

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	<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:**
  - a.  Is currently serving in the state or federal armed services or reserves.
  - b.  Formerly served in the state or federal armed services or reserves (regardless of discharge status).  
Discharge date (*specify if applicable*): \_\_\_\_\_
3. **This form can be filed in any case type.**  
(Specify below the type of case in which the form is filed, and identify the person completing this form):
  - a.  **Criminal law case.** I am (*check one*):
    - the person listed in item 1.
    - an attorney representing the person listed in item 1 in the above entitled case.
  - b.  **Family law case.** I am (*check one*):
    - the person listed in item 1.
    - an attorney representing the person listed in item 1 in the above entitled case.
    - legally authorized to act on behalf of the person listed in item 1 (*explain*): \_\_\_\_\_
  - c.  **Other civil law case** (*specify case type*): \_\_\_\_\_ I am (*check one*):
    - the person listed in item 1.
    - an attorney representing the person listed in item 1 in the above entitled case.
    - legally authorized to act on behalf of the person listed in item 1 (*explain*): \_\_\_\_\_

4. I am providing this notification to the court based on information and belief.

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



(SIGNATURE)

(TYPE OR PRINT NAME OF PERSON FILING THIS FORM)

<b>Notice</b>	<b>Criminal Law Cases.</b> If this form is filed in a criminal law case, the court will send a copy of the form to the California Department of Veterans Affairs (CalVet) and the county veterans services officer to confirm the person's military status. Contact information for the county veterans service office ( <i>to be provided by the court</i> ): _____
	The court may also send a copy of the form to the U.S. Department of Veterans Affairs, as related to providing benefits and services under Penal Code sections 1001.80 and 1170.9.  <b>Family Law Cases.</b> When a veteran files this form in a family law case, the court will send a copy of the form to the California Department of Veterans Affairs (CalVet). CalVet will, in a reasonable time, contact the person listed in item 1 using the information provided in this form.

**For Court Use Only**

- Form sent to:
- California Department of Veterans Affairs on (*date*): \_\_\_\_\_
  - County veterans services office on (*date*): \_\_\_\_\_
  - U.S. Department of Veterans Affairs on (*date*): \_\_\_\_\_

**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. Filling 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. Form MIL-100 only needs to be filed with the court only one time per case.

### CIVIL LAW CASES

Civil cases include all cases (except criminal cases), such as those filed in family, juvenile, or probate court in which a party is asking the court for orders against another person to protect or enforce their legal rights, prevent a harm, or remedy a wrong.

**If you are a party to a civil law case be sure to complete all the appropriate forms needed for your case.** For example, filing 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).

**Examples of required forms are:**

- (1) *Notice of Petition and Petition for Relief From Financial Obligation During Military Service* (form \_\_\_\_\_); and
- (2) *Notice of Activation of Military Service and Deployment and Request to Modify a Support Order* (form \_\_\_\_\_).

### 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 of 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, restoration relief such as sealing your record, and diversion in misdemeanor cases.

**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.**

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

**Family Code section 211.5**

- Filing this form in a family law case may help you receive information from CalVet and learn about available mental health resources.

**Penal Code section 1001.80**

- Pretrial diversion program offering treatment 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.

**Penal Code section 1170.9**

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

**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.