# INSTRUCTIONS FOR RESTORING CIVIL RIGHTS AND/OR SETTING ASIDE A JUDGMENT

## STEP 1: MAKE SURE YOU MEET THIS PACKET'S REQUIREMENTS

**The court will NOT set aside your judgment if you were convicted of a crime:**

1. Involving the infliction of serious physical injury, OR
2. Involving the use or exhibition of a deadly weapon or dangerous instrument, OR
3. For which you were required or ordered by the court to register as a sex offender, OR
4. For which there was a finding of a sexual motivation under A.R.S. 13-118, OR
5. In which the victim was under age 15, OR
6. Involving:
   a) driving on a public highway without having privilege to drive,
   b) a violation of a local ordinance relating to stopping, standing, or operating a vehicle, or
   c) a traffic violation under A.R.S. Title 28, Chapter 3 (reckless driving) – except A.R.S. §28-693 or any local ordinance relating to the same subject matter as A.R.S. §28-693.

**You may ask the court to restore your right to possess a gun or firearm:**

| | |
|---|---|
| Never | If you were convicted of a dangerous offense as defined by A.R.S. §13-704 or any federal felony offense. |
| 10 years after discharge from probation or absolute discharge from prison | If you were convicted of a serious offense as defined by A.R.S. §13-706. |
| 2 years after discharge from probation or absolute discharge from prison | Any other state felony offense. |

In most cases, restoring civil rights and/or setting aside a judgment is at the Court's discretion.

Persons sentenced to a term of probation may not also have outstanding balances remaining on financial sanctions imposed by the Court. To determine if you have an outstanding balance, contact the Clerk's Office at (928) 753-0713 x-4344.

## STEP 2: IF YOU WANT YOUR RIGHTS RESTORED, GET PROOF OF YOUR DISCHARGE.

| If You Were Sentenced in: | And You Were Discharged From: | Get the Following Proof: |
|---|---|---|
| Mohave County Superior Court | Probation | No proof needed. |
| | Prison | A certificate of absolute discharge from the director of the Arizona Department of Corrections (DOC). |

| If You Were Sentenced in: | And You Were Discharged From: | Get the Following Proof: |
|---|---|---|
| Federal Court | Probation | An affidavit of discharge from the judge who discharge you. |
| | Prison | Copies of your Indictment or Complaint, Plea Agreement, Sentencing and Discharge paperwork. (Contact the U.S. District Court for copies). You are required to have proof (certified mail receipt) of notification to the Federal Prosecuting Attorney. |

**STEP 3:** **FILL OUT THE APPLICATION TO SET ASIDE CONVICTION (FORM 31A) Note: includes application to restore gun and firearm rights**

**STEP 4:** **FILL OUT THE APPLICATION TO RESTORE CIVIL RIGHTS / FIREARM RIGHTS, CERTIFY RESTORATION OF CIVIL RIGHTS, REQUEST FOR RECONSIDERATION for applications previously denied (FORM 32A)**

**STEP 5:** **FILL OUT THE TOP PORTION ONLY OF THE ORDER REGARDING APPLICATION TO SET ASIDE CONVICTION AND RESTORATION OF FIREARM RIGHTS (FORMS 31B)**

**STEP 6:** **FILL OUT THE TOP PORTION ONLY OF THE ORDER REGARDING APPLICATION TO RESTORE OR CERTIFY RESTORATION OF CIVIL RIGHTS AND FIREARM RIGHTS (FORM 32B)**

**STEP 7:** **THE JUDGE WILL FILL OUT THE REST OF THE ORDER**

**FILE THE FOLLOWING WITH THE COURT**

Once you have completed the application in its entirety, take the original and two copies to one of the 3 locations in Mohave County:

**Clerk of Superior Court**
**415 E Spring Street**
**Kingman, AZ 86401**
**(928) 753-0713**
Monday-Friday
8:00a-5:00p

**Clerk of Superior Court**
**2225 Trane Road**
**Bullhead City, AZ 86442**
**(928) 758-0730**
Monday-Friday
8:30a-12:00p, 1:30p-4:30p

**Clerk of Superior Court**
**2001 College Drive**
**Lake Havasu City, AZ 86404**
**(928) 453-0701**
Monday-Friday
8:30a-12:00p, 1:30p-4:30p

The packet you send in should include:

- ☐ The Application to Set Aside Conviction (form 31a) and/or Application to Restore Civil Rights/Gun Rights, Certify Restoration of Civil Rights, Request for Reconsideration for Applications Previously Denied (form 32a), with the following attached:
  - ☐ Indictment or Complaint (If Federal)
  - ☐ Plea Agreement (If Federal)
  - ☐ Sentencing & Discharge paperwork (If Federal)
  - ☐ Certificate of Absolute Discharge (Federal or State Prison)
  - ☐ Affidavit of Discharge (Probation)

- ☐ Order Regarding Application to Set Aside Conviction and Restoration of Gun Rights (form 31b), and/or Order Regarding Application to Restore Civil Rights And/or Right to Possess or Own a Gun or Firearm (form 32b)

The Clerk will stamp your copies with the filing date and return them to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the date-stamped copies to you.

**If you file by mail, send to:** Clerk of the Superior Court
P.O. Box 7000
Kingman, AZ 86402

**efiling is available:** https://efile.azcourts.gov/

**STEP 8:** **THE COURT WILL SEND YOU AN ORDER**

The judge may do **one** of the following:

(1) Grant your request
(2) Deny your request
(3) Schedule a hearing
(4) Make other orders the judge thinks proper

**STEP 9:** The Court will mail you a copy of the Order explaining the judge's decision. Read it carefully and make sure you understand everything it says.

**IF THE JUDGE SETS A HEARING:**
**GO TO THE HEARING**