

# OBTAINING A CERTIFICATE OF DISCHARGE

## FOR YOUR INFORMATION:

- This packet will assist you if you are a person convicted of a felony offense, and desire to obtain a Certificate of Discharge to restore your civil rights.
- You can only file the Petition for Discharge for Adult cases filed in Spokane County Superior Court. If your case is in another county, you must go to that county.
- A Certificate only restores civil rights such as the right to vote or the right to serve on a jury. It is not a certificate of rehabilitation.
- A Certificate **does not restore your right to possess firearms or ammunition under state and federal law.**
- A Certificate **does not remove a conviction from your record.**
- A Certificate **does not remove any domestic violence restrictions** such as no contact provisions in the sentence.
- A Certificate **does not relieve any obligations you have to register as a sex offender.**

## INSTRUCTIONS:

1. Please read and fill-out the Petition carefully. Sign and date the petition.
  - a. You must file a separate Petition for Discharge on **each** criminal case in which there is a conviction. You must use the case number for that specific conviction.
  - b. To show that you have completed all of the conditions of your sentence, such as community service hours, substance abuse treatment, etc. you may have to go to the Department of Corrections office where your Community Custody or Community Supervision was handled.
    - i. If you cannot obtain the signature of a Department of Corrections officer, you may submit other proof that you have completed your conditions. (example: certificate of completion of substance abuse treatment).
  - c. If your sentence required you to pay fines, costs, restitution or other legal financial obligations, you must obtain a signature from the County Clerk Financial Dept. confirming that you have paid all outstanding principal, interest and any applicable collection fees.
2. Make **two copies** of the Completed Petition and any documents from above instructions.

3. Complete the Note for Hearing from the packet.
  - a. Contact the Unassigned Civil Motion Judge's Judicial Assistant (509-477-5792) for a hearing date.
  - b. Make 3 copies.
4. From the packet take out the Certificate and Order of Discharge. You will need to include the ORIGINAL with your copies to the Prosecuting Attorney.
  - a. Sign the second page
  - b. Fill out address, email & Phone number
5. File with the **Spokane County Superior Court Clerk's Office Rm. 300**, Spokane County Superior Courthouse. There is a filing fee. Please contact the Clerk's office for the fee amount
  - a. Original Petition with attachments
  - b. Original Note for Hearing
6. Conform with Clerk's date stamp all copies.
7. Take One Copy of the Note for Hearing to the Court Administrator's Office located on the third floor of the Annex. The Copy of the Note for Hearing needs to go in the **Unassigned Civil Motion Docket Judge's box**.
8. You must serve the **Spokane County Prosecuting Attorney's office** with a copy of:
  - a. Copy of Petition & Attachments
  - b. Copy of Note for Hearing that includes the date and time of the hearing.
  - c. The **Original** Certificate and Order of Discharge that you have signed.
    - i. They have agreed to accept service of this paperwork at their main office in the Public Safety Building. **The Note for Hearing form has a place where the Prosecutor's office can stamp your copy accepting service.** The Prosecuting Attorney is entitled to a minimum of seven working days' notice of the hearing.
9. For your records keep a complete copy of:
  - a. Petition & Attachments
  - b. Note for Hearing that includes the date and time of the hearing that has been stamped by the Prosecutors office.
10. If you have **not received a signed copy of the Certificate & Order Restoring Right to Possess Firearms by the Wednesday** before the scheduled hearing date, then you must Contact the JA by email (LMHill@spokanecounty.org) regarding a status of hearing.

(Copy Receipt)

(Clerk's Date Stamp)



**SUPERIOR COURT OF  
WASHINGTON COUNTY  
OF SPOKANE**

Plaintiff/Petitioner:

vs.

Defendant/Respondent:

CASE NO. \_\_\_\_\_

NOTE FOR HEARING  
ISSUE OF LAW

(NTMTDK)

**TO THE CLERK AND TO the Prosecuting Attorney**

The undersigned has scheduled a motion for \_\_\_\_\_, a copy of which is attached. The hearing is scheduled:

On: Date: \_\_\_\_\_ Time: \_\_\_\_\_

At: Spokane County Superior Court  
Unassigned Civil Motion Judge, Courtroom \_\_\_\_\_  
1116 W. Broadway Avenue  
Spokane, WA 99260

Motions must be confirmed NO LATER THAN 12:00 NOON, 3 DAYS BEFORE THE HEARING by contacting the judicial assistant for the un-assigned civil Motion Judge.

Date: \_\_\_\_\_

**PROSECUTOR'S STAMP**

Signed: \_\_\_\_\_

Defendant: \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email Address \_\_\_\_\_

Phone Number \_\_\_\_\_

**AUTHORITIES**

Cite those authorities which form primary basis for your legal position. Where case authority is cited, provide reference to specific page of opinion, which is controlling. Likewise reference applicable sections or subsection of statutes or court rules. This does not substitute for required Memorandum of Authorities.

