

ALABAMA BOARD OF PARDONS AND PAROLES
ADMINISTRATIVE CODE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pardons and Paroles

RULE NO. & TITLE: 640-X-A-5 Form ABPP-5: Remission Of Fine And/Or
Forfeiture Application

INTENDED ACTION: Repeal and Replace

SUBSTANCE OF PROPOSED ACTION:

To repeal the prior Remission of Fine and/or Forfeiture Application form and to replace it with a new form used to apply for a Remission of Forfeitures only.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments may be directed to Alatia R. Midkiff, Alabama Bureau of Pardons and Paroles, 301 South Ripley Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, April 4, 2025

CONTACT PERSON AT AGENCY:

Alatia R. Midkiff
Attn: Legal Department
301 South Ripley Street
Montgomery, AL 36104

Cam Ward

Cam Ward

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

~~640-X-A-5~~ ~~Form ABPP-5: Remission Of Fine And/Or Forfeiture Application.~~

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ABPP-5

REMISSION OF FINE AND/OR FORFEITURE APPLICATION

(Read and follow the attached INSTRUCTIONS FOR APPLYING FOR A REMISSION OF FINE AND/OR FORFEITURE before submitting this Application.)

FOR: REMISSION OF FINE REMISSION OF FORFEITURE BOTH

NAME OF APPLICANT: _____
(At Time of Conviction)

CURRENT NAME (if different from above): _____

MAILING ADDRESS: _____
Street or P.O. Box

City State Zip Code
TELEPHONE# _____ CELLULAR# _____

E-MAIL ADDRESS: _____

RACE: _____ SEX: _____ DOB: _____

SS#: _____ AIS# (if applicable): _____

COUNTY OF CONVICTION(S): _____ YEAR(S) OF CONVICTION(S): _____

(Attach a complete list of charges for which a remission is requested)

IS THIS APPLICATION YOUR FIRST: YES NO

IF NO, DATE OF LAST APPLICATION: _____

(Attach a short and plain statement of the reasons that the Board should remit the imposed fine(s) or forfeiture(s))

FOR FORFEITURE

NAME OF SURETY: _____

SURETY'S ADDRESS: _____
Street or P.O. Box

City State Zip Code
SURETY'S PHONE#: _____ SURETY'S CELLULAR#: _____

SURETY'S E-MAIL ADDRESS: _____

SURETY'S RACE: _____ SURETY'S SEX: _____ SURETY'S DOB: _____

Revised October 2020

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I have read the INSTRUCTIONS FOR APPLYING FOR A REMISSION OF FINE AND/OR FORFEITURE and agree to the terms and conditions stated in that document, including the requirement for submitting a "WAIVER OF LIABILITY AND AUTHORITY FOR RELEASE OF INFORMATION" form. I also acknowledge that the Alabama Board of Pardons and Paroles has complete discretion to grant or deny remissions for fines and/or forfeitures and that there is no right to a remission of fines and/or forfeitures.

Signature Date

Print Name

<p>ALABAMA BUREAU OF PARDONS AND PAROLES USE ONLY</p> <p>Application received on ___ day of _____, 20__.</p> <p>Tracking Number: _____.</p> <p>Waiver Form Received: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>_____ Print Name</p> <p>_____ Signature</p>

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ALABAMA BUREAU OF PARDONS AND PAROLES

INSTRUCTIONS FOR APPLYING FOR A REMISSION OF FINE AND/OR FORFEITURE

Alabama law allows convicted persons to apply for a remission of fines and/or forfeitures, subject to the procedures specified by law. These procedures give the Alabama Board of Pardons and Paroles the discretionary authority to grant or deny an application for a remission of fines and/or forfeitures.

Under Alabama law, the following persons may not apply for a remission of fine and/or forfeiture: persons convicted of treason and impeachment and persons sentenced to death and such sentence is not commuted.

PLEASE READ THESE INSTRUCTIONS BEFORE PROCEEDING WITH YOUR REQUEST.

All applications for a remission of fines and/or forfeitures are considered a request for a full remission of the imposed fines and/or forfeitures. **HOWEVER**, the Board retains the discretion to grant, as an alternative to a full remission of fines and/or forfeitures, a partial remission of the imposed fines and/or forfeitures.

1) Complete the attached "REMISSION OF FINE AND/OR FORFEITURE APPLICATION" form and complete a "WAIVER OF LIABILITY AND AUTHORITY FOR RELEASE OF INFORMATION" form and submit these forms to the Alabama Bureau of Pardons and Paroles at the following address:

Alabama Bureau of Pardons and Paroles
100 Capitol Commerce Boulevard, Suite 310
Montgomery, AL 36117
Email: pardons@paroles.alabama.gov

2) No remission of fines and/or forfeitures investigation will be started without a signed application from the person whose fine or forfeiture is at issue.

