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Supreme Court No. 87009-8 SUPREME COURT
STATE OF WASHINGTON

2013 FEB 19 10 25
SUPREME COURT OF THE STATE OF WASHINGTON

BY RONALD R. CARPENTER

Abeda Jafar,

CLERK

Plaintiff,

v.

William Douglass Webb,

Respondent.

**BRIEF OF AMICUS CURIAE NORTHWEST JUSTICE PROJECT,
BENTON FRANKLIN LEGAL AID SOCIETY,
SNOHOMISH COUNTY LEGAL SERVICES**

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STATE OF WASHINGTON

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I. INTRODUCTION

The Northwest Justice Project, Benton Franklin Legal Society and Snohomish County Legal Services provide free legal aid to low-income people. NJP provides critical civil legal assistance to approximately 19,000 clients each year in cases addressing basic human needs such as family safety, housing preservation, protection of income, and access to health care and education. *Amici* are in a unique position to provide information regarding how the widespread misapplication of GR 34 denies indigent litigants' access to justice.

The issues presented in the underlying appeal are (1) whether GR 34 requires a trial court to grant a waiver of all mandatory fees and surcharges if the trial court determines that a litigant is indigent, as that term is defined in GR 34, and (2) if GR 34 does not require a waiver of all filing fees and mandatory surcharges for indigent litigants, whether the Snohomish County Superior Court nevertheless violated Petitioner Abeda Jafar's due process rights by ordering her to pay \$50 in mandatory fees and surcharges. *Amici* urge the Court to conclusively confirm that when a litigant is determined to be indigent under GR 34, the trial court is required to waive *all* mandatory fees and surcharges. As discussed below, lack of clarity undermines the purpose and spirit of GR 34.

Properly applied, GR 34 is a powerful rule; it throws open the courthouse doors to indigent litigants. Despite its promise, the rule has failed to provide many litigants the relief to which they are entitled. As described in this brief, our courts routinely fail to fully waive all mandatory fees and costs for indigent litigants by: 1) demanding payment of the full filing fee; 2) discouraging litigants from seeking waivers; 3) merely deferring payment of mandatory fees; 4) placing indigent litigants on payment plans; 5) refusing to apply the waiver to all mandatory fees and costs; 6) refusing to use mandatory forms; 7) refusing to accept the Qualified Legal Service Provider certification; and 8) refusing to accept fee waiver motions by mail. Only a clear statement from this Court will prevent Washington's trial courts from continuing to ignore or circumvent GR 34.

II. IDENTITY AND INTEREST OF AMICI

Amici identities and interests are set forth in detail in the Motion for Leave to File *Amicus Curiae* Brief, filed herewith.

III. STATEMENT OF THE CASE

Amici adopt the Statement of the Case set forth in the Petitioner's Brief to the Supreme Court.

IV. ARGUMENT

GR 34 provides a uniform process for waiver of *all* mandatory

fees. The rule applies to all trial courts and to any type of meritorious case. The rule does not permit courts to waive some fees, requiring the litigant to pay what the court believes they can save or borrow before they file. It provides that, upon a finding of indigency, the court has the authority *and responsibility* to waive all mandatory fees and surcharges.¹

A. Courts Violate GR 34 by Denying Fee Waivers and Discouraging Requests for Fee Waivers

An indigent litigant who is required to pay mandatory fees and surcharges prior to initiating a court case is denied access to the court. These litigants cannot obtain judicial relief without payment. Yet some courts require indigent litigants to pay some or all of the fees before they file their case. Judicial officers have repeatedly expressed their belief that even the poorest litigants can find a way to pay some fees.

Soon after this court granted discretionary review in this case, an unemployed mother receiving only \$320 a month in TANF benefits was ordered to pay \$50 in surcharges *before* she could file her parenting plan action and obtain ex parte restraints. She had to phone family and friends to obtain a loan of \$50. Only when she had the money in-hand was she

¹ “The adoption of this rule is rooted in the constitutional premise that every level of court has the inherent authority to waive payment of filing fees and surcharges...ensuring that meaningful access to judicial review is available to the poor as well as to those who can afford to pay.” GR 34 comment

allowed to file her case. Until then, the courthouse doors were closed to her.

This petitioner's motion to revise the fee waiver order was denied. Yet, on revision, the court *upheld* the commissioner's finding that the mother was indigent, but nonetheless required payment, ruling "the \$50 fee is fair considering the circumstances." Appendix page 1 (Snohomish County Superior Court Cause # 12-3-01603-0).

This petitioner's income, like Ms. Jafar's, was well under 125% of the Federal Poverty Level.² Fifty dollars may not seem like a great deal of money, but it was a significant portion of her income. Forcing indigent litigants to beg and borrow money in order to obtain judicial relief is fundamentally unjust and violates GR 34.

In another case, an indigent litigant was denied relief more directly. The litigant, a single mother with two children, sought to change her children's names for safety reasons. One child is disabled, requiring 24-hour care, so the mother cannot work outside the home. This family's income is limited to Social Security Disability and TANF.

When the mother tried to file her name change petitions and fee waiver application, the clerk informed her that district court does not grant fee waivers for name changes. The clerk threw away the fee waiver

² <http://aspe.hhs.gov/poverty/12fedreg.shtml>

paperwork as the mother stood there in shock. Without a waiver of the \$240 filing fees, the mother was unable to keep her children safe.

Appendix pages 2-5 (Snohomish County Superior Court Cause #07-5-00733-3).

In some jurisdictions court policies discourage indigent litigants or, worse, put them in danger by seeking immediate payment from the opposing party.

In Chelan County Superior Court, upon entry of a fee waiver order, the may court, on its own motion, issue an order for the respondent to appear and show cause why he/she should not pay the fees. The matter is set for hearing. The hearing is stricken if the respondent pays the full amount prior to the hearing. Appendix pages 6-12 (Chelan County Superior Court Cause #12-3-00133-1). Okanogan County Superior Court goes one step further and may order the petitioner to “serve a show cause order on the other party directing that party to appear and show cause why he/she should not pay the fee.” Appendix pages 13-14 (Okanogan Superior Court Cause # 12-3-00236-9).

The petitioner is obligated to pay the filing fee to initiate the case. RCW 36.18.016, RCW 36.18.020. Statutes provide for fees and costs to be reimbursed to the party who incurred them. RCW 4.84.010, RCW 26.09.140. There is no authority for the court to order a non-indigent

respondent to pay filing fees prior to completion of the case or to condition relief on payment.

When GR 34 was first enacted, dissolution of marriage petitioners in Whatcom County were not granted fee waivers until they brought the opposing party to the courthouse to complete a financial affidavit. This practice was a huge barrier for litigants. It was often impossible to gain the cooperation of an opposing party and, sometimes, when there was a history of domestic violence, it was dangerous. We will never know how many indigent litigants left the courthouse without filing their case.

The requirement to bring your angry spouse or abusive landlord to the courthouse (or compel them to appear) to disclose their ability to pay a filing fee discourages litigants from requesting waivers. These, and many other local practices, make the process of getting all mandatory fees waived onerous, burdensome and humiliating.

Another tactic courts use that discourages litigants from seeking fee waivers is to require litigants to repeatedly document their poverty and beg for what should be freely given.

King County Superior Court charges many extra fees, particularly in family law cases. Parents are required to attend a parenting class.³ Pro

³ RCW 26.12.170;
<http://www.kingcounty.gov/courts/FamilyCourt/services/parentseminar.aspx>

se litigants must also take a Family Law Orientation class.⁴ The classes are mandatory (if you don't take the class, your dissolution will not be finalized). There is a fee for each of these classes, charged on a sliding scale. While it is possible for litigants to request a full waiver there is no clearly stated process for doing so.⁵ As a matter of policy and practice, the court refuses to waive the fees as part of the initial GR 34 order.

Appendix pages 15-20 (King County Superior Court Cause #11-3-06586-7; Cause # 11-3-06951-0). "[T]his process does not treat the poor with dignity or respect."⁶ Being forced to ask repeatedly for waiver of each fee is a humiliating, dehumanizing, burdensome process for litigants.

Properly applying GR 34 would remove this barrier to justice. Appendix pages 21-27 (Leslie Savina letter to Jorene Reiber dated December 7, 2011 and Ms. Reiber's reply dated January 26, 2012).

B. Courts Defer Payment of Mandatory Fees and Withhold Judicial Relief Until Payment is Received

Courts across Washington State defer, rather than waive, payment of mandatory fees and surcharges. A litigant may file their case without payment but must pay mandatory fees before entry of final orders.

⁴ <http://www.kingcounty.gov/courts/FamilyCourt/services/FLO.aspx>

⁵ Parenting class:

<http://www.kingcounty.gov/courts/FamilyCourt/services/parentseminar.aspx>

Family Law Orientation class:

<http://www.kingcounty.gov/courts/FamilyCourt/services/FLO.aspx>

⁶ "Who is in Charge at the King County Courthouse", blog of Ret. Justice Chambers, 12/01/11 <http://www.tomchambers.com/?fa=home.blog>

This approach is effective. A litigant in desperate need of court intervention will go to extremes to find the money: not pay bills, not buy food, forgo heat or medications. Many litigants are caught at a vulnerable time; a time when they are one signature away from escaping an abusive spouse or protecting their children. Justice should not be for sale in Washington.

Deferral of mandatory fees is not a waiver of mandatory fees. Since the term “waiver” is not defined in the rule, courts must afford it the word’s usual and customary meaning: the intentional relinquishment of a known right. Webster’s Ninth New Collegiate Dictionary (1984), *Davis v. Employment Security Department*, 108 Wn.2d 272, 277, 737 P.2d 1262 (1987). Indigent litigants are therefore entitled to complete relinquishment of any obligation to pay fees and surcharges upon the court’s finding of indigency.

In Franklin and Benton Counties, the court routinely defers payment of the filing fee until entry of final orders. Most often, the court demands full payment of the filing fees and surcharges from either the plaintiff/petitioner or the defendant/respondent without inquiry into the litigants’ current financial circumstances. Appendix pages 28-42 (Benton County Superior Court Cause # 12-3-00301-8, #12-3-00314-0, and Franklin County Superior Court Cause #11-3-50172-4). In these

examples, the litigants were required to pay the mandatory filing fee although their income was at or below 125% of Federal Poverty Level. The court refused to grant the relief requested until the indigent litigants paid in full. Appendix pages 43-48 (Franklin County Superior Court Cause #11-3-50066-3).⁷

Refusal to grant full waiver of all mandatory fees and surcharges is not limited to Benton and Franklin Counties. Many courts defer payment. This is the practice in Clark County, Cowlitz County, Spokane County, Snohomish County, King County and Kitsap County. Appendix pages 49-86 (Cowlitz County Superior Court case not filed and Cause # 12-3-00151-5; Clark County Superior Court Cause # 11-3-01255-4; Kitsap County Superior Court Cause # 11-3-00486-0; Spokane County Superior Court Cause # 11-3-02065-5, #11-3-00771-3; Snohomish County Superior Court Cause # 11-3-01299-1; King County Superior Court Cause #12-3-04506-6).

