

Postconviction Program (Senate Bill 5046)

Personal Restraint Petition Application Form Instructions

Please use the Appellate Program Personal Restraint Petition Application Form to apply for an attorney to file a personal restraint petition in the Court of Appeals. This application may be prepared and submitted by the one who is applying for representation (the applicant), by the applicant's attorney, or by any other person who has agreed to help the applicant apply.

Do not use this application to apply for an attorney for an appeal. Your trial attorney will file the paperwork to have an attorney appointed for your appeal. If you are not sure whether you need to file an appeal or a personal restraint petition please ask your attorney or call the Office of Public Defense at (360) 586-3164 before filling out this application.

Please read the instructions below on what to fill in for each blank space on the application.

Date: The date the application was prepared

Applicant Name: The applicant's full legal name. Include preferred name if desired.

Applicant DOC or Jail Number: Applicant's Department of Corrections or jail booking number. Applicants must be in jail or prison at the time they apply.

Prepared by: Name of the person preparing the application, if not the applicant. Please leave this blank if you are preparing the application for yourself.

Preparer's relationship to applicant: Please indicate how the preparer is related to the applicant, if the applicant is not preparing the application. Examples of relationships include attorney, nonprofit employee, relative, friend, justice advocate, or fellow inmate.

Court of Appeals case number: Provide the full Court of Appeals or Supreme Court case number if you are applying for representation on a case that was appealed.

Trial court case number: Provide the full trial court case number for the case you are applying for representation on.

Date conviction became final: If you appealed your case, it became final when the Court of Appeals issued the mandate. The mandate is normally entered 30 days after your appeal is decided. This means your case is normally final 30 days after a Court of Appeals opinion is issued, if you did not petition for Supreme Court review.

If a petition for review is filed in the Supreme Court, the Court of Appeals' mandate will not issue until the Supreme Court review has concluded.

If you did not appeal, your case is normally final 30 days after the judgment and sentence was entered.

If your conviction is not yet final or you don't know when it became final, leave this blank.

"Has the applicant already filed a PRP under this case number?" If you have already filed a personal restraint petition under the same Court of Appeals or Supreme Court case number, or under the same trial court case number if you did not appeal, answer "Yes." Otherwise, answer "No."

Age: Your age at the time of this application (not at the time when you were sentenced).

Length of Sentence: The length of the sentence on the case you are requesting an attorney for, in months.

"Does the applicant have a disability which..." Answer "yes" for each category of disability that applies to you. Otherwise, answer "no."

"Did the applicant use a court-appointed interpreter at trial?" Answer "yes" if the applicant had a court-appointed interpreter at trial.

"Does the applicant use an interpreter to communicate with attorneys?" Answer "yes" if the applicant uses an interpreter to communicate with attorneys, whether or not the applicant had a court-appointed interpreter at trial.

"If the conviction on the case for which you are requesting an attorney has been final for more than one year, please attach additional pages explaining the grounds for overcoming the one-year time bar under RCW 10.73.100, if known." This step is optional. If it has been more than one year since the conviction was final and you know a reason why the applicant's personal restraint petition on this case should not be time-barred under RCW 10.73.100, attach extra pages explaining why the time bar does not apply.

"Please attach additional pages including any other information you would like OPD to review." You may include any other information you would like OPD to have. OPD will not be able to make decisions on appointment of counsel based on additional information submitted.

Email electronic applications to: postconviction@opd.wa.gov

Mail paper applications to:

Postconviction Program
Washington State Office of Public Defense
PO Box 40957
Olympia, WA 98504