or a subsequent felony offense during that time.

B. Where to file your application:

You must file your application in the court that sentenced you.

C. Required information:

To complete the application, you must, at a minimum, provide the court with the following information as required by Supreme Court Administrative Order No. 2026-136.

- Your name, address, date of birth, email address, and signature.
- The offense for which you were convicted and which you are requesting the court to designate as a class 1 misdemeanor conviction; the place and date of conviction; the court case number for the conviction; and the name of the prosecuting agency, if known.
- Whether the offense involved a victim.
- Whether you have completed the conditions of your probation or sentence for the offense.

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- Whether there are any outstanding fines, fees, or other court-ordered financial obligations for the offense, including restitution if applicable.
- Whether you have previously been convicted of any felony offense in Arizona or any other state, including a conviction under federal law.
- Whether, within the 5 years from the date of completion of your sentence, you have been convicted, in Arizona or any other state, including a conviction under federal law, of a misdemeanor offense involving a victim or a felony offense.
- Whether you are requesting a hearing.
- The relief you are requesting.

If you were represented in court by an attorney, your defense attorney may be able to provide any information needed to fill out the application. 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.azcourts.gov/publicaccess

D. Complete the application 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 application.
- Below, fill in the caption as it appears in the case for which you are asking the court to designate your class 4, 5, or 6 felony conviction as a class 1 misdemeanor conviction.
- If you are filing a subsequent application because you previously filed an application, relief was denied, and you are submitting your request again, please check the Subsequent Application - Relief Previously Denied box located in the right side of the caption.

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Section I. Defendant's information:

- Enter your name, address, date of birth, and email address.
- Enter any name you used at the time of conviction, if different from your current name.

Section II. Eligibility and sentence completion information:

Answer questions 1 through 11 relating to the felony offense for which you were convicted and that you are asking the court to designate as a class 1 misdemeanor conviction.

1. Check "Yes" or "No" regarding whether the offense involved a dangerous offense.
2. Check "Yes" or "No" regarding whether the conviction is for a class 1, 2, or 3 felony.
3. Check "Yes" or "No" regarding whether the conviction is for a violation of A.R.S. §§ 13-2910, 13-3102, or 13-3821.

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4. Check "Yes" or "No" regarding whether the offense involved a victim.
5. Check "Yes" or "No" regarding whether, prior to this conviction, you were convicted of any other felony in Arizona or any other state, including any conviction under federal law.

If you checked "Yes" to #1, #2, #3, #4, or #5 above, you are not eligible to have your felony conviction designated as a class 1 misdemeanor and cannot file this application for the conviction.

6. Check "Yes," "No," or "N/A" regarding whether you paid all monetary obligations in full, including fines, fees, other court-ordered financial obligations, and restitution if applicable. If no monetary terms were ordered, check "N/A."
7. Check "Yes," "No," or "N/A" regarding whether you have completed all other terms and conditions of the sentence, such as incarceration, probation, employment, classes, drug/alcohol testing, or other requirements. If no other terms were ordered, check "N/A."
8. Check "Yes," "No," or "N/A" regarding whether you have been discharged from probation. If you check "Yes," attach a copy of your order of discharge if it is available. If you were not ordered to a term of probation, check "N/A."
9. Check "Yes," "No," or "N/A" regarding whether you have received an absolute discharge from the Arizona Department of Corrections, Rehabilitation, and Reentry. If you check "Yes," attach a certificate of absolute discharge if it is available. If you were not sentenced to a term of imprisonment, check "N/A."
10. Check "Yes" or "No" regarding whether at least 5 years passed since you completed your sentence.

If you checked "No" to #6, #7, #8, #9, or #10 above, you are not eligible to have your felony conviction designated as a class 1 misdemeanor and cannot file this application for the conviction.

11. Check "Yes" or "No" regarding whether, since the date you completed your sentence, you have been convicted in Arizona or any other state, including a conviction under federal law, of a misdemeanor offense involving a victim or a felony offense. If you check "Yes," provide information relating to the conviction, including the counts, classification of the offense, statutory citation, conviction date, offense date, and the court where you were convicted.

Section III. Conviction information:

1. In the first box, enter the date you were convicted of the eligible felony offense(s). In the second box, enter the date the offense(s) was committed.
2. Provide the count number, classification, statutory citation, and description for the felony conviction(s). List only the eligible convictions for which you are asking the court to designate as a class 1 misdemeanor conviction.

NOTE: The court may grant or deny your request to redesignate any conviction listed.

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Section IV. Other information for the court:

1. Check "Yes" or "No" regarding whether you have previously applied to request that the court designate this felony conviction as a class 1 misdemeanor conviction. If you check "Yes," provide both of the following:
   a. The date your last application was filed; AND
   b. An explanation of what has changed since your last application that may now support granting relief.
2. Although a hearing is not required for the court to make a ruling, a hearing may be held if requested by you or the prosecutor, or on the court's own motion. Indicate whether you are requesting a hearing.
3. Include any details that you want the court to take into consideration when reviewing your application.
4. List and attach copies of any other pertinent documentation. Do not include any originals.

Declaration and acknowledgements:

Read the Declaration and Acknowledgments. Make sure you understand this section and do not have any questions. If you agree with these statements, sign, date, and print your name on the application.

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