

**GENERAL INFORMATION ON  
California Penal Code (PC)1203.4/1203.4a  
DISMISSAL(s)  
INSTRUCTION SHEET**

**Petitions may be filed at: 720 9<sup>th</sup> Street, Room 102, Sacramento, CA 95814,  
Windows 1-6**

**◆ Filing Requirements:**

**At time of filing the Petition:**

- **Submit an original Petition and Order for Dismissal (Judicial Council forms CR-180 and CR-181) to each petition.**
- **Attach the original and five (5) copies of the Petitions and Orders. If you are filing a written motion in pleading form, please ensure an order is attached to your motion.**
- **All documents must be two-hole punched at the top.**
- **Proof that full payment of court ordered fees; fines and victim restitution applicable to the case(s) have been made.**
- **IMPORTANT: You must include an Order for Dismissal (Judicial Council form CR-181) or in pleading form for the court's ruling. If you wish to receive a copy of the court's ruling, include with your petition a self-addressed stamped envelope. Stamped envelopes are available at the filing counter for a cost of \$1.00.**

**◆ Is There A Filing Fee?**

**The Court will impose a filing fee as follows:**

- **If no probation was given at the time of your sentence; the filing fee is \$60.00.**
- **If a probation term was given at the time of your sentence; the filing fee is \$120.00.**
- **Fee waivers are available to those who qualify (forms: FW-001-Info, FW-001, FW-003)**
- **If for any reason, your petition is not granted, the above fees are not refundable.**

**◆ Who is Eligible?**

**Anyone who has paid all court ordered fees; fines and victim restitution and meets the following criteria pursuant to:**

**PC 1203.4, all conditions of probation have been completed.**

**PC 1203.4a, all terms of sentencing have been completed.**

**◆ Who is Not Eligible?**

**A person is not eligible for a record clearance of this type if any of the following conditions exists:**

- **The person is serving a sentence for any offense is still on formal or informal probation for any offense, or is charged with the commission of any offense.**
- **The person was arrested and convicted of a crime within one year of the pronouncement of judgment.**

- Probation for the current application was revoked and not later reinstated.
- The person has failed to appear or failed to pay fines to the Department of Motor Vehicles.
- The conviction is for an infraction (an infraction is defined as a criminal offense for which a jail sentence may not be imposed, whether traffic or otherwise), or for a violation of Sections 2800, 2801, or 2803 of the California Vehicle Code.

◆ **What Will Be The Effect of Having The Petition Granted?**

The most common reason for obtaining relief pursuant to PC1203.4/1203.4a is to allow the person convicted to state on non-governmental employment applications that they have not been convicted of a felony. However, the record of conviction continues to exist and continues to have certain effects. A clearance of this type does not eliminate all possible adverse consequences or release a person from all “penalties and disabilities” resulting from the charges in the case:

- Information relating to the case may be available to others where the release of such information is authorized by law.
- A dismissal pursuant to PC 1203.4/1203.4a does not relieve a person of the obligation to disclose the conviction in response to direct questions contained in any questionnaire or application for public office, or for licensure by any state or local agency, or for contracting with the California State Lottery.
- A dismissal pursuant to PC 1203.4/1203.4a will not keep the conviction from being used against a person as a prior conviction in any future criminal proceedings, such as for enhancing a prison sentence.
- A dismissal pursuant to PC 1203.4/1203.4a will not avoid suspension of one’s driving privilege as set forth in Section 13555 of the Vehicle Code.
- A dismissal pursuant to PC 1203.4/1203.4a will not permit the person convicted to own, possess, or have in their custody or control a firearm and will not prevent a person from being convicted under Section 12021 of the Penal Code (person prohibited from possessing a firearm.)

**Checking the Status of Your Petition**

Review the “case to be ruled on by” date noted on your petition. On or after that date, follow the link below to review your case status:

<https://services.saccourt.com/indexsearchnew/>

If you have provided a self-addressed stamped envelope, a copy of the order will be mailed to you within 7 days of the court’s decision.

◆ **Additional Resources:**

Form Title Form Number Web Link

Petition for Dismissal CR-180 [www.courtinfo.ca.gov/forms/fillable/cr180.pdf](http://www.courtinfo.ca.gov/forms/fillable/cr180.pdf)

1. Order for Dismissal CR-181 [www.courtinfo.ca.gov/forms/fillable/cr181.pdf](http://www.courtinfo.ca.gov/forms/fillable/cr181.pdf)

2. Fee Waiver Declaration MC-030

[www.courtinfo.ca.gov/forms/fillable/mc030.pdf](http://www.courtinfo.ca.gov/forms/fillable/mc030.pdf)

3. Fee Waiver Information

4. Sheet

FW-001-INFO [www.courtinfo.ca.gov/forms/documents/fw001info.pdf](http://www.courtinfo.ca.gov/forms/documents/fw001info.pdf)

**Request to Waive Court Fees FW-001**

[www.courtinfo.ca.gov/forms/fillable/fw001.pdf](http://www.courtinfo.ca.gov/forms/fillable/fw001.pdf)

**Order on Court Fee Waiver FW-003** [www.courtinfo.ca.gov/forms/fillable/fw003.pdf](http://www.courtinfo.ca.gov/forms/fillable/fw003.pdf)

**Judicial Council Forms General** [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms)

**For Department of Justice Information, contact the Records Review section at: 916-227-3849,**

**or visit: <http://ag.ca.gov/fingerprints>**