

## Preparing for Your Clean Slate Hearing

### Receiving the Hearing Notice.

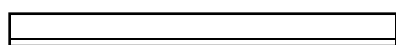
- Let The Access Project know that your hearing was scheduled. You can call or text us at 415-218-4515 or email [Info@AccessProjectCA.org](mailto:Info@AccessProjectCA.org).
- If your hearing is virtual or in a major city, we may be able to assign a volunteer to assist you. Let us know if you would like to explore that option.
- Make any necessary arrangements to be able to attend the hearing. Take time off from work or let your professors know if you will miss class. Be sure that you have transportation. If you absolutely cannot attend the hearing because of a conflict, contact The Access Project so that we can help you make alternative arrangements.
- You should set aside the whole morning or afternoon (depending on the time of your hearing) for court. Your hearing itself will take no more than 5 minutes, but it will be part of a long calendar, and the judge may be calling as many as 50 cases, so it could take an hour or more for your turn to come.
- Some courts are still offering virtual hearings (for example on Zoom or Microsoft Teams). It is fine for you to take advantage of that offer. Be sure that you carefully follow the court's rules to sign up for a virtual hearing.
- Find your copy of the documents we filed for you so that you can bring them with you to court. If you don't have it, contact us for another copy.

### Getting Prepared.

- The court's website is extremely helpful – use it! It will have the calendar for the week, so you can see how many cases are on your day, and where you are in the list. It will give you directions, tell you which department you should be in, and will have information about your judge.
- Be sure you are familiar with your conviction, and read over your declaration.

If you have to juggle multiple convictions at one hearing, it's best to use a [cheat sheet](#).<sup>1</sup>

- You may need to answer specific questions, so it's best to have information at your fingertips. Give a copy to the prosecutor and ask the judge if they would like one as well.



<sup>1</sup> If the link does not work for you, copy and paste the link below into your browser:

[https://docs.google.com/spreadsheets/d/1pueePm3da8kKxvB8yGW\\_PW-a1Bw711LqfJLNUkPUjKY/edit#gid=1883005873](https://docs.google.com/spreadsheets/d/1pueePm3da8kKxvB8yGW_PW-a1Bw711LqfJLNUkPUjKY/edit#gid=1883005873)

Most judges appreciate it, since they have a lot to keep track of. Contact us and we will help you create one from our template.

- At the hearing, the judge may not ask you any questions at all, or they may ask or ask you open-ended questions. Prepare a BRIEF explanation for why the judge should grant you a second chance at employment and dignity, based on what is in your declaration.

### **The Day Before.**

- Gather copies of your motions and the prosecutors' responses, if any. Make sure you have blank copies of your proposed orders, in case the judge doesn't have them. The orders are included in the documents we file for you. (For expungements, the order is labeled CR-181.)
- Prepare your clothes: you don't need to wear a suit or dress, but you should dress in neat, clothes such as dress pants and a collared shirt. Don't wear jeans or t-shirts if possible.
- Figure out how you're going to get there, leaving plenty of time for traffic. **YOU CANNOT BE LATE**, and most criminal motions calendars start at 8:30 am.

### **The Hearing.**

- Arrive at least 15 minutes before the hearing. When you arrive at the courthouse, there will be a metal detector and security. There may be a line, so you should leave plenty of time. You should know the department number from your preparation! If you don't know where to go, ask the courthouse security staff. They are generally very helpful.
- Once the doors are open, check in with the courtroom deputy (in uniform) or the courtroom clerk (seated at a desk in front of the bench). You'll be able to tell who is checking people in by what other lawyers are doing. Let them know that you are representing yourself, and that you may need help following the courtroom procedures. They are usually really nice about it.
- Wait for your case to be called, meaning that the courtroom clerk or the judge will say the number of the case, and sometimes "People vs. [your name]." Walk past the bar. The DA is usually on the left. Walk to the table where the DA is not sitting (usually the right).
- As soon as you are standing at the table, say "Good morning, your honor, [name] representing myself."
- If you have multiple cases, offer the judge and the DA a copy of your cheat sheet to make it easier to keep the cases straight. If the judge says yes, you approach the clerk, not the judge, and hand it to them. They will give it to the judge.

- Often, the judge will first ask the DA if they are opposing your petition. If they are not, the judge will usually stop there and sign your petition. If they do object, the judge will either ask you to state your argument (open-ended) or have specific questions for you (closed-ended).
- The judge will in most cases make decisions right away. Keep track of the decisions on the cheat sheet.
- If the judge grants the motions, they will often congratulate you on a job well done. If they don't they will often give encouragement to keep up the good work and apply again in a year or two. Either way, once the judge makes a decision, there is nothing more you can say. We can file your petition again in a year or so when you have a longer track record of rehabilitation.
- If the judge doesn't sign the proposed orders we filed with your motion, ask the judge how they would like to handle the orders. Tell them you have proposed orders with you. If the judge asks for your proposed orders, again, hand them to the clerk, not the judge.
- That's it! Say, "Thank you, Your Honor" no matter what the decision was. Gather your things and move out of the way for the next matter.

#### **After the Hearing.**

- Make sure you get copies of the court's orders. If the judge hasn't signed them on the spot, you will need to ask the clerk's office to send them to you
- Send copies of the executed orders to The Access Project. We will submit them to the DOJ for you. The DOJ will remove convictions from your client's records much faster this way.
- Read about what the judge's decision means for you, and how your record affects your education, job search, and licensing options on our FAQ page.