

PERSON COMPLETING THIS FORM: NAME: STREET ADDRESS: CITY:   STATE:             ZIP CODE: TELEPHONE NO.:                            FAX NO.: EMAIL ADDRESS: STATE BAR NUMBER (IF APPLICABLE):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>NOTIFICATION OF MILITARY/VETERAN/RESERVE/ACTIVE STATUS</b>	CASE NUMBER:

1. This form is about (*name*): \_\_\_\_\_ who is a party in this case.
  
2. The person listed in item 1 is:
  - A current member of the state or federal armed services or reserves.
  - A veteran of the state or federal armed services or reserves.Discharge Date: \_\_\_\_\_
  
3. I am  the person listed in item 1.  
 an attorney in the above entitled case.  
 other (*specify*): \_\_\_\_\_  
  
I am providing this notification to the court based on information and belief.

Date:

\_\_\_\_\_ ▶ \_\_\_\_\_  
(TYPE OR PRINT NAME OF PERSON FILING THIS FORM) (SIGNATURE)

**Notice**

This form can be filed in any case type. If this form is being submitted in a criminal case, the court will send copies of the form to the county veterans service officer and the Department of Veterans Affairs.

Local County Veterans  
Services Office Information  
(to be provided by local court):

**For court use only**

**No Filing Fee**

No filing fee or court costs are to be charged for this form.

## YOU SHOULD TALK WITH YOUR ATTORNEY (IF YOU HAVE ONE) ABOUT THE FOLLOWING INFORMATION

**If you are a current or former member of the state or federal armed services or reserves, you may be entitled to certain rights under the law.** Filing out form MIL-100 is a way you can let the court know about your military experience. This information may help the court consider possible benefits and protections in your case. This form can be used for any type of case and can be filled out at any time. Giving this information to the court is voluntary. The MIL-100 only needs to be filled out with the court one time per case.

### NONCRIMINAL CASES

**If you are a party to a noncriminal case (i.e., civil, family, juvenile, etc.), be sure to complete all the appropriate forms needed for your case.**

For example, filing of this form does not substitute for the filing of other required forms or petitions in cases where you are filing:

- | For relief from financial obligation during military service;
- | A notification of military deployment and request to modify a support order; or
- | For other relief under the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901–4043).

Please see *Notice of Petition and Petition for Relief from Financial Obligation During Military Service* (form MIL-010) and *Notice of Activation of Military Service and Deployment and Request to Modify a Support Order* (form FL-398).

### CRIMINAL CASES

**If you are a party to a criminal case, you are not required to have an honorable discharge, to have combat service, or to be accepted into or involved in a Veterans Court to be eligible for the possible rights and protections under the law.**

If you are a current or former member of the state or federal armed services or reserves who may be suffering from sexual trauma, also known as military sexual trauma (MST), traumatic brain injury (TBI), posttraumatic stress disorder (PTSD), substance abuse, or mental health issues as a result of your military service, and charged with a crime, you may be eligible for certain rights under the law. Some examples of benefits for a defendant in a criminal case who is a veteran or is on active duty or in the reserves include possible consideration for alternative sentencing, restorative relief such as sealing your record, and diversion in misdemeanor cases.

Below is a brief description of possible rights and protections under the following California laws:

#### California Penal Code section 1170.9

- | Treatment instead of prison or jail time for certain crimes;
- | A greater chance of receiving probation;
- | Conditions of probation deemed satisfied early, other than any victim restitution ordered;
- | Felonies reduced to misdemeanors;
- | Restoration of rights, dismissal of penalties, and/or setting aside of conviction for certain crimes;

#### California Penal Code section 1001.80

- | Pretrial diversion program instead of trial and potential conviction and incarceration;
- | Dismissal of eligible criminal charges following satisfactory performance in program;
- | Arrest deemed to have "never occurred" as part of restoration of rights following successful completion of program;

#### California Penal Code section 1170.91

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

**If you submit this form in a criminal case, you must file it with the court and serve a copy of it on the prosecuting attorney and defense counsel.**