Kitsap County has gone to even greater lengths to obtain payment from indigent litigants. Rejecting the mandatory fee waiver forms drafted by the Administrative Office of the Court⁸ they have created their own. Indigent litigants are denied fee waivers. The court will only defer

⁷ The court granted the waiver at final entry after counsel appeared and argued for full fee waiver on behalf of the pro se litigant.

⁸ <http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=87>

payment, signing an order captioned “Order re Waiver/**Deferral** of Civil Filing Fees and Surcharges.” (Emphasis added.) Appendix pages 87-88. One unfortunate Kitsap County litigant, whose income consisted solely of public benefits, was ordered to pay all the filing fees and surcharges before final orders would be entered. Appendix pages 89-90 (Kitsap County Superior Court Cause #11-3-00486-0).

Indigent litigants who are not allowed to complete their cases until all mandatory fees are paid are denied access to justice. Holding needy litigants hostage to payment of fees is fundamentally unjust.

C. Courts Put Indigent Litigants on “Payment Plans”

Indigent litigants are sometimes permitted to file their case without any payment but are given a date certain by which they must pay some or all of the mandatory fees. In essence these litigants are given a payment plan by the court. Creating a payment plan still requires the litigant to pay, just not all at once. It is not a waiver. It is the denial of a waiver.

GR 34 does not require a litigant to show absolute destitution or total insolvency to qualify for a fee waiver. Even when they do, full waiver is often denied. It must be acknowledged that anyone living at or below 125% of Federal Poverty level is very poor. Courts heap hardship upon indigent litigants when they deny full fee waivers and, instead, give litigants a “grace period” in which to pay. The added time confers no

mercy at all: granting an impoverished litigant more time to do what is already impossible does not make their situation any less dire.

Demonstrating the intent to deliberately violate or circumvent the mandates of GR 34, one superior court clerk solicited ideas from colleagues on how to limit fee waivers. “I was called to a meeting with our Judge this morning who is working with us on how to collect more filing fees rather than doing so many waivers. He wants to perhaps *start accepting payments* until the fee is paid and the final decree entered or signed.” (Emphasis added.) Appendix page 91 (email dated June 15, 2011 to County Clerks listserv).

In Snohomish County, the court revised the AOC’s GR 34 form order and added boxes for each fee and surcharge stating a time by which the fee must be paid. Appendix pages 92-97 (Snohomish County Superior Court Cause # 11-3-01485-3). For one petitioner, the parent of three children, the court required \$50 in fees to be paid within 30 days of filing although the litigant’s income was \$890.92 a month, 46 % of the Federal Poverty Level. Another petitioner was ordered to pay all filing fees and surcharges, \$280, within 30 days despite an income of only \$315 per month. And yet another petitioner with an income of \$478 per month was ordered to pay \$80 in surcharges within 30 days or risk dismissal of her case. Appendix pages 98-117 (Snohomish County Superior Court Cause

#12-3-00704-9; Cause #12-3-01892-0; Cause # 11-3-00943-4; Snohomish County Superior Court Clerk self-help publication #10, *What to Do if You Cannot Pay the Filing Fee*, at page 6).

Even assuming that an indigent litigant could save \$5-\$10 a month, it is likely that he or she may be faced – in the three or four or five months it would take to save the money – with some critical expenditure which would deplete the savings and delay completion of the case. Payment plans create hope (allowing the case to begin) where there is none (dismissal if payment is not made). Indigent litigants are unreasonably delayed or denied justice because of their poverty giving meaning to the adage: justice delayed is justice denied.⁹

D. Courts Fail to Fully Waive All Mandatory Fees

Any fee which must be paid before a litigant can obtain relief from *any* judicial officer, in *any* trial court must be waived. Many courts, plagued by demand for increased services and declining revenue, interpret GR 34 as applying only to filing fees in superior court family law actions. Courts decline to waive ex parte fees, fees for mandatory classes, statutorily imposed surcharges and other required fees. If a court waives

⁹ See *Earls v. Superior Court*, 6 Cal. 3d 109, 117, 98 Cal. Rptr. 302, 490 P.2d 814 (1971) (“Indigents are entitled not merely to access to the courts but to timely access. They may not be subjected to unreasonable delays in securing fundamental rights solely by reason of their poverty.”)

the filing fee but demands payment of a surcharge a poor litigant is not able to access justice. A \$20 surcharge may seem small, but for an indigent person it may as well be \$2000.

In 2009 King County Superior Court instituted a program where many types of non-contested ex parte orders must be submitted by the clerk.¹⁰ This is a mandatory process for which there is a charge.¹¹

Although this fee must be paid prior to obtaining judicial relief, it is not waived by a GR 34 order. In King County, low-income litigants, even those represented by a Qualified Legal Services Provider, must request, in person, a waiver of the ex parte fee.¹²

As predicted, many counties have followed King County's lead and now charge a fee to present ex parte orders. If the ex parte presentation fees are not waived it may not be possible for a low income litigant to obtain relief from a judicial officer.

One example is that of a low-income litigant who resided out-of-state. She filed for dissolution in Pierce County to accommodate her husband, a member of the military stationed at Joint Base Lewis-McCord.

¹⁰ Although King County Superior Court was asked not to unilaterally impose this user fee, the court persisted. Board of Judicial Administration letter to Honorable Bruce Hilyer, Presiding Judge, dated February 4, 2009. "[T]he reality is that every other superior court in the state would be place in the position of responding to a request from their local funding authority to adopt a similar fee structure." Appendix pages 118-119.

¹¹ The charge is \$30 for presentation by the clerk.

¹² <http://www.kingcounty.gov/courts/Clerk/ExParte.aspx>

¹² <http://www.kingcounty.gov/courts/Clerk/ExParte.aspx>

Because the petitioner lived in another state, she filed her GR 34 fee waiver motion by mail, as permitted in the rule. The cost to this indigent litigant was \$40 to get her fee waiver motion presented ex parte! Appendix pages 120-124 (John Purbaugh letter to Honorable Robyn Lindsay and Mr. Kevin Stock dated February 6, 2012).

In Thurston County, an indigent pro se litigant presented a motion, ex parte, for full fee waiver. Unknown to the litigant, the matter did not require a filing fee. Regardless, the court refused to waive the ex parte fee for presenting the motion. Appendix pages 125-126 (Thurston County Superior Court Cause # 04-3-00027-1).

If the ex parte presentation fee is mandatory, entry of an order waiving fees and surcharges pursuant to GR 34 must waive this fee as well. To require a separate waiver is onerous, burdensome and may require an unknowing litigant to pay a fee which they cannot afford.

Almost every superior court has a Courthouse Facilitator, sometimes referred to as the Family Law Facilitator. RCW 26.12.240. The facilitators work in the courthouse and are available to help pro se litigants with family law cases.¹³ Facilitators charge a fee for their

¹³ The legislative intent for the Courthouse Facilitator Program is in the legislative intent to RCW 43.08.250 which states in pertinent part: "Therefore, the legislature intends to create a dedicated revenue source for the purposes of meeting the state's commitment to improving trial courts in the state, providing adequate representation to criminal indigent

services. Fees range from \$60 for a 30 minute appointment in Yakima¹⁴ to Spokane, free for the first visit and \$25 for subsequent visits.¹⁵

In some jurisdictions, a pro se party is required to have their final dissolution documents reviewed by an attorney or the facilitator prior to presenting the documents for entry by the court. Thurston County LSPR 94.04(c)(2); Chelan County LR 94.04(A)(6); Kitsap County KCLFLR 11.

This is mandatory; without a review a pro se litigant cannot appear before a judicial officer to have the Decree of Dissolution, or other relief, entered. If pro se litigants do not have access to counsel and are required to meet with the facilitator, the fee for doing so must be waived by a GR 34 order.

RCW 26.12.240 authorizes the collection of a \$20 facilitator surcharge at the time of filing a family law case. Many courts have a policy of *never* waiving the facilitator surcharge even for the most indigent litigants.¹⁶ Some courts require payment when the case is filed, some require payment within a certain time and some require payment before the case is finalized, but they *require payment be made*. Do we

defendants, providing for civil legal services for indigent persons, and ensuring equal justice for all citizens of the state."

¹⁴ <http://www.yakimacounty.us/superiorcourt/Facilitator/default.htm>

¹⁵ <http://www.spokanecounty.org/superiorcourt/content.aspx?c=1100>

¹⁶ Counties which have not waived facilitator surcharge in the past include: Clallam, Clark, Grays Harbor, Okanogan, Pend Oreille, Pierce, Skagit, Spokane, Stevens, Thurston.

want to fund our judicial system from the collective twenty dollars of our poorest citizens?

E. Courts Are Not Using Mandatory Forms

After the approval of GR 34, the Office of the Administrator of the Courts created a set of mandatory forms as required by the rule. The forms drafted by the AOC are: (WPF GR 34.0100) Motion and Declaration for Waiver of Civil Filing Fees and Surcharges; (WPF GR 34.0200) Motion and Declaration for Waiver of Civil Filing Fees and Surcharges (QLSP Filing); (WPF GR 34.0300) Financial Statement; and (WPF GR 34.0500) Order Re Waiver of Civil Filing Fees and Surcharges. Having mandatory forms means that indigent litigants, regardless of where they reside in the state, will have the same forms and the same opportunity to have their fees waived.

Unfortunately, many courts¹⁷ do not use the AOC GR 34 forms. Instead, these courts have created their own forms adapted to local practice. For example, rather than the single statement ordering the waiver of fees (“The motion is granted, and all filing fees and surcharges the payment of which is a condition precedent to the moving party’s ability to secure access to judicial relief are waived”) courts have created separate

¹⁷ Superior Courts using local forms include: Benton, Franklin, Clark, Cowlitz, Grays Harbor, Jefferson, King, Kitsap, Okanogan, Pend Oreille, Snohomish, Spokane, Whatcom

check boxes for each filing fee and surcharge. This allows judicial officers to easily choose which fees to waive – or (more often) not.

As stated in Section B., above, Kitsap County Superior Court has changed the caption and body of the order form to include “deferral”, a bold affirmation of their intent not to waive fees.