3) Upon receiving the application and waiver, the Bureau's Pardon Unit will begin investigating the applicant's case. The investigation includes current information on the applicant's home situation, job status, an updated criminal arrest record, written references, and other information as warranted. Additionally, applicants must fully cooperate with the investigation of his or her criminal history, personal and social history, and the circumstances of his or her crime.

4) When the investigation is complete, the case will be docketed for consideration by the Board, and once the case is docketed, required notification will be sent to the victim, certain officials in the jurisdiction of the conviction, and the applicant.

5) The time needed to complete an investigation varies from case to case and depends on numerous factors, so no completion date estimate will be provided.

6) The Board will only grant a remission of fines and/or forfeitures in cases to which the State of Alabama is a party.

7) If the Board grants a remission, the Board will also decide whether the remission applies to some or all imposed fines and/or forfeitures. As required by law, the Board shall provide the reasons supporting its decision to grant a remission in its order. The Board's order will be made a public record. However, all other portions of the file shall remain privileged.

8) If the Board declines to grant a remission of fines and/or forfeitures, the applicant may not submit a subsequent petition for remission in the same case.

Author:—

Statutory Authority:—

History:—

[Added image:]

ABPP-5

REMISSION OF FORFEITURE APPLICATION
(Read and follow the attached instructions before submitting the application)

CONVICTED PERSON: _____ AIS (if applicable): _____
(at time of conviction)
CURRENT NAME (if different from above): _____
MAILING ADDRESS (street or PO Box, City, State, Zip): _____
EMAIL: _____
PHONE: _____ MOBILE PHONE: _____
RACE: _____ SEX: _____ DOB: _____ SSN: _____
CASE #, COUNTY, OFFENSE: _____ DATE OF CONVICTION: _____
HAVE YOU APPLIED FOR A REMISSION OF FORFEITURE BEFORE? _____ DATE: _____

SURETY INFORMATION

NAME OF SURETY: _____ PHONE: _____
SURETY ADDRESS (street/PO Box, City, State, Zip): _____
EMAIL: _____
RACE: _____ SEX: _____ DOB: _____

Attach a short and plain statement of the reason that the Board should remit the forfeiture.

I have read the INSTRUCTIONS FOR APPLYING FOR A REMISSION OF FORFEITURE and agree to the terms and conditions stated in that document, including the requirements for submitting a WAIVER OF LIABILITY AND AUTHORITY FOR RELEASE OF INFORMATION form. I also acknowledge that the Alabama Board of Pardons and Paroles has complete discretion to grant or deny a remission of forfeiture and that there is no right to a remission.

Signature Date

Print Name

ALABAMA BUREAU OF PARDONS AND PAROLES USE ONLY
Application received on _____
Tracking Number _____
Waiver form received: Yes <input type="checkbox"/> No <input type="checkbox"/>
_____ Print Name
_____ Signature

[Added image:]

ALABAMA BUREAU OF PARDONS AND PAROLES

Alabama law allows convicted persons to apply for a remission of forfeitures, subject to the procedures specified by law. These procedures give the Alabama Board of Pardons and Paroles the discretionary authority to grant or deny a remission of forfeiture application.

(The offender must have been convicted of the offense for which the forfeiture is being applied.)
Both the convicted person and the surety must agree to the remission of forfeiture and are considered co-applicants.

INSTRUCTIONS FOR APPLYING FOR A REMISSION OF FORFEITURE

1) Complete the attached "REMISSION OF FORFEITURES APPLICATION" form and a "WAIVER OF LIABILITY AND AUTHORITY FOR RELEASE OF INFORMATION" form and submit the completed forms to the Alabama Bureau of Pardons and Paroles at the following mailing or email address:

Alabama Bureau of Pardons and Paroles
301 S. Ripley St.
Montgomery, AL 36104
Email: pardons.application@paroles.alabama.gov

- 2) No remission of forfeitures investigation will be started without a signed application from the applicant.
- 3) The investigation includes current information on the applicant's home situation, job status, an updated criminal arrest record, written references, and other information as warranted. Applicants must fully cooperate with the investigation of his or her criminal history, personal and social history, and the circumstances of his or her crime.
- 4) When the investigation is complete, the case will be docketed for consideration by the Board, and required notifications sent to the victim, certain government officials, and the applicant.
- 5) The time needed to complete the investigation depends on numerous factors, and no estimate will be provided.
- 6) The Board will only grant a remission of forfeitures in cases to which the State of Alabama is a party.
- 7) If the Board grants a remission, the Board will provide the reasons supporting its decision to grant a remission in its order. The Board's order will be made a public record. All other portions of the file are privileged.
- 8) If the Board declines to grant a remission of forfeitures, the applicant may not submit a subsequent petition for remission in the same case.

Author: Eric Anderson, Scott Perkins
Statutory Authority: Code of Ala. 1975, §§ 15-22-21, 15-22-36, 15-22-37.
History: **Repealed and New Rule:** Published _____ ; effective _____.