ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Telephone & Fax No's: _____ E-mail Address: _____ Attorney For (Name):_____	Court Use Only.
Case Name:PEOPLE vs	
NOTIFICATION OF MILITARY STATUS	Case Number:

Consult your attorney before submitting this form. You may decline to submit this form to the court without penalty.

I, (name): _____, declare as follows:

1. ☐ I am a party in a superior court case.
2. ☐ I am currently a member of the state or federal armed services or reserves.
   My entry date is: _____ and I:
   a. am on active duty service.
   b. have been called or ordered into active duty service.
   c. am not on active duty service
   d. other (please explain):
3. ☐ I used to serve in the state of federal armed services or reserves. I was discharged on (date):_____.
4. ☐ I understand that if I submit this form to the court as a defendant in a criminal case, the court will send copies of the form to the County Veterans Service Officer and the Department of Veterans Affairs.
5. ☐ I am filing this form on behalf of (name): _____, a party to the above-entitled case, whom I am informed and believe is a ☐ member ☐ veteran of the state or federal armed services. I am the ☐ attorney ☐ other (specify): _____ of this party. My contact information ☐ is provided at the top of this form, or as follows: Name: _____ Address: _____ Telephone number:_____

Date: _____

_____ _____

(TYPE OR PRINT NAME) SIGNTAURE

Tuolumne County
Veterans Service Office
105 Hospital Road, #2199
Sonora, CA 95370
Phone: (209) 533-6280

Department of Veterans Affairs
Physical Address: 1227 O Street, Sacramento, CA 95814
Mailing Address: P.O. Box 942895, Sacramento, CA 94295
800-952-5626; 800-324-5966 (TDD); 800-221-8998 (Outside California)

NOTICE

Certain provisions of California law apply to current and former members of the U.S. Military who have been charged with a crime when certain conditions are met. ***Please see the back of this form for more information*****. To submit this form as a party in a criminal case you must file it with the court and serve it on the prosecuting attorney and defense counsel. Filing of this notification form does not substitute for filing of other forms or petitions that are required by your court case**. If you are requesting consideration or restorative relief under Penal Code §1170.9, this form alone will not meet the requirement that you assert to the court that the crime you were charged with was a result of a condition caused by your military service. If you are filing for relief from financial obligation during military service, a notification of military deployment and request to modify support order, or other relief under the Service Members' Civil Relief Act (50 App. U.S.C. §§ 501-597(b)), you must complete the appropriate forms, and completion of this form is not required. Please see form MIL -010 (Notice of Petition and Petition for Relief From Financial Obligations During Military Service) and form FL-398 (Notice of Military Service and Deployment and Request to Modify a Support Order).

YOU SHOULD CONSULT WITH YOUR ATTORNEY ABOUT THE FOLLOWING INFORMATION AND BEFORE SUBMITTING THIS FORM.

If you are a current or former member of any branch of the U.S. Military who may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of your military service and charged with a crime, you may be entitled to certain rights under some California laws. Below are brief explanations of some of those laws. You should consult with your attorney to discuss how these and/or other laws may apply to you.

You are not required to have an honorable discharge, to have combat service, or to be accepted into a Veterans Court to be eligible for the rights described in the following statutes:

California Penal Code § 1170.9: Consideration for alternative sentencing and restorative relief.

Rights include possibly:

- Receiving treatment instead of prison or jail time for certain crimes
- Having a greater chance of receiving probation
- Having conditions of probation deemed satisfied early, other than any victim restitution ordered, and probation terminated early
- Having some felonies reduced to misdemeanors
- Having the court restore rights, dismiss penalties, and/or set aside conviction for certain crimes

Requirements include:

- For consideration for alternative sentencing :
  - Convicted of certain criminal offenses (some crimes do not qualify)
  - Eligible for probation and court orders probation
- For restorative relief following order of probation:
  - In substantial compliance with conditions of probation

- A successful participant in and demonstration of significant benefits from treatment and services
- No danger to the health and safety of others

California Penal Code 1001.80: Diversion in misdemeanor cases.

Rights include possibly:

- *Pretrial* diversion program instead of trial and potential conviction and incarceration
- Dismissal of eligible criminal charges following satisfactory performance in program
- Arrest is deemed to have "never occurred" for most purposes following successful completion of program

Requirements include:

- Application to misdemeanors only, *not* felonies
- Eligible for diversion and court orders diversion
- Waiver of right to speedy trial and consent to diversion
- Satisfactory performance in program

California Penal Code 1170.91: Mitigating factor in felony sentencing.

- The court shall consider these circumstances from which the defendant may be suffering as a result of military service as a factor in mitigation during felony sentencing, which could mean a more lenient sentence.