In Grays Harbor Superior Court there are three possible options if the litigant is found indigent:

- The petitioner/respondent shall pay the facilitator fee of \$20. The filing Fee (sic) and surcharge shall be waived.
- The case may be filed upon receipt of \$_____ and according to the following payment plan: _____.
- this case may be filed, the filing fee and surcharge shall be waived.

Appendix pages 127-128.

The local form currently used by Snohomish County Superior Court is perhaps the most comprehensive. For each mandatory filing fee and surcharge, the judicial officer may choose among three alternatives: the fee shall be paid within ____ days; the fee may be temporarily waived and shall be paid prior to entry of final order; or the fee is waived subject to later court review. Appendix pages 129-131 (Snohomish County Superior Court Cause # 12-3-02994-8).

The widespread creation and use of alternative forms designed to avoid waiving fees is either reflective of courts’ mistaken belief that GR

34 is not mandatory or of deliberate strategies to circumvent the rule.

Either way, only a clear and decisive statement from this Court will ensure that GR 34 is uniformly and fairly applied to indigent litigants.

F. Courts Refuse to Accept the QLSP Certification

GR 34(a)(4) allows indigent litigants represented by a Qualified Legal Services Provider¹⁸ to obtain a speedy fee waiver through motion and declaration of counsel. However, this motion is not accepted in many jurisdictions.

The intent of the separate QLSP motion was to make obtaining a full waiver of mandatory fees a simple process to encourage pro bono participation.¹⁹ It typically is used when the client has been screened by the QLSP and found to be eligible for services because the client's income was at or below 125% of Federal Poverty Level. When verified by an attorney on mandatory forms, this screening should be accepted as accurate and the full fee waiver should be granted.

¹⁸ A list of Qualified Legal Services Providers is available on the WSBA website: http://www.wsba.org/Legal-Community/Volunteer-Opportunities/Public-Service-Opportunities/~media/Files/Licensing_Lawyer%20Conduct/Licensing/Membership%20Changes/QLSP%20Table%20for%20Web-Public.ashx

¹⁹ Gail R. Smith comment re GR 34 dated 4/20/10 "The Proposed Rule will benefit pro bono attorneys by allowing them to devote their time and efforts to the substantive legal issues confronting clients rather than spending the time obtaining IFP orders that should be pro forma."
http://www.courts.wa.gov/court_Rules/proposed/2009Apr/gr34/Gail%20Smith.pdf

Instead, when QLSP motions are presented on AOC mandatory forms, some courts ignore those motions and require the indigent litigant to complete a financial affidavit. Appendix pages 132-139 (Cowlitz County Superior Court Cause # 09-3-00077-2). Pro bono attorneys must then spend unnecessary time preparing the affidavits to obtain fee waivers. This discourages pro bono counsel and further delays a litigant's case.

G. Courts Refuse To Accept Fee Waivers By Mail

Despite GR 34's specific language permitting fee waiver applications to be submitted by mail (helpful to both pro bono counsel and pro se litigants who are unable to travel to the courthouse) some courts refuse to accept fee waivers by mail. Appendix pages 140 (June 9, 2011 letter to King County Superior Court Clerk). A trip to the courthouse can be a hardship for a disabled litigant, for a litigant who must take time away from a minimum wage job, who lives far from a courthouse or who must pay for transportation to get there.

V. CONCLUSION

"It is the lower court Bench... that conveys the essence of our democracy to the people." *Mayer v. Chicago*, 404 U.S. 189, 197, 92 S. Ct. 410 (1971). Failure to follow GR 34 harms the legitimacy of Washington's judiciary as a "proper and impartial administer of justice" for all. *O'Conner v. Matzdorff*, 76 Wn.2d 589, 605-606, 458 P.2d 154

(1969). Each court in Washington State is responsible for the proper and impartial administration of justice. Ensuring that meaningful access to judicial review is available to the poor as well as to those who can afford to pay is a fundamental component of access to justice.

When courts refuse to grant indigent litigants full waivers of all mandatory fees, it creates a chilling effect on litigants' pursuit of justice.

Indigent litigants are prevented from accessing the courts and from obtaining needed relief. As a result, indigent litigants are forced to endure their problems or find other ways to resolve their problems. This is not who we are or who we want to be. When we fail to fully implement GR 34, we erode the ability of our court system to support a lawful, just society. Justice is not for sale in Washington.

RESPECTFULLY SUBMITTED this 7th day of February, 2013.



Karla Camac Carlisle, WSBA No. 40107
Michelle Denise Raiford, WSBA No. 37003
Leslie J. Savina, WSBA No. 13634
On behalf of the Northwest Justice Project,
Benton Franklin Legal Aid Society,
Snohomish County Legal Services



CL15427267

SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

2012 JUN 20 PM 1:03

(PETITIONER) AND

(RESPONDENT)

CAUSE NO. 12-3-01603-0
JUDGE:
REPORTER: NOT REPORTED
CLERK: JASON GREENFIELD
DATE: 06-20-2012 @ 9:30 AM

THIS MATTER CAME ON FOR: MOTION FOR REVISION

CONTINUED DATE/TIME/CALENDAR AND CONTINUANCE CODE:

HEARING DATE SET/TIME/CALENDAR CODE:

ACTION:

HEARING STRICKEN/CODE:

PETITIONER APPEARED: YES

COUNSEL:

RESPONDENT APPEARED: NO

COUNSEL: NOT PRESENT

GUARDIAN AD LITEM APPEARED: NO

DOCUMENTS FILED:

ORDERS ENTERED: ORDER FOR REVISION OF MAY 31, 2012 ORDER TO PROCEED IN FORMA PAUPERIS DENIED TO BE FILED BY COUNSEL

PROCEEDINGS/COURT'S FINDINGS:

PETITIONER'S MOTION FOR REVISION OF COMMISSIONER ORDER DATED MAY 31, 2012 REGARDING WAIVING THE FILING FEES AND SURCHARGES FOR FILING PARENTING PLAN ACTION: DENIED. THE COURT FINDS THAT THE \$50.00 FEE IS FAIR CONSIDERING THE CIRCUMSTANCES. THE COURT DOES BELIEVE THE PETITIONER IS INDIGENT BUT IS NOT WILLING TO WAIVE THE FEE.

MINUTE ENTRY

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**SUPERIOR COURT OF WASHINGTON
COUNTY OF SNOHOMISH**

In re the Parentage:
STATE OF WASHINGTON,
Petitioner,

No. 07-5-00733-3

And
, Alleged Father,
, Presumed Father,
Mother,
Respondent,

**PETITIONER'S DECLARATION
IN SUPPORT OF ORDER FOR
CHILDREN'S NAME CHANGE**

COMES NOW the Petitioner and asks this court to respectfully
change both children's names: to ; and
to . The sole purpose of this petition is "the
best interest of the children."

I am ; my son was born three months early and is a
severely disabled exceptional high needs 24/7-care child as a direct result of his premature
tragic birth. is Blind, has cerebral palsy, he can not walk, he can not talk, he can
not feed himself and is restricted to being spoon fed, will eat Gerber 2nds (baby food) and
yogurt, he will NOT drink anything and is still in diapers. was a full term pregnancy
and is a typically developing child.

ORIGINAL

1 Since the children have been born there have been multiple complications and much
2 confusion regarding the children's " " portion of their names. For medical and
3 educational administration there are multiple layers of confusion regarding finding the children in
4 computer systems because depending on the information system and who inputs the
5 information into the system the children have numerous differences with their last names in
6 each system. Sometimes their last name is hyphenated for example as " :."
7 Sometimes their last name is " :." Sometimes their last name is either ' or not
8 both. Even sometimes their names are referred to as " " or " " ."

9 Last June 2012, I had to take to the ER at Providence Medical Center Colby
10 Campus and they had a very difficult time locating her in their system. Given that it was an
11 emergency situation the 10 minutes it took them to find her in their system made things more
12 stressful and slowed her medical care. The same thing has occurred when I have taken
13 to the ER last year.

14 The children's current name also creates a hardship when I make non-emergency
15 medical appointments for the children. For example, last week I called Cascade Prosthetics
16 and Orthotics in Mount Vernon because it was time for a re-check on : shoes.
17 They have been providing ' Orthotics since he was nine months old. The person I
18 spoke to had such a difficult time finding in their system that she asked to call me
19 back so she could investigate other ways of trying to find in their computer system
20 due to the likelihood that his last name was incorrectly entered. She called me back in an hour
21 after finding his name.

22 Moreover, and have only been known as: and
23 by family and friends since birth as I have been a single parent since I was 5
24 months pregnant with . With participation in school and other activities for the
25

**PETITIONER'S DECLARATION IN SUPPORT OF ORDER
FOR CHILDREN'S NAME CHANGE - Page 2 of 3**

Northwest Justice Project
2731 Wetmore Avenue, Suite 410
Everett, Washington 98201
Phone: (425) 252-8515 Fax: (425) 252-5945

1 children to clarify the " " due to their birth certificates is confusing with whomever I'm
2 interacting with and in many ways harmful to the children.

3 I initially thought to bring a petition in district court to change the children's last names
4 but a woman named " " in the Snohomish County District Court clerk's office on the third
5 floor informed me that district court does not grant fee waivers for name changes and refused
6 my fee waiver motion. She threw away my fee waiver order paperwork in front of my eyes. I
7 could not file my petition to change the children's names because I cannot afford the \$240.00
8 for two name changes. Since we have a Superior case pending I request such relief in this
9 case.

10 I declare under penalty of perjury under the laws of the state of Washington that the foregoing is
11 true and correct.

12 Signed at Everett, [City] WA [State] on July 23, 2012

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14 Signature of Declarant

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25 Print or Type Name

SNOHOMISH COUNTY DISTRICT COURT

Cascade Division
415 East Burke Street
Arlington WA 98223-1099
(360) 435-7700

Everett Division
3000 Rockefeller M/S 508
Everett WA 98201
(425) 388-3331

Evergreen Division
14414 179th Ave SE
Monroe WA 98272
(360) 805-6776

South Division
20520 68th Ave W
Lynnwood WA 98036
(425) 774-8803

CHANGE OF NAME INFORMATION

1. Are you a citizen of the United States?
If NOT, be aware, at the time of your hearing the judge may request additional information such as a green card, naturalization documents or passport.
2. Complete the Petition for Name Change. **PLEASE INCLUDE YOUR FULL ADDRESS, DATE OF BIRTH, PLACE OF BIRTH, AND PARENT(S) NAMES.** The Center for Health Statistics *requires* this information to locate the Birth Certificate. (Petitioner/Child must live within the jurisdiction of the Snohomish County District Court).
3. You will be required to provide proof of your identity as part of your petition. Acceptable forms of identification include: Driver's license, green card, naturalization documents, passport, and military identification.
4. Minors: Parental Consent – all applicants under (18) years of age must be represented by a parent or legal guardian and **both** biological or legal parents or guardian must approve the change of name, either by personal appearance or by verified affidavit, unless good cause is shown. If one biological parent's whereabouts is unknown, the court must be satisfied that the petitioner made attempts to provide notice to the absent parent by sending, via **certified mail with a return receipt**, to the last known address. (Requests for exceptions to this policy must be presented to the Judge). In addition, Snohomish County Local Court Rules require that the parent or guardian provide the court a certified copy of the minor's birth certificate that can be verified and copied by the court.
5. FEES:

\$53.00 Filing	Petitioners paying fees with cash, credit/debit card,
\$ 5.00 Administrative	or money order will be placed on the next available
<u>\$62.00</u> Auditor Recording Fee	calendar for hearing.
\$120.00 Total	Petitioners paying fees with a check will be placed on
	a court calendar 21 days from the filing date.

