



Maricopa County Justice Courts

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

(The Petition form may be found online at: <http://justicecourts.maricopa.gov> or www.azcourts.gov/selfservicecenter/Forms)

Please read the following before completing the Petition form.

WHO CAN PETITION FOR EXPUNGEMENT:

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*.

**marijuana includes cannabis*

WHERE TO FILE YOUR PETITION:

If your arrest resulted in a court case, you must file your Petition in the court that resolved the matter using the form specific to that court (Justice or Superior). If your arrest did not go to court and you simply want the law enforcement records expunged, you must file your petition in the Superior Court for the county where the arrest took place. You will not have a Court case number for that petition.

REQUIRED INFORMATION: under *Rule 36 of the Arizona Rules of Criminal Procedure*:

- Your name at the time you were cited, address, date of birth, and email address, if you have an email address;
- The offense for which you were cited and are now seeking expungement;
- 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 filed with the Court.

If you have multiple Court cases with eligible offenses, you must file separate Petitions for each case number.

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 arresting agency cannot expunge your 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 at the following websites:

The Maricopa County Justice Courts: (<http://justicecourts.maricopa.gov>)

The Federal Bureau of Investigations: (<https://www.fbi.gov/services/cjis/identity-history-summary-checks>)

The Arizona Department of Public Safety: (<https://www.azdps.gov/services/public/records/criminal>)

TYPE OR PRINT NEATLY USING BLACK INK. FILL OUT ALL FIELDS AS FULLY AS POSSIBLE:

- Identify the Court where you will be filing. If you will file in the Justice Court, use the Petition form for Justice Court. If you will file in the Superior Court, use the Petition form for Superior Court.
- The lines at the top right of the Petition are for the Defendant's information.
- The lines at the top left are for the contact information of the person filing the Petition. Both of these might be you.
- Fill in the other blanks and check boxes with the information requested.
- Enter the case number that you want the Court to expunge. If you are seeking to expunge ONLY an arrest record and not a court case, leave the case number blank; the Court will assign a case number when you file your Petition.
- Date and sign the Petition and again provide the contact information requested.

IF THE COURT GRANTS YOUR PETITION:

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