

VACATING ELIGIBLE MONETARY OBLIGATIONS OR CIVIL JUDGMENT INSTRUCTIONS: HOW TO COMPLETE THE PETITION

1. The form may be completed by the petitioner or the petitioner's attorney. An attorney is not required.
2. A petitioner can be:
 - a. Someone who had a case as a juvenile
 - b. A parent or guardian on behalf of someone who is still a juvenile
 - c. A parent or guardian who had monetary obligations imposed on them as part of their juvenile's case.
3. Complete the petition form **legibly**.
4. Sign the petition.
5. **You must file the original** of the petition with the court clerk in the county or court where the case was heard
6. **You must file a copy with the County or City Attorney** in the court where the case was heard.
7. The clerk will return one copy of the petition for **your records**.
8. In **BLACK OR BLUE INK**, please complete the form following the instructions below.

You must file a petition for each case you want eligible unpaid monetary obligations or unsatisfied civil judgment(s) vacated.

You must file the petition in the court that imposed the monetary obligations on you.

You may obtain your case number from paperwork you received as part of the case, or from the court that imposed the monetary obligations.

Heading: At the top of the form, please fill in your name, mailing address (if address is not protected), city, state, zip code, telephone number and email address. If you are an attorney filing on behalf of the petitioner fill in your State Bar Number.

Fill in the name of the court and county next.

Fill in the juvenile's first and last name as it appeared originally on the case on the line above "In the Matter of."

Fill in the juvenile's date of birth on the line above "Date of Birth."

Fill in the case number on the line after "Case Number."

PETITIONER'S INFORMATION

Check the appropriate box to identify who the petitioner is.

Check “the person who was imposed monetary obligations as a juvenile” if this was your case as a juvenile.

Check “the person on behalf of juvenile” if you are the parent or guardian and your juvenile is under 18.

Check “parent/guardian on their own behalf” if you are a parent or guardian who had monetary obligations imposed on you as part of your juvenile’s case.

CASE INFORMATION

Fill in the name of the court where you had your case. You may enter only one court name.

Fill in the type of charges/offenses that were on this case. If you are unsure, check the “Unsure” box.

ELIGIBLE MONETARY OBLIGATIONS

Read through the list of monetary obligations that are eligible to be vacated, or removed, from your case. Then check the box at the top of the list.

NOTE: Unpaid victim restitution and unpaid base fine cannot be vacated, or removed, from your case.

ADDITIONAL INFORMATION FOR THE COURT

This section is not required. If you want to make the court aware of something regarding this case or you, you can write in that information here.

DECLARATIONS AND ACKNOWLEDGEMENTS

Read through this section.

Date and sign the petition. If your attorney or other representative completed the petition both you and the representative must sign it.

Person Filing: _____
Mailing Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
If Attorney, Bar Number: _____

For Clerk's Use Only

**SUPERIOR COURT OF ARIZONA
IN YAVAPAI COUNTY**

In the Matter of:

Case Number: _____

(Name, FIRST, MI, LAST)

**PETITION TO VACATE ELIGIBLE
MONETARY OBLIGATIONS OR
CIVIL JUDGMENT**

(Date of Birth)

Pursuant to Laws 2023, Ch. 162, § 30, petitioner hereby requests that the court vacate any eligible unpaid balance imposed against petitioner in this case and any associated eligible unsatisfied civil judgment(s), or eligible portion(s) thereof, entered against petitioner. As grounds for this petition, petitioner states as follows:

1. PETITIONER'S INFORMATION

- a. Petitioner is: the person who was imposed monetary obligations as a juvenile
 parent/guardian on behalf of juvenile
 parent/guardian on their own behalf
- b. Petitioner's name: _____
- c. Petitioner's address: _____
- d. Petitioner's date of birth: _____
- e. Petitioner's email address: _____

2. CASE INFORMATION

- a. Name of court that imposed monetary obligations: _____
- b. Offense(s) for which monetary obligations were imposed in this case: _____
_____ or Unsure

3. ELIGIBLE MONETARY OBLIGATIONS

[] On or before October 29, 2023, this court imposed one or more of the following eligible monetary obligations against me (or the juvenile if you are the parent or guardian filing on behalf of a juvenile) which remains unpaid:

- Court-appointed attorney costs (A.R.S. § 8-221)
- Costs against a parent or guardian for counseling, treatment, or education required as part of a diversion program (A.R.S. § 8-234)
- Probation supervision fees (A.R.S. § 8-241, repealed 2023 Session)
- Foster care expenses (A.R.S. § 8-243(A))
- Department of juvenile corrections or other state department institution expenses (A.R.S. § 8-243(B))
- Juvenile detention expenses (A.R.S. § 8-243(C))
- Medical or surgical treatment expenses (A.R.S. § 8-245)
- Family counseling program costs (A.R.S. § 8-263)
- Community-based alternative program fees or costs (A.R.S. § 8-321)
- Rehabilitative, incorrigibility, or minor consumption monetary assessment (A.R.S. § 8-341)
- Alcohol or drug screening, education, or treatment costs (A.R.S. § 8-343(L))
- Detention costs (A.R.S. § 8-343(M))
- Victims’ Rights Fund Implementation Fee (A.R.S. § 8-418, repealed 2023 Session)
- \$25 public defender or court-appointed counsel administrative assessment (A.R.S. § 11-584(C))
- Time payment fee assessed on a juvenile monetary assessment or a penalty, fine or sanction ordered pursuant to Title 8 (A.R.S. § 12-116)
- \$500 Dangerous Crimes Against Children Assessment (A.R.S. § 12-116.07)
- Surcharges on monetary assessments imposed under A.R.S. § 8-323(F)(5) for a non-Title 28 offense

ADDITIONAL INFORMATION FOR THE COURT

4. Is there any additional information you would like to provide to assist the court with considering this petition?

DECLARATIONS AND ACKNOWLEDGEMENTS

I declare under penalty of perjury that the information I have provided in this petition and any attachments are 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

For Clerk's Use Only

**SUPERIOR COURT OF ARIZONA
IN YAVAPAI COUNTY**

In the Matter of:

Case Number: _____

(Name, FIRST, MI, LAST)

**ORDER TO VACATE ELIGIBLE
MONETARY OBLIGATIONS OR
CIVIL JUDGMENT**

(Date of Birth)

PETITIONER'S INFORMATION

- a. Petitioner's name: _____
b. Petitioner's date of birth: _____

Pursuant to Laws 2023, Ch. 162, § 30, and

Based on the information presented to the court in the petition filed by the petitioner identified above,

OR

On the Court's own motion,

THE COURT FINDS:

(Only those items marked)

There are unpaid monetary obligations on this case that were imposed by this court before October 30, 2023, against petitioner that are eligible to be vacated.

- There is an unsatisfied civil judgment that was entered by this court before October 30, 2023, against petitioner in this case that is eligible to be vacated in whole or in part.
- No eligible monetary obligations imposed against Petitioner exist on this case that can be vacated.
- The petition was filed in the wrong court.

Therefore,

IT IS ORDERED:

- DENYING the Petition to Vacate Eligible Monetary Obligations or Civil Judgment.
- DISMISSING the Petition to Vacate Eligible Monetary Obligations or Civil Judgment.
- GRANTING the Petition to Vacate Eligible Monetary Obligations or Civil Judgment and vacating the following monetary obligations in this case and the associated portion of any civil judgment:
 - Court-appointed attorney costs imposed under A.R.S. § 8-221
 - Costs against a parent or guardian for counseling, treatment, or education required as part of a diversion program imposed under A.R.S. § 8-234
 - Probation supervision fees imposed under A.R.S. § 8-241
 - Foster care expenses imposed under A.R.S. § 8-243(A)
 - Department of juvenile corrections or other state department institution expenses imposed under A.R.S. § 8-243(B)
 - Juvenile detention expenses imposed under A.R.S. § 8-243(C)
 - Medical or surgical treatment expenses imposed under A.R.S. § 8-245
 - Family counseling program costs imposed under A.R.S. § 8-263
 - Community-based alternative program fees or costs imposed under A.R.S. § 8-321
 - Rehabilitative, incorrigibility, or minor consumption monetary assessment imposed under A.R.S. § 8-341
 - Alcohol or drug screening, education, or treatment costs imposed under A.R.S. § 8-343(L)

- Detention costs imposed under A.R.S. § 8-343(M)
- Victims' Rights Fund Implementation Fee imposed under A.R.S. § 8-418
- \$25 public defender or court-appointed counsel administrative assessment imposed under A.R.S. § 11-584(C)
- \$20 Time Payment Fee imposed pursuant to A.R.S. § 12-116
- \$500 Dangerous Crimes Against Children Assessment imposed under A.R.S. § 12-116.07
- Surcharges on monetary assessments imposed under A.R.S. § 8-323(F)(5) for a non-Title 28 offense

IT IS FURTHER ORDERED that if this order results in the entirety of a civil judgment being vacated, the clerk shall notify the county recorder that the judgment has been vacated.

Date

Judicial Officer

Copies sent to:

Petitioner
County Attorney
Juvenile Probation Office
Department of Juvenile Corrections
OBL (e)