As part of the filing fee you will be provided three (3) certified copies of the Name Change Order. Each additional copy is \$5.00.

6. Hearing scheduled for: _____
7. You should consider notifying the following agencies/parties with certified copies of your Order:

*Department of Licensing	*Vital Statistics
*Social Security	*Insurance Companies
*Department of Health	*Any other pertinent parties you may deem necessary

If you were born in Washington State and wish to change your birth certificate, send certified copies of the **COURT ORDER** to:
Dept. of Health
Center for Health Statistics
P.O. Box 47814
1112 SE Quince St.
Olympia, WA 98504-7814.
Contact Dept. of Health for procedures and fee information.

If you were born in another state, mail a certified copy of the **COURT ORDER** to the Vital Records office in the state-of-birth. Contact your state-of-birth for procedures and fee information.

FILED

MAR 20 2012

KIM MORRISON
CHELAN COUNTY CLERK

Superior Court of Washington
County of Chelan

In re:

No. 12-3 00133 1

and

Petitioner,

Order to Show Cause re
Payment of Filing Fee
(ORTSC)

Respondent.

Clerk's Action Required

It is Ordered that:

_____ [Name] shall appear in person before this court and show cause why he/she should not be required to pay \$ 255 representing the balance of the filing fee for this action.

It is further ordered _____ [Name] shall provide his/her last three paystubs for the court's review at the time of this hearing.

Date: March 30, 2012 Time: 9:30 a.m./p.m.

Place: CHELAN COUNTY SUPERIOR COURT, 401 Washington Street, 5th Floor, Wenatchee, WA.

If you fail to appear in person and defend at this hearing, in your absence the court may order that you pay the balance of the filing fee in full.

If the filing fee is paid by March 29, 2012, you do not need to appear for this hearing. Payment should be made by mailing to Chelan County Clerk, P.O. Box 3025, Wenatchee, WA 98807-3025, or by paying in person at Chelan County Clerk's Office, Chelan County Courthouse 350 Orondo Avenue, Fifth Level, Wenatchee, WA.

Dated: March 19, 2012

Judge/Commissioner

FILED ¹²³

MAR 20 2012

KIM MORRISON
CHELAN COUNTY CLERK

Superior Court of Washington For Chelan County	
_____	Petitioner/Plaintiff,
_____	Respondent/Defendant.

No. 12-3-00133-1

Order Re Waiver of Civil Filing Fees
and Surcharges

- Granted (ORPRFP) *In part*
- Denied (ORDYMT)
- Installments (ORPVIP)
- Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff respondent/defendant.

The filing fee for most Civil and Probate cases is \$230 which includes \$200 filing fee, \$30 Judicial Stabilization surcharge.

The filing fee for most Domestic and Family Law cases is \$280 which includes \$200 filing fee, \$20 facilitator surcharge, \$30 DV fee and \$30.00 Judicial Stabilization surcharge.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

2.1 The moving party is indigent based on the following: He or she:

- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
- receives benefits from one or more needs-based, means-tested assistance programs; and/or
- has household income at or below 125% of the federal poverty guideline; and/or

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

- 3.1 The motion is granted ^{in part} and
- all filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.
 - The \$200 filing fee shall be paid before any further order is entered.
 - The \$200 filing fee may be waived.
 - The \$20 facilitator surcharge shall be paid before any further order is entered.
 - The \$20 facilitator surcharge may be waived.
 - The \$30 DV fee shall be paid before any further order is entered.
 - The \$30 DV fee may be waived.
 - The \$30 Judicial Stabilization surcharge shall be paid before any further order is entered.
 - The \$30 Judicial Stabilization surcharge may be paid.

other: Petitioner shall pay \$25
toward the filing fee. Respondent
shall show cause why she should
not pay the balance.

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: March 19, 2015

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

FILED *f*
MAR 20 2012 *3*
KIM MORRISON
CHELAN COUNTY CLERK

Superior Court of Washington
For Chelan County

12-3 00133 1

No. _____
**Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)**

Petitioner/Plaintiff,
vs

Respondent/Defendant.

I. Motion

- 1.1 I am the petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1 GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 3-16-2012

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

I am currently unemployed and
borderline homeless. As of April 1st
I will be living in a camper at an unknown
state park or campsite until I can save
money for an apartment.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Wenatchee, (state) WA on (date) 3-16-2012.

Signature _____

Print or Type Name _____

Case Name: _____

Case Number: 12-3 00133 1

Financial Statement (Attachment)			
1. My name is: _____			
2. <input type="checkbox"/> I provide support to people who live with me: How many? _____ Age(s): _____			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input type="checkbox"/>	Unemployed <input checked="" type="checkbox"/>	Rent/Mortgage:	\$ 0
Employer's Name: _____		Food/Household Supplies:	\$ 200
Gross pay per month (salary or hourly pay):	\$ _____	Utilities:	\$ 50
Take home pay per month:	\$ _____	Transportation: Gas	\$ 240
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ _____
Source: Unemployment	\$ 40 \$ 1200	Ordered Child Support actually paid:	\$ _____
Source:	\$ _____	Clothing:	\$ 0
Source:	\$ _____	Child Care:	\$ 0
Source:	\$ _____	Education Expenses:	\$ 0
Sub-Total:	\$ 1200	Insurance (car, health):	\$ 0
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$ 0
Total Income, lines 3 (take home pay) and 4:	\$ _____	Sub-Total:	\$ 490
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ 230	cell phone	\$ 110.-
Checking Account Balance:	\$ 30.-		\$ _____
Savings Account Balance:	\$ 0		\$ _____
Auto #1 (Value less loan):	\$ 2,000		\$ _____
Auto #2 (Value less loan):	\$ _____	Sub-Total:	\$ 110.-
Home (Value less mortgage):	\$ _____	8. My Other Debts with Monthly Payments:	
Other: Camper	\$ 100	fine	\$ 50.- /mo
Other:	\$ _____	counseling	\$ 165.- /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____	Sub-Total:	\$ 215.-
Total Household Assets:	\$ 2100	Total Household Expenses and Debts, lines 6, 7, and 8:	\$ 815.-
Date: 3-16-2012		Signature: _____	

FILED

22.03.2019 10:49

OK: [unclear] [unclear]
OK: [unclear] [unclear]

Superior Court of Washington For Okanogan County	
_____	Petitioner/Plaintiff,
vs.	
_____	Respondent/Defendant.

No. 12-3-00236-9

**Order Re Waiver of Civil Filing Fees
and Surcharges**

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - Is partially indigent.

2.2 The moving party is not indigent.

2.3 Other: The moving party can obtain the necessary financial resources in a reasonable period and delay will not substantially impair that party's rights.

Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

all filing fees and surcharges are waived

all fees except the facilitator surcharge are waived

Petitioner may file without paying the fee, except the facilitator surcharge, However, the entire fee must be paid prior to entry of final orders or decree.

Petitioner must serve a show cause order on the other party directing that party to appear and show cause why he/she should not pay the fee. In the meantime Petitioner may ___ (or) may not ___ file without payment of the fee.

other: _____

The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party. If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 8/20/12

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

8/16/2012

Print or Type Name Date

RECEIVED
18 OCT 2011
JUDICIAL
KING COUNTY

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING

vs. Plaintiff
Defendant.

Cause No 11-3-06986-7 KJVT

ORDER ON CIVIL MOTION
(ORM)

The above-entitled Court, having ^{considered} heard a motion for reconsideration of the
Court's order to waive filing fees entered on 9/29/2011.

IT IS HEREBY ORDERED that no motion for reconsideration shall
be and hereby is denied. The filing fee on the
return of each service determines if it is appropriate to
wave the fees. The determination will be
made by that particular service and the relevant form
will be provided to the Court for signature.

DONE IN OPEN COURT this 18 day of October, 2011.

COURT COMMISSIONER/JUDGE

Presented by:

Copy Received:

2011 DEC -9 PM 1:52

Hearing Date: December 9, 2011
Hearing Time: 1:30 p.m.

KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

7 SUPERIOR COURT OF WASHINGTON
8 COUNTY OF KING

8 In re the marriage of:

NO. 11-3-06586-7 KNT

10 Petitioner,

ORDER GRANTING
MOTION FOR REVISION

11 And

12 ~~CLERK'S ACTION REQUIRED~~

13 Respondent.

14 This matter came regularly before Judge _____ pursuant to the Petitioner's
15 Motion for Revision of the Order Denying Fee Wavier in this case. Oral argument on the motion
16 was held December 9, 2011. Petitioner was represented by _____ of the Northwest
17 Justice Project. The Court considered Petitioner's Motion for Revision as well as all materials
18 submitted to the Court Commissioner and provided as working papers to the undersigned Judge,
19 the recording of the hearing conducted October 18, 2011, oral argument and the court file in this
20 matter. Based on the foregoing, the Court hereby FINDS as follows:

- 21 1. King County Local Rule 20 expressly ^{authorizes} ~~mandates~~ full waiver by the court of fees
22 for the mandatory Family Law Orientation Program for indigent parties;

23 ORIGINAL

1 2. King County Local Rule 13 expressly authorizes the court to grant a full waiver of
2 fees for the mandatory Parenting Seminar to indigent parties;

3 3. Petitioner in this case has income of only \$478 per month from TANF and \$490
4 from Food Stamps and was correctly adjudged indigent by the court pursuant to GR 34;

5 4. ~~Commissioner~~ ~~erred in ruling that~~ the court does ~~not~~ have the authority to
6 waive the fees for the mandatory Family Law Orientation and Parenting Seminar for the
7 Petitioner; *See KCLFLR 13(b)(5) and 20(d).*

8 5. The Washington Supreme Court has determined that full access to the courts in a
9 ~~divorce~~ *Resolution* action is a fundamental right;

10 6. Due process ~~prohibits~~ *concessions do support the Court's order.* ~~States from denying an individual who seeks a divorce in~~
11 ~~good faith, access to the courts due solely to an inability to afford the filing fee;~~

12 Based on the foregoing findings, the Court hereby ORDERS as follows:

13 1. Petitioner's motion for revision of the Court Commissioner's ruling is
14 GRANTED;

15 2. The Clerk of Court is directed to refund registration fees paid by the Petitioner for
16 the mandatory Family Law Orientation and Parenting Seminar;

17 ~~3. Other:~~

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Dated: December 09, 2011

The Honorable

Presented by:

NORTHWEST JUSTICE PROJECT

Attorney for

FILED

PRESENT IN PERSON



11 OCT 13 PM 2:23

AND COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

EXPO 1

Superior Court of Washington **11-3-06951-0 SEA**
For King County

No. _____

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

Order Re Waiver of Civil Filing Fees
and Surcharges
 Granted (ORPRFP)
 Denied (ORDYMT)
 Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - other: _____

2.2 [] The moving party is not indigent.

