



**STATE OF NEW YORK  
APPLICATION BY AN ELIGIBLE OFFENDER FOR  
A CERTIFICATE OF RELIEF FROM DISABILITIES**

FOR COURT OR BOARD OF PAROLE

Docket, File or other Identifying No. \_\_\_\_\_

1. Applicant's Last Name	First Name	Middle Initial	3. NYSID Number (If known)
2. Address (Street and No., City, State, Zip Code)			
4. Sex  Male      Female	5. Race	6. Height  feet      inches	7. Date of Birth
8. Crime or Offense for which Convicted		9. Date of Arrest	10. Date of Sentence
11. Court of Sentence (Court, Part, Term, Venue)		12. Certificate Requested from:  a. Court Indicated in No. 11  b. State Board of Parole	
		13. If certificate being applied for is intended to replace an existing certificate, enter issue date of original certificate.  Date:  Not Applicable	
14. Application is hereby made for a grant of a "CERTIFICATE OF RELIEF FROM DISABILITIES" which will:  a. Relieve the holder of all forfeitures, and of all disabilities and bars to employment, excluding the right to retain or be eligible for public office, by virtue of the fact that the certificate is issued at the time of sentence.  b. Relieve the holder of all disabilities and bars to employment, excluding the right to be eligible for public office.  c. Relieve the holder of the forfeitures, disabilities or bars to employment hereinafter enumerated			
15. The applicant agrees to allow an investigation to be made to determine his/her fitness for a certificate of relief from disabilities, pursuant to Art. 23, Correction Law.  Applicant's Signature _____ Date _____			
16. <i>State of New York</i>  <i>County of</i> _____  _____ <i>being duly sworn, deposes and says that he/she is the applicant named in the within application; that he/she has read the foregoing application and knows the contents thereof; that the same is true to his/her own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he/she believes it to be true.</i>			

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,

Signed \_\_\_\_\_

## Rights of Relief from Disabilities

as provided and summarized on the reverse of the DPCA-53 *Certificate of Relief from Disabilities* form.

- Where the certificate is issued by a court at the time sentence is pronounced, it covers forfeitures as well as disabilities. In any other case the certificate applies to disabilities.
- A conviction of the crime or offense specified on the face of the certificate shall **not** cause automatic forfeiture of any license, permit, employment or franchise, including the right to register for or vote at an election, or automatic forfeiture of any other right or privilege, held by an eligible offender and covered by the certificate. Nor shall such conviction be deemed to be a conviction within the meaning of any provision of law that imposes, by reason of a conviction, a bar to any employment, a disability to exercise any right or a disability to apply for or receive any license, permit or other authority or privilege, covered by the certificate. Provided, however, that no such certificate shall apply, or be construed so as to apply, to the right of such person to retain or to be eligible for public office.
- A conviction of the crime or the offense specified on the face of the certificate shall **not** prevent any judicial, administrative, licensing or other body, board or authority from relying upon the conviction specified on the certificate as the basis for the exercise of its discretionary power to suspend, revoke, refuse to issue or renew any license, permit or other authority or privilege.

## Application by an Eligible Offender for a Certificate of Relief from Disabilities

Instructions for Completing an **Application by an Eligible Offender for a Certificate of Relief from Disabilities** (form DPCA-52)

NOTE: Persons without counsel are advised to consult an attorney. The Court staff may not offer legal advice, prepare your papers, or act as your attorney. If the applicant is on parole, discuss this matter with the parole officer. Type or print using black ink only. If the certificate is to be issued by a court, the application must be submitted to the proper court, for example, if the offender pled guilty to a Superior Court Information (SCI) before a County Court Judge or Acting County Court Judge, you must submit the application to the County Court. You may need to consult an attorney, request a criminal history search, or contact the court in person or by telephone to get the appropriate details to complete the form. It is helpful, but not required, to submit a self-addressed envelope with your application.

If you complete the DPCA-52 *Application* form, you may also complete a proposed DPCA-53 *Certificate of Relief* for the judge to sign. The *Certificate* is not valid until signed with a Judge's endorsement.

1. Print or type the applicant's last name, first name, and middle initial.
2. Write the street number and street address, city, state, and zip code of the applicant.
3. Write the applicant's New York State Identification (NYSID) Number, if known.
4. Check the box marked "male" or "female" depending on the applicant's sex.
5. Write in whether the applicant is Black, Caucasian, Hispanic, etc.
6. Write in the applicant's height in feet and inches.
7. Write the applicant's date of birth (month, day, and year).
8. List the crime(s) or offense(s) which the applicant was convicted of or plead to.
9. Write the date of the applicant's arrest for the crime.
10. Write the date of the applicant's sentence for this crime.
11. Write in the name of the Court Part, Term, and judge's name in which the applicant was sentenced.
12. Write in the name of the Court from which the relief is being requested.
13. Write the issue date of original certificate if the certificate being applied for is intended to replace an existing certificate. If this application is not, check the box marked "non-applicable."
14. Check the appropriate box a, b, or c, depending on what reliefs are being requested by the applicant (see below)
  - If the applicant is seeking to obtain a commercial driver's license to operate a taxi after a DWI conviction, check box C and after the word enumerated, print "Relieves licensee of disability imposed by Vehicle and Traffic Law section 1196 (7)(g)."
  - If the applicant is seeking to obtain a driver's license after being convicted of Driving Without Insurance, check box C and after the word enumerated, print "relieves licensee of disability imposed by Vehicle and Traffic Law section 530 (5)."
  - If the applicant is seeking to obtain a license to own or carry a firearm after a criminal conviction, check box C and after the word enumerated, print "relief from disability barring registrant from obtaining a valid New York State license to carry a firearm."
  - If the applicant is seeking to obtain permission to adopt a child after a criminal conviction, check box C and after the word enumerated, print "relief to registrant of disability barring adoption and its proceedings."
  - If the applicant is seeking to obtain or renew a professional license after a criminal conviction, check box C and after the word enumerated, print "to enable registrant to obtain or renew my professional license as," insert the type of license, for example:
    - Real estate salesman license **or** stock broker license **or** to be accepted for registration by the NASD for the year 2000 and all future years **or** nursing license **and** complete with "in the State of New York."
  - if the applicant is seeking a specific relief not listed, you should consult an attorney. The law has changed as of September 30, 2005 regarding Certificates of Relief from Disabilities and applying for a commercial driver's license after a DWI conviction. Please see note at the bottom of this page for more information.
15. The applicant must sign his or her name and date of the signing before a Notary Public. The Notary Public fills in this section. The notary should sign his or her name and insert his or her notary stamp in box #16. The statement should reflect the sex of the applicant.

Note: Effective September 30, 2005, the law has changed in regards to Certificates of Relief and applications for a Commercial Drivers Licenses after DWI convictions. For more information, please see memo M-15/P-25 of 2005 from the Commissioner of Motor Vehicles to New York Enforcement Agencies and Magistrates.