Applicable Court Rule: \_\_\_\_\_

Applicable Statute: \_\_\_\_\_

Applicable Case Law: \_\_\_\_\_

**Superior Court of Washington  
County of Spokane**  
State of Washington, Plaintiff,

vs.

\_\_\_\_\_  
Defendant.

SID:  
If no SID, use DOB:

Criminal Case No.: \_\_\_\_\_  
Civil Case No.: \_\_\_\_\_

**Petition for Certificate and Order of  
Discharge (PFCORD)  
 and for Issuance of a Separate No-  
Contact Order (PCORDN)**

**Clerk's Action Required:  
 Filing fee received for civil case number**

**Note to defendant:** *A Certificate and Order of Discharge does not operate to remove a criminal Conviction from your record. It does not remove any restrictions on the ownership, possession or control of firearms/ammunition under state/federal law. A Certificate and Order of Discharge does not terminate your obligation to comply with a no-contact order that excludes or prohibits you from having contact with a specified person or coming within a set distance of any specified location or your obligation to register as a sex or kidnapping offender.*

I, \_\_\_\_\_ (name of defendant) petition the court for a Certificate and Order of Discharge  and for Issuance of a Separate No-Contact Order pursuant to RCW 9.94A.637.

I have completed all requirements imposed on me by the court in the Judgment and Sentence imposed in this case, including the payment of legal financial obligations, restitution, principal and interest, as well as all applicable collection costs.

If I am subject to a no-contact order that was written as part of and included in the judgment and sentence, I request the court to reissue the no-contact order separately for the remaining term and under the same conditions as contained in the judgment and sentence.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at \_\_\_\_\_, (City) \_\_\_\_\_ (State) on \_\_\_\_\_ (Date).

\_\_\_\_\_  
Signature of Defendant  
Defendant Phone No.: \_\_\_\_\_  
Defendant Address: \_\_\_\_\_

\_\_\_\_\_  
Print or Type Name  
Defendant Email: \_\_\_\_\_

-----  
Confirmation of Court-ordered Requirements:

I have checked the Department of Corrections records and the records show that the defendant [ ] has [ ] has not satisfactorily completed all court-ordered requirements.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Community Corrections Officer

\_\_\_\_\_  
Print Name

OR

I am submitting the following materials to show that I have completed the requirements of the Judgment and Sentence, such as community service hours and substance evaluation/treatment (attach to this document).

\_\_\_\_\_  
\_\_\_\_\_.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Defendant Pro Se/  
Attorney for Defendant/WSBA No.

\_\_\_\_\_  
Print Name

-----  
And

Confirmation of Legal Financial Obligations:

I have checked the Clerk's financial records and the records show that the defendant [ ] has [ ] has not completed the payment of all legal financial obligations (including principal and interest) and all applicable collection costs.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of (Deputy) Clerk- Finance section

\_\_\_\_\_  
Print Name

**Superior Court of Washington  
County of Spokane**

State of Washington, Plaintiff,

vs.

\_\_\_\_\_,  
Defendant.

SID:

If no SID, use DOB:

Criminal Case No.: \_\_\_\_\_

Civil Case No.: \_\_\_\_\_

**Certificate and Order of Discharge  
(CRORD)**

**[ ] and Order re Issuance of Separate No-  
Contact Order (CRORDN)**

**Clerks action required (Effect.Date: \_\_\_\_\_)**

**This matter** came before the Court pursuant to RCW 9.94A.637. The court considered the petition and any supporting material submitted and reviewed the relevant court records.

The court received notification from the county clerk that the defendant has paid all ordered legal financial obligations and finds that the defendant has provided adequate verification of completion of the requirements of the sentence, and there appears to be no reason why the court should not discharge the defendant. Therefore,

**The court orders** that this document be considered a satisfaction of judgment entered under this cause number and that the defendant be **discharged** from the confinement and supervision of the Secretary of the Department of Corrections.

**The court orders that this discharge restores** the defendant's civil rights not already restored by RCW 29A.08.520. This certificate of discharge:

- is not based on a finding of rehabilitation and does not restore the right to ship, transport, possess or receive firearms or ammunition.
- does not terminate any obligation to register as a sex or kidnapping offender.
- does not terminate any obligation to comply with a no-contact order that excludes or prohibits the defendant from having contact with a specified person or coming within a set distance of any specified location. Any no-contact order filed separately from the judgment and sentence remains in effect.

[ ] The defendant is subject to a no-contact order that was imposed as a part of the judgment and sentence in this case and was not filed separately. This certificate of discharge is valid and effective only upon entry of a separate civil no-contact order with terms and conditions identical to those imposed in the judgment and sentence in this case. The court orders the defendant to comply with the separate no-contact order reissued under a new cause number on this date or dated \_\_\_\_\_.

**Dated:** \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Presented by:

Approved for entry without further notice:

\_\_\_\_\_  
Attorney for Defendant/WSBA No.

\_\_\_\_\_  
Deputy Prosecuting Attorney/WSBA No.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Phone Number