2.3 [] Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

all filing fees and surcharge the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

[Handwritten signature]
other: Mandatory Parenting Seminar Fee
is waived. Mandatory Family Law
orientation Fee: is waived. Ex parte
v/a the clerk & certified copy fees
are waived.

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 10/13/2011

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or type name Date



Northwest Justice Project

401 Second Ave S. Suite 407
Seattle, WA 98104
Tel. (206) 464-1519
Fax (206) 903-0526

Toll Free 1-888-201-1012
www.nwjustice.org

César E. Torres
Executive Director

December 7, 2011

Ms. Jorene Reiber
Director, Family Court Operations
King County Superior Court
516 Third Avenue
Seattle, WA 98104

Re: Waiver of Fees for Service

Dear Ms. Reiber:

We wanted to bring to your attention a fee waiver issue in King County Superior Court which affects low-income family law litigants. We hope the issue can be resolved quickly and administratively. If you are not the proper person to address this issue we would appreciate a referral. Thank you in advance for your time and attention.

At the Northwest Justice Project (NJP) we provide legal services to low-income litigants in King County. Because of our limited resources, we are able to provide many family law clients with only limited advice, consultation and sometimes help with drafting documents.

In the last week three NJP clients have been unable to obtain full waiver of fees for mandatory services: the Parenting Seminar and Family Law Orientation class. The fees were only reduced, not waived. All of these clients have income of 125% or less of the Federal Poverty Level. Local rules require the court to waive fees for indigent litigants. LFLR 13(c)(6), LFLR 20(d), K.C.C. 4A.632.210. This court relies on RCW 10.101.010 (which sets indigency in criminal cases at 125% of Federal Poverty Level) as the standard for civil filing fee waiver.

The first client was not served with the dissolution action until a day or two before the deadline to register for the Family Law Orientation Class. Because she registered "late", she was instructed to pay an additional "non-compliance fee" of \$5, a total of \$10. (The client also incurred a fee for the money order, something she could ill afford.) These fees should be fully waived but there is no mechanism to do so despite the court rule: "The court *shall* provide the service at no expense for indigent parties." LFLR 20(d)(emphasis added.) Further, there is no authority to charge a "late" or "non-compliance" fee for failure to take the Family Law Orientation class within the mandated time. K.C.C. 4A.632.130.

The second client also was not served with the dissolution action until after the deadline to register for the required Parenting Seminar. (LFLR 13) This client is employed. Her income is 69% of Federal Poverty Level. The fee for the Parenting Seminar was reduced to \$20, but not waived. Because she registered "late", she was required to pay a "non-compliance fee" of \$20; a total of \$40 plus the fee for the money order.

The third client speaks limited English and had no legal assistance at the beginning of her case. She did not know she could apply for a fee waiver. This client's only income is her TANF benefit. She was told that she had to pay \$40 to attend the Parenting Seminar. When she attempted to bring a \$40 money order to register for the class she was informed that she was late and had to pay an additional \$35 "non-compliance fee". This client did not have \$40 to begin with, and truly does not have \$75. This client hoped to finalize her dissolution by default before the end of the year but now is precluded because she cannot pay the fee.

Beyond the plight of these three clients is a systemic problem which confronts many low-income litigants: an inability to simply and fully waive all mandatory fees and surcharges. Because these fees must be paid before a litigant can get judicial relief to complete his or her case¹, the fees must be fully waived pursuant to General Rule 34 and *Bullock v. Roberts*, 84 Wn.2d 101 (1974).

The English-only instructions given to litigants by the clerk (and on the court's website) do not provide instructions for a full waiver, only for a fee reduction.

<http://www.kingcounty.gov/courts/FamilyCourt/services/parentseminar.aspx>,

<http://www.kingcounty.gov/courts/FamilyCourt/services/FLO.aspx>

In addition to violating the local rule, the general rule, case law, King County Code and the Constitution, the court's failure to provide an easy, simple mechanism for a full fee waiver defeats the intended purpose of the required classes. Rather than attend the classes as the court has deemed beneficial, litigants delay attending until they can save for the fee. Or they fail to attend the classes and are precluded from getting the relief to which they are entitled. Practically, it costs the court money in administrative time and delays a litigant's ultimate relief.

The "non-compliance fee" imposed if a litigant does not complete a required course within a given time limit is punitive. Pursuant to the enabling legislation, this fee applies only to litigants who fail to attend the Parenting Seminar within 60 days of filing for dissolution. K.C.C. 4A.632.120. This "non-compliance fee" does not apply to the Family Law Orientation class, yet it is charged by court staff. K.C.C. 4A.632.130.

Further, it is not a "non-compliance fee" as stated on the court's website and by court staff. In reality it is the true cost of the seminar. The cost of the Parenting Seminar is \$75 but if the class is taken within 60 days it is discounted to \$40. The additional \$35 charged to litigants after 60 days is

¹ LFLR 13(c)(4) A parent who fails to complete the parenting seminar "**shall be precluded** from presenting any final order affecting the parenting/residential plan or finalizing the parenting plan in this action, until the seminar has been successfully completed." (Emphasis added)

LFLR 20(c) "Unless attendance at the seminar is excused. . . parties seeking to enter final orders . . . **shall attend** the Orientation Class prior to obtaining affirmative relief." (Emphasis added)

December 7, 2011

Page 3

the cost of the seminar without the early discount. Therefore, the entire \$75 fee should be waived for indigent litigants. As in two of the above cases, if litigants are not timely served they are not aware of the requirements. Taking the required courses in a timely manner is completely outside their control. To charge these litigants a fee, whether it is \$5, \$35 or \$75, is a violation of the Constitution pursuant to *Boddie v. Connecticut*, 401 US 371 (1971).

In the Report of the Ad Hoc Fee Proviso Committee dated March 2011 (from the proviso assigned in King County Ordinance 2010-0527.2) the committee concluded:

Family Court user fees are reduced or waived by staff in family court at the time of the service offering. . . .and sliding fees and fee waivers are offered for the parent seminar, facilitator user and document review fees, and the family law orientation fee. The sliding scale is based on federal poverty guidelines and federal entitlement program qualifications. These processes are relevant to the use of the services and *not disruptive or burdensome on the litigant, the court, or the staff.*" Report at page 5 (emphasis added)

We take exception to this conclusion. When there is no clearly stated method for indigent litigants to fully waive mandatory fees for services, it is burdensome. When even the poorest litigant is required to pay five dollars to attend a mandatory class, it is burdensome. When an indigent litigant must ask repeatedly, for each class and for each service, to have fees waived, it is burdensome and humiliating.

We hope that we can work with you and other members of the court staff to devise a way for low-income litigants to have all their mandatory fees and surcharges fully waived in a simple method easily accessible to non-English speakers. Alternatively, the court could address the concern by not requiring that litigants participate in these services as a condition precedent to obtaining judicial relief.

Thank you so much for your consideration. I look forward to hearing from you soon.

Sincerely,

Leslie Savina
Advocacy Coordinator
Northwest Justice Project

cc: Hon. Barbara Madsen
Hon. Tom Chambers
Hon. Richard McDermott
Hon. James Doerty
Hon. Mary Yu
Hon. Dow Constantine
Hon. Reagan Dunn

KING COUNTY SUPERIOR COURT

Family Court Operations

Office of the Director
King County Courthouse
516 Third Avenue, Suite C-202
Seattle, WA 98104
Phone (206) 296-9309



King County
Always at your service

January 26, 2012

Ms. Leslie Savina
Advocacy Coordinator
Northwest Justice Project
401 Second Ave. S. Suite 407
Seattle, WA 98104

401 2ND AVE S. SUITE 407
SEATTLE, WA 98104
JAN 26 2012 9:57 AM
NORTHWEST JUSTICE PROJECT

Re: Your letter re: Waiver of Fees for Service

Dear Ms. Savina,

Thank you for your letter regarding the fee waiver issues your clients have experienced. The issues you raise are important to me both as the Family Court Director and as a longtime advocate for providing vital information and access to resources to all litigants in the family court process. By providing this access, we empower litigants to engage in their own case at one of the most important times in their lives. In Family Court, we recognize that the court process which occurs during a very difficult time in a litigant's life can be very stressful and agonizing. We strive to provide the best service and information in the most direct way possible. I am always open to hearing from litigants and community partners about how our processes are working and thank you for the opportunity to respond to your concerns.

First, I would like to speak directly to the client issues you raise in your letter:

With regard to your client who was charged a non-compliance fee for the Family Law Orientation (FLO); there is not a "non-compliance fee" for the FLO. Staff does not have the ability to receipt a charge for a non-compliance fee. I have reviewed all the finance documents for the past several months for the FLO and there are no entries for non-compliance fees. As I do not have the case specific information that would allow me to research this incident, I cannot explain what occurred. I would welcome the opportunity to review this specific case with you to determine what happened. With additional information, I would be happy to correct any mistake that may have occurred.

With regard to your client who was served with her dissolution action after the deadline, again without specific case information, I am unable to review the case. However, the process used for determination of the non-compliance fee for the parent seminar

calculates this fee from date of service for respondents. Hence, this client should not have been charged a non-compliance fee unless she registered more than 60 days after receiving service. The \$35 non-compliance fee is reduced for low income clients, as it was for your client. Again, if a mistake was made and this litigant was overcharged, I welcome the opportunity to correct the error.

