



This Lifeline contains general information, and does not constitute individual legal advice about your situation. You should consult with an attorney for individual legal advice about your situation and to find out how this information applies to your situation. To see if you qualify for free legal services, call the Legal Aid office nearest you.

Certificates of Relief and Good Conduct

Convictions for felonies and certain misdemeanors can impose legal barriers, known as "mandatory disabilities," that restrict access to specific jobs and licenses. To overcome these barriers, individuals can apply for a Certificate of Relief or a Certificate of Good Conduct. Here's what you need to know about these certificates:

Key Differences

Certificate of Relief:

- Primarily for individuals with no more than one felony conviction (with some exceptions for convictions arising from the same incident).
- Can be issued upon release from incarceration, during community supervision, or any time thereafter.

Certificate of Good Conduct:

- Available to anyone not eligible for a Certificate of Relief, based on a demonstrated period of good behavior.
- Required to restore the ability to hold public office.

Eligibility Criteria

Certificate of Relief:

- **Single Felony Conviction:** If you have only one felony conviction.
- **Multiple Convictions from Same Incident:** Eligible if multiple felony convictions arose from the same incident and were issued in the same court on the same day.
- **Convictions Prior to Subsequent Filing:** Eligible if multiple convictions arose from more than one incident, but all were filed in the same court before the conviction of any were filed.

Certificate of Good Conduct:

- Available to anyone who can demonstrate good behavior for a specified period:
 - **Five Years:** For those with a Class A or B felony.
 - **Three Years:** For those with a Class C, D, or E felony.
 - **One Year:** For those with only misdemeanor convictions.

Impact of Certificates

Both certificates aim to remove mandatory disabilities imposed by convictions. The Department of Corrections and Community Services has the discretion to determine the extent of disability removal:

- **Partial or Full Removal:** The removal of disabilities can range from none to some to all, depending on individual circumstances.
- **Public Office:** Only a Certificate of Good Conduct can restore the ability to hold public office.

Voting Rights

- **Automatic Restoration:** Voting rights are automatically restored upon release from prison or jail in New York State.
- **Registration Required:** Individuals must still register to vote after release.

Application Process

For Both Certificates:

- The same application form is used for both certificates.
- The application can be submitted as follows:
 - **Certificate of Relief:** Submit to the sentencing court.
 - **Incarcerated or Out-of-State Sentences:** Submit to the Department of Corrections and Community Services.
 - **Certificate of Good Conduct:** Submit to the Department of Corrections and Community Services.

By obtaining either a Certificate of Relief or a Certificate of Good Conduct, individuals can work towards eliminating barriers that prevent them from fully participating in various aspects of society, thereby aiding in their reintegration and reducing recidivism.

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