With regard to your limited English speaking client, Family Court staff understands navigating the process is even more difficult for limited English speaking litigants and, therefore, we seek the assistance of our Interpreter Services program to assist with communication whenever possible. Again, I would be happy to review this case to determine what information regarding income was provided to staff, how the fee was determined and if the timeline for the non-compliance fee was accurately determined. Next, I would like you to know that we are working to simplify registration for the Parent Seminar and the FLO simpler all-litigants, including a cash acceptance policy that will allow staff to accept cash for registrations for all classes. This will eliminate money order fees which, as you noted, are a hindrance for many low income clients. In the future, we also hope to deploy a system that allows for registration and payment online to simplify the process for all litigants.

As you know, nearly every county in Washington mandates a parent seminar for litigants with children in dissolution and other family law actions. Virtually all those counties offer this service through a third party entity, most of whom do not allow a fee reduction or waiver, and charge much more than our \$40 fee; some as high as \$125. For many years in King County, Family Court Services partnered with an outside nonprofit agency to provide the seminar. However due in part to increasing pressure from the agency to raise the seminar fee and resistance to our fee reduction and waiver process, we made the decision to bring the seminar in-house to continue to keep the cost low and provide an accessible service for low income clients. We also endeavored to ensure our seminar includes way-finding and resource information for low income litigants. I am happy to say that we have maintained the \$40 fee and the reduction/waiver process for more than 12 years. We also modified the curriculum to provide both domestic violence information and court process information for parents to specifically assist non-represented, limited English speaking clients and those with limited resources. And, we provide court interpreters for all litigants attending both the Parent Seminar and the FLO.

Over the past many years, it has become evident through many paths of feedback that the parent seminar a useful and valuable tool for assisting litigants in the family law arena. Many parents themselves lamented that if they had taken the seminar earlier, it would have been much more helpful for completion of their case settlement, and ultimately they would have spent less time in court. For many years, there was no impetus to follow the case schedule, and many litigants ignored the requirement, which delayed trials and finalizations. The non-compliance fee is now charged to litigants who do not follow the rule and the case schedule. We have seen increased compliance with the rule and the case schedule as a result, increasing efficiencies for both the court and the litigants who can now move forward in their cases. Since implementing the fee in

April, only 10% of the registrants had a non-compliance fee assessed; and 10% of the non-compliance fees were reduced or waived.

As you and I have recently discussed, the new FLO class is taught by experienced family law attorneys who also assist litigants without legal counsel. Access to these experts is a huge step forward for our court and for the high percentage of pro-se litigants we serve. Each day litigants learn how to more easily navigate the family law process, avoid extra fees and costs and complete their cases in the most timesaving and cost-effective ways through information provided at the FLO. Just learning about how and when to file one document can save a trip to the courthouse and a \$50 non-compliance fee! Additionally, for no additional fee, they receive the assistance of the attorneys to finalize their case. This commitment to increased access and information is an important part of the decision to provide the FLO to unrepresented parties.

Both the Parent Seminar and FLO fees are offered on a sliding scale which includes waiver of the entire \$40 or \$20 fee. The process is intended to be simple. We ask litigants to provide proof of income or indigency and in the case of the latter, request a waiver. If they have no income and no proof, we ask for a declaration indicating they have no income. While we understand that this process may be viewed as duplicative or burdensome, we also have an obligation to ensure that in reducing or waiving a fee where public funds are involved, we must be diligent and careful stewards of such funds. Even in instances of an absolute right to waiver of fees, such as defense costs in criminal cases, screening is a part of the process by which agencies properly account for the expenditure of public funds. I believe our process is a reasonable one.

However, I share your concern that we must make our processes easy and transparent. To that end, I have spent the last few weeks since receiving your letter working with staff to ensure our processes are clear and that all Family Court Operations staff are following the reduction and waiver processes for the Parent Seminar and the FLO.

Specifically, we have:

- Reviewed all documents on our website and updated information to reflect the full waiver information:
 - <http://www.kingcounty.gov/courts/FamilyCourt/services/parentseminar.aspx>
 - <http://www.kingcounty.gov/courts/FamilyCourt/services/FLO.aspx>
- Reviewed and updated the registration forms for the Parent Seminar and FLO
- Reviewed the fee reduction and waiver process with staff who register clients for the Parent Seminar and FLO and staff who answer questions at our reception desks in Seattle and Kent
- Reviewed and clarified the process that ensures our non-compliance fees, when mandated, are appropriately assessed
- Changed our process for requests for reductions/waivers to make it easier for staff to answer litigants questions about fees and easier for litigants to obtain the relief they are requesting

For the past many years, I have sincerely appreciated our valuable and productive working relationship to serve clients affected by domestic violence. Through that relationship, I have developed tremendous respect for you, the work you do each day and your endeavor to safeguard access for all litigants, including non-English speaking individuals and those affected by poverty.

It is my sincere hope that we will continue to work together to serve the greater good for all family law litigants in King County Superior Court. I look forward to our future work and thank you for bringing your concerns to my attention.

Sincerely,



Jorene Reiber
Director, Family Court Operations
King County Superior Court

cc: Hon. Barbara Madsen
Hon. Tom Chambers
Hon. Richard McDermott
Hon. James Doerty
Hon. Mary Yu
Hon. Dow Constantine
Hon. Reagan Dunn

JOSIE DELVIN
BENTON COUNTY CLERK

MAR 28 2012

FILED

ON 3

Superior Court of Washington
For the County of Benton

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

No. 12-3-00301-8

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

- Anti-Harassment
- Dissolution
- Parenting Class
- Other

I. Motion

- 1.1 I am the petitioner/plaintiff respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1 GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 3/28/2012

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

*****Benton County does not accept mailed in motions/orders** so the above mailed in option will not be accepted.**

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Kennecook (state) WA on (date) 3/28/2012

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is:			
2. <input checked="" type="checkbox"/> I provide support to people who live with me: How many? <u>3</u> Age(s): <u>2, 4, 6</u>			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input checked="" type="checkbox"/> Unemployed <input type="checkbox"/>		Rent/Mortgage:	\$ <u>1000-</u>
Employer's Name:		Food/Household Supplies:	\$ <u>450-</u>
Gross pay per month (salary or hourly pay):	\$ <u>13/hr</u>	Utilities:	\$ <u>445</u>
Take home pay per month:	\$ <u>1660-</u>	Transportation:	\$
4. Other Sources of Income/Benefits Per Month in my Household and/or Other Parties Household:		Ordered Maintenance actually paid:	\$ <u>-</u>
Source:	SPOUSE/PARTNER \$	Ordered Child Support actually paid:	\$ <u>-</u>
Source:	RESPONDENT \$	Clothing:	\$ <u>70-</u>
Source:	DSHS \$ <u>800-</u>	Child Care:	\$ <u>364-</u>
Source:	\$	Education Expenses:	\$
Sub-Total: \$ <u>800-</u>		Insurance (car, health):	\$ <u>160-</u>
\$ <u>0</u> received monthly in food stamps		Medical Expenses:	\$ <u>75-</u>
Total Income, lines 3 (take home pay) and 4: \$ <u>2460-</u>		Sub-Total:	\$ <u>2564</u>
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ <u>0</u>		\$
Checking Account Balance:	\$ <u>5</u>		\$
Savings Account Balance:	\$ <u>5</u>		\$
Auto #1 (Value less loan):	\$ <u>0</u>		\$
Auto #2 (Value less loan):	\$		\$
Home (Value less mortgage):	\$ <u>0</u>	Sub-Total:	\$
Other:	\$	8. My Other Debts with Monthly Payments:	
Other:	\$	CAR	\$ <u>420</u> /mo
Other:	\$	3 CREDIT	\$ <u>80</u> /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	\$ <u>500-</u>
Total Household Assets:	\$ <u>10-</u>	Total Household Expenses and Debts, lines 6, 7, and 8:	\$ <u>3064</u>
Date: <u>3/28/2012</u>		Signature:	

JOSIE DELVIN
BENTON COUNTY CLERK

MAR 28 2012

FILED
13

Superior Court of Washington In and For the County of Benton	
_____ Petitioner/Plaintiff,	vs.
_____ Respondent/Defendant.	

No. 12-3-00301-8

**Order Re Waiver of Filing Fees and
Surcharges**
 Granted (ORPRFP)
 Denied (ORDYMT)
 Clerk's Action Required 3.1
 Anti-Harassment
 Dissolution
 Parenting Class
 Other _____

I. Basis * *Review*

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes \$30 Judicial Stabilization surcharge.

The filing fee for most Domestic and Family Law cases is \$280, which includes \$200 filing fee, \$20 facilitator surcharge, \$30 DV fee, and \$30 Judicial Stabilization surcharge.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or

BAS

- has household income at or below 125% of the federal poverty guideline; and/or
- has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
- the grounds for the action are meritorious and not frivolous.

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

All filing fees and surcharges, the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief, are waived.

The \$200 filing fee shall be waived

The \$20 facilitator surcharge shall be waived

The \$30 DV fee shall be waived

The \$30 Judicial Stabilization surcharge shall be waived

The \$53 Anti-Harassment filing fee shall be waived

The parenting class fee shall be waived.

The parenting class fee shall be paid on the sliding fee scale.

Shall be reviewed at the time of entry of final decree herein.

Other: _____

3.2 [] The motion is denied and all appropriate filing fees shall be paid when the case is filed.

[] The motion is denied and all appropriate filing fees shall be paid with monthly payments of \$_____ starting _____, 201_____.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 3/28/12

~~Judge/Commissioner~~

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

3/28/12
Date

MAR 30 2012

FILED *WJ*

Superior Court of Washington
For the County of Benton

No. 12-3-00314-0

Petitioner/Plaintiff,
vs

Respondent/Defendant.

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

- Anti-Harassment
- Dissolution
- Parenting Class
- Other

I. Motion

- 1.1 I am the petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1 GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 3:30-12

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

*****Benton County does not accept mailed in motions/orders**** so the above mailed in option will not be accepted.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Kennewick, (state) WA on (date) 3-30-12

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is: _____			
2. Do I provide support to people who live with me: How many? _____ Age(s): _____			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed [<input checked="" type="checkbox"/>] Unemployed [<input type="checkbox"/>]		Rent/Mortgage:	\$ 150
Employer's Name: _____		Food/Household Supplies:	\$
Gross pay per month (salary or hourly pay):	\$ 600	Utilities:	\$
Take home pay per month:	\$ 400	Transportation:	\$
4. Other Sources of Income/Benefits Per Month in my Household and/or Other Parties Household:		Ordered Maintenance actually paid:	\$
Source:	SPOUSE/PARTNER	\$	Ordered Child Support actually paid:
			\$ 200
Source:	RESPONDENT	\$	Clothing:
			\$
Source:		\$	Child Care:
			\$
Source:		\$	Education Expenses:
			\$
Sub-Total:		\$	Insurance (car, health):
			\$
\$ 200 received monthly in food stamps		Medical Expenses:	\$
Total Income, lines 3 (take home pay) and 4:		\$ 400	Sub-Total:
			\$ 350
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$		\$
Checking Account Balance:	\$		\$
Savings Account Balance:	\$		\$
Auto #1 (Value less loan):	\$		\$
Auto #2 (Value less loan):	\$		\$
		Sub-Total:	\$
Home (Value less mortgage):	\$	8. My Other Debts with Monthly Payments:	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
		Sub-Total:	\$
Total Household Assets:		\$	Total Household Expenses and Debts, lines 6, 7, and 8:
			\$ 350
Date: 3-30-12		Signature: _____	

MAR 30 2012

FILED *WJ*

**Superior Court of Washington In and
For the County of Benton**

Petitioner/Plaintiff,
vs. _____
Respondent/Defendant.

No. 12-3-00314-0

**Order Re Waiver of Filing Fees and
Surcharges**

- Granted (ORPRFP)
- Denied (ORDYMT)
- Clerk's Action Required 3.1
 - Anti-Harassment
 - Dissolution
 - Parenting Class
 - Other _____

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
- petitioner/plaintiff respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes \$30 Judicial Stabilization surcharge.

The filing fee for most Domestic and Family Law cases is \$280, which includes \$200 filing fee, \$20 facilitator surcharge, \$30 DV fee, and \$30 Judicial Stabilization surcharge.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or

VLU * *Elma* *120* *D* APPENDIX 000087

- has household income at or below 125% of the federal poverty guideline; and/or
- has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
- the grounds for the action are meritorious and not frivolous.

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

- 3.1 The motion is granted, and
- All filing fees and surcharges, the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief, are waived.
 - The \$200 filing fee shall be waived
 - The \$20 facilitator surcharge shall be waived
 - The \$30 DV fee shall be waived
 - The \$30 Judicial Stabilization surcharge shall be waived
 - The \$53 Anti-Harassment filing fee shall be waived
 - The parenting class fee shall be waived.
 - The parenting class fee shall be paid on the sliding fee scale.
 - Shall be reviewed at the time of entry of final decree herein.
 - Other: _____

3.2 The motion is denied and all appropriate filing fees shall be paid when the case is filed.

The motion is denied and all appropriate filing fees shall be paid with monthly payments of \$ _____ starting _____, 201__.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 3/30/12

Judge Commissioner

Presented by:

Signature of Party or Lawyer/CPA No. _____

Print or Type Name

3-30-12
Date

FILED
FRANKLIN CO CLERK
2011 MAY 31 A 11:49
MICHAEL J. KILLIAN
BY *JK* DEPUTY

Superior Court of Washington
County of Franklin

_____ Petitioner	No. 11 3 50172-4
vs.	MOTION & ORDER TO PROCEED IN FORMA PAUPERIS (ORPRFP)
_____ Respondent	

MOTION

Petitioner moves the Court for an order permitting petitioner to proceed without payment of the filing fee. Attached is a Financial Statement in support of this motion. Petitioner states that the information contained in the Financial Statement is true and correct.

Dated: 5-25-11

SIGNATURE OF PETITIONER

ORDER

IT IS HEREBY ORDERED that:

- The petitioner is permitted to proceed without payment of the filing fee as set forth below. The petitioner shall be required to pay the \$20.00 facilitator surcharge at the time of filing.
 - No payment shall be required except the \$20.00 facilitator surcharge. (1508)
 - Shall be paid prior to the entry of the final Decree herein. (1103)
 - Shall be paid within _____ days. (1103)
 - Shall be reviewed at the time of entry of the final Decree herein. *for order*
 - Waiver of Parenting Class Fee.
 - Monthly payments of \$_____. (1103)
 - Reduction of Parenting Class Fee to \$_____.

The Motion to Proceed in Forma Pauperis is denied. The filing fee shall be paid in full when the case is filed.

Dated this 31 day of May, 2011.

Presented by:

SIGNATURE OF PETITIONER

JUDGE/COURT COMMISSIONER

FINANCIAL STATEMENT IN SUPPORT OF MOTION AND ORDER TO PROCEED IN FORMA PAUPERIS

3.1 GENERAL INFORMATION

(a) Name: _____ (a) Spouse's Name: N/A
 (b) Address: _____ (b) Address: _____
 (c) Telephone #: _____ (c) Telephone #: _____
 (d) Date of Birth: _____ (d) Date of Birth: _____

3.2 FAMILY INFORMATION

(a) Persons whom you financially support: Spouse Children Other
 (b) List names, ages, relationship, and address (if different from yours):
 _____ 13 YRS _____ 9 YRS
 _____ 18 YRS _____
 _____ 16 YRS _____
 _____ 12 YRS _____

3.3 EMPLOYMENT INFORMATION

(a) Are you presently employed? Yes No (a) Is your spouse presently employed? Yes No
 (b) Name and address of employer: _____ (b) Name and address of spouse's employer: _____

 (c) Length of Employment: _____ (c) Length of Employment: _____
 (d) Occupation: _____ (d) Occupation: _____
 (e) Other source(s) of Income: _____ (e) Other source(s) of Income: _____

3.4 INCOME AND ASSETS

(a) Gross monthly income (personal): 850
 (b) Gross monthly income (spouse): N/A
 (c) Savings Accounts: none
 (d) Checking Accounts: none
 (e) Stocks & Bonds: none
 (f) Cash: none
 (g) Vehicles/boats/RVs: _____
 (h) Home equity (sale value less amount owing): _____
 (i) Other: Food Stamps 664.00
 TOTAL ASSETS: 1514.00

3.5 EXPENSES AND DEBTS

(a) Monthly living expenses (itemize):
 Rent/House Payment: 201
 Food: 664.00
 Utilities: 210.00
 Transportation: 125
 Medical Insurance: _____
 Dental Insurance: _____
 Other: House Supplies 50.00
 (b) Debts:

Name of Creditor	Amount Owed
<u>Car Payment</u>	<u>300.00</u>
<u>Car Insurance</u>	<u>100.00</u>
TOTAL OBLIGATIONS:	<u>1650.00</u>

Under penalty of perjury, I declare that I have examined this document and the preceding information is true and accurate to the best of my knowledge and ability.

Dated: 5-25-11

 SIGNATURE OF PETITIONER

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR FRANKLIN COUNTY - DOMESTIC DOCKET

CASE NO: 11-3-50172-4 JUDGE:
DAY: MON REPORTER: ADAMS, KING, LANG, McLAUGHLIN, MUNOZ, PELLETIER
DATE: 09/12/2011 CLERK: MARIA AGUILAR
TIME: 9:19/9:32 INTERPRETER:
TITLE: VS.

FR

NOTED FOR: DECREE OF DISSOLUTION *FEE REVIEW*

PLA PRES / NP, REP PRO SE pd. Provided receipt
DEF PRES / NP, REP

THIRD PART

ARGUMENT IN SUPPORT OF MOTION

ARGUMENT IN OPPOSITION OF MOTION BY

ARGUMENT IN REBUTTAL BY

ARGUMENT IN SURBUTTAL BY

CONT TO _____ FOR _____ BY _____ PLA _____ DEF _____ CRT _____ FTA

STRICKEN BY _____ PLA _____ DEF _____ CRT _____ FTA

THE COURT GRANTED / DENIED MOTION / PETITION FOR:

ORDER / JUDGMENT / DECREE SIGNED IN OPEN COURT: _____

ORDER TO BE SIGNED WHEN PRESENTED: _____

AGREED ORDERS SIGNED BY CRT. NO HRG HELD TAKEN UNDER ADVISEMENT _____

FINALS ORDERS SIGNED EX-PARTE UPON PRESENTATION BY COURT FACILITATOR _____

COURT FACILITATOR PRESENTS FINALS ORDERS TO COURT AFTER REVIEW _____

PARENTING SEMINAR TO BE COMPLETED BY: PET / RSP

STATEMENT BY THE COURT: parties to pay in full.

DOB: _____ FTA BW TO ISSUE \$ _____ CASH BAIL TO OSE
RE-ISSUE WARRANT, SUPERSEDING PREV WARRANT
REFERENCE: 37

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SUPERIOR COURT OF WASHINGTON FOR FRANKLIN COUNTY	
	Plaintiff/Petitioner,
vs.	
	Defendant/Respondent.

FILED
FRANKLIN CO CLERK

1 2011 MAR -8 1 P 1: 05 1

MICHAEL J. KILLIAN

NO. BY EK DEPUTY

11 3 50066 3
MOTION & ORDER TO
PROCEED IN FORMA PAUPERIS
(ORPRFP)

MOTION

Petitioner moves the court for an order-permitting petitioner to proceed without payment of the filing fee. Attached is a Financial Statement in support of this motion. Petitioner states that the information contained in the Financial Statement is true and correct.

Dated: 03-08-11

Signature of Petitioner

ORDER

IT IS HEREBY ORDERED that:

- The petitioner is permitted to proceed without payment of the filing fee as set forth below. The petitioner shall be required to pay the \$20.00 facilitator surcharge at the time of filing. Payment of Filing fee:
 - No payment required (except the \$20.00 facilitator surcharge). 1508
 - Shall be paid prior to entry of final decree herein. 1103 (FW)
 - Shall be paid within _____ days. 1103 (FW)
 - Shall be reviewed at the time of entry of final decree herein. (FW)
 - Waiver of Parenting Class Fee.
 - Monthly payment of \$ _____ 1103 (FW)
 - Reduction of Parenting Class Fee \$ _____.

The motion to proceed in forma pauperis is denied. The filing fee shall be paid when the case is filed.

DATED this 8 day of March, 2011.

Presented by: _____

JUDGE/COURT COMMISSIONER

Signature of Petitioner _____

FAILURE TO PROCEED WITH THIS ACTION (FAILURE TO APPEAR AT HEARING) MAY RESULT IN AN ORDER AND JUDGMENT REQUIRING THE PETITIONER TO PAY THE FILING FEE AND SERVICE COSTS.

2

1 FINANCIAL STATEMENT IN SUPPORT OF MOTION AND ORDER TO PROCEED IN FORMA PAUPERIS

2 3.1 GENERAL INFORMATION

3 (a) Name: _____ (a) Spouse's Name: _____
4 (b) Address: _____ (b) Address: _____
5 (c) Telephone #: _____ (c) Telephone #: _____
6 (d) Date of Birth: _____ (d) Date of Birth: _____

7 3.2 FAMILY INFORMATION

8 (a) Persons whom you financially support: [] Spouse [X] Children [] Other
9 (b) List names, ages, relationship and address if different from yours:

2 years
7 years

10 3.3 EMPLOYMENT INFORMATION

11 (a) Are you presently employed: [X] Yes [] No (a) Is spouse presently employed: [] Yes [] No
12 (b) Name & address of employer: _____ (b) Name & address of spouse's employer: _____
13 (c) Length of Employment: _____ (c) Length of Employment: _____
14 (d) Occupation: cashier (d) Occupation: _____
15 (e) Other Source of income: _____ (e) Other source of income: _____

(Grocery store)

16 3.4 INCOME AND ASSETS

17 (a) Gross monthly income (personal) 1200 to 1400
18 (b) Gross monthly income (spouse) _____
19 (c) Savings Accounts Ø
20 (d) Checking Accounts _____
21 (e) Stocks & Bonds _____
22 (f) Cash _____
23 (g) Vehicles/boats/RV/motorcycles Ø
24 (h) Home equity (sale value less amount owing) Ø
25 (i) Other _____

3.5 EXPENSES AND DEBTS

(a) Monthly living expenses (itemize):
Rep House Payment 635.00
Food 400
Utilities Electricity 150.00
Transportation 195.00
Insurance _____
Medical & Dental _____
Other Subsister \$600.00 a month
Phone 70¢ Cable 40.00
(b) Debts:
Name of Creditor _____ Amount Owed _____

26 TOTAL ASSETS: _____

TOTAL OBLIGATIONS: _____

27 OTHER: _____

28 UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS DOCUMENT AND THE PRECEDING INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND ABILITY.

03-08-11
DATE

SIGNATURE

Court transcript proceedings
8/22/2011Hearing

Transcript of the first hearing to help
issues with the filing fee. CP=

get her final papers entered due to
and KC =

CP: Ms. as I look at this it says I've made some notes there's a reference to a
December 2011 protection order so obviously that's incorrect because we haven't gotten
to Dec 2011.

KC: Yes there was a criminal no contact issued in 2010.

CP: So yeah that needs to be corrected. I indicated something about his property but I
can't read my own writing. And the filing fee looks like it needs to get paid.

KC: So the finances circumstances haven't changed at all of these parties.

CP: Yeah it looks to me like she earns \$10.50 an hour is that right almost full time and
\$700 and something in CS?

KC: I think its \$470 isn't it?

CP: Okay it might be that, but I can't ask the Franklin County tax payers to pay this when
she's got some funds to pay it.

KC: So she needs to pay the full filing fee?

CP: Yes

KC: Okay which is \$250?

CP: Um what has she paid so far? What was signed was a review it at the end of the
period when there's more financial information that whoever signs doesn't have at the
time when she applies and so now it says review it at the end of entry no payment except
the \$20 shall be paid at the time of filing and I can't tell if she's even paid that.

Clerk: There's only \$20 that has been paid.

CP: Okay \$20 has been paid so she owes \$260. But there was still something?? The
entire time I was back there, people were back there talking to me. Parenting class has
been taken. Then there's nothing under property awarded to either party so at a minimum
if they have no property it needs to indicate that they don't have any property to award.

KC: Do you want me to make those corrections your honor and then give them back to you?

CP: And get the filing fee paid then I will sign them.

KC: So she will not sign....

CP: So what?

KC: You want the filing fee paid before you will sign?

CP: Yes. So if that is paid today I will sign today. If she needs some time to get those funds together she can re-note it.

KC: Would you be willing to sign the parenting plan at this time?

CP: Sure. When is she going to note it up?

K: Well I'm going to talk to her now to see about her ability to pay.

CP: Otherwise it will be dismissed and the parenting plan will become void in 30 days.

KC: Okay, thank you.

Court transcript proceedings
of 9/12/2011

This transcript is a conversation between Commissioner and Counsel at the bench. Ms. 's comments are inaudible because there was no microphone picking up her comments. CP = , and KC=

CP: It says she receives....I don't know why you signed that because it doesn't say what her assets are or her obligations are or what the other person are.

KC: Inaudible

CP: She gets food stamps? Could we have it quieter please?

KC: Inaudible

CP: She has an \$80 phone bill for what reason? Wow can you ask her? Rosie could you inquire about the phone bill? Why she has such a high phone bill?

KC: Inaudible

CP: Does she have a cell phone or a land line? And why doesn't she have a land line?

KC: Inaudible

CP: Well I do too, but I can pay for it and I can pay my fees.

KC: Inaudible

CP: I recognize that but when they have other expenses they are meeting its hard for me to have the taxpayers pay their bills. I'll sign it but I'm not very happy that she has an \$80 cell phone and most indigent people can't afford a cell phones. Why doesn't she get a free cell phone?

KC: Inaudible.

CP: I get that but she has an \$80 cell phone and she can get one at no cost at all and go along ways to pay the fees for this.

KC: Inaudible

CP: Oh goodness.

KC: Inaudible.

CP: Absolutely there is I think its out of Verizon – Google it. It doesn't make me very happy when people have these cell phones and all of them were marked off.

KC: Inaudible

CP: Absolutely government gives free cell phones away to indigent people.

**Superior Court of Washington
For Cowlitz County**

No. _____

Petitioner/Plaintiff,
vs

Respondent/Defendant.

**Order Re Waiver of Filing Fees and
Surcharges**

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes \$30 Judicial Stabilization surcharge.

The filing fee for most Domestic and Family Law cases is \$280, which includes \$200 filing fee, \$20 facilitator surcharge, \$30 DV fee, and \$30 Judicial Stabilization surcharge.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

All filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

The \$200 filing fee shall be paid

The \$200 filing fee shall be ~~waived~~ *deferred*.

The \$20 facilitator surcharge shall be paid

The \$20 facilitator surcharge shall be waived

The \$30 DV fee shall be paid

The \$30 DV fee shall be waived

The \$30 Judicial Stabilization surcharge shall be paid

The \$30 Judicial Stabilization surcharge shall be waived

other: The waiver granted above is subject to review.
The waiver may be rescinded and the fee imposed.

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 10/10/11

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

10-7-11
Date

Superior Court of Washington
For Cowlitz County

No. _____

Petitioner/Plaintiff,

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

Respondent/Defendant.

Dissd \$20.00

I. Motion

- 1.1 I am the petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1 GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: Oct 7, 2011

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Kelso, (state) wa on (date) OCT 7, 2011.

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is: _____			
2. <input checked="" type="checkbox"/> I provide support to people who live with me: How many? <u>2</u> Age(s): <u>9, 14</u>			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input checked="" type="checkbox"/> Unemployed []		Rent/Mortgage:	\$ <u>1100.00</u>
Employer's Name: _____		Food/Household Supplies:	\$ <u>200.00</u>
Gross pay per month (salary or hourly pay):	\$ <u>2096.00</u>	Utilities:	\$ <u>230.00</u>
Take home pay per month:	\$ <u>1400.00</u>	Transportation:	\$ <u>500.00</u>
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ _____
Source:	\$ _____	Ordered Child Support actually paid:	\$ _____
Source:	\$ _____	Clothing:	\$ _____
Source:	\$ _____	Child Care:	\$ <u>200.00</u>
Source:	\$ _____	Education Expenses:	\$ _____
Sub-Total:		Insurance (car, health):	\$ <u>80.00</u>
<input checked="" type="checkbox"/> I receive food stamps.		Medical Expenses:	\$ <u>130.00</u>
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	\$ <u>2440.00</u>
			\$ <u>1400.00</u>
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ <u>0</u>		\$ _____
Checking Account Balance:	\$ <u>0</u>		\$ _____
Savings Account Balance:	\$ <u>0</u>		\$ _____
Auto #1 (Value less loan):	\$ _____		\$ _____
Auto #2 (Value less loan):	\$ _____	Sub-Total:	\$ _____
Home (Value less mortgage):	\$ _____	8. My Other Debts with Monthly Payments:	
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____	Sub-Total:	\$ _____
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	
\$ <u>1400.00</u>		\$ <u>2440.00</u>	
Date: <u>Oct 7, 2011</u>		Signature: _____	

FILED
SUPERIOR COURT

2012 MAR -6 P 2:21

COWLITZ COUNTY
BEVERLY R. LITTLE, CLERK

[Signature]

Superior Court of Washington
For Cowlitz

No. 12 3 00151 5

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

**Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)**

I. Motion

- 1.1 I am the petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 02/09/12

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 — In addition to the information in the financial statement I would like the court to consider the following:

I am a Stay at Home Mother to my sons. My youngest
is Special Needs and requires 24hr care, so I can not work.
Their father _____ : does not help me with any financial
help for the boys. The boys and I live on \$628 in SSI a month
and \$385 in TANF

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Kelso, (state) WA on (date) 02/09/12.

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement (Attachment)				
1. My name is: _____				
2. <input checked="" type="checkbox"/> I provide support to people who live with me: How many? <u>2</u> Age(s): <u>6, 4</u>				
3. My Monthly Income:		6. My Monthly Household Expenses:		
Employed <input type="checkbox"/>	Unemployed <input checked="" type="checkbox"/>	Rent/Mortgage:	\$ <u>236</u>	
Employer's Name: _____		Food/Household Supplies:	\$ <u>396</u>	
Gross pay per month (salary or hourly pay):	\$ _____	Utilities:	\$ <u>80</u>	
Take home pay per month:	\$ _____	Transportation:	\$ <u>—</u>	
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ <u>0</u>	
Source:	<u>SSI</u>	\$ <u>628</u>	Ordered Child Support actually paid:	\$ <u>0</u>
Source:	<u>TANF</u>	\$ <u>385</u>	Clothing:	\$ <u>50</u>
Source:		\$ _____	Child Care:	\$ <u>0</u>
Source:		\$ _____	Education Expenses:	\$ <u>0</u>
Sub-Total:		\$ <u>1013</u>	Insurance (car, health):	\$ <u>0</u>
<input checked="" type="checkbox"/> I receive food stamps.			Medical Expenses:	\$ <u>0</u>
Total Income, lines 3 (take home pay) and 4:		\$ <u>1013</u>	Sub-Total:	\$ <u>712</u>
5. My Household Assets:		7. My Other Monthly Household Expenses:		
Cash on hand:	\$ <u>10.00</u>	<u>Diapers</u>	\$ <u>50.00</u>	
Checking Account Balance:	\$ <u>10.00</u>	<u>Phone</u>	\$ <u>155.00</u>	
Savings Account Balance:	\$ <u>5.00</u>	<u>Cell</u>	\$ <u>75.00</u>	
Auto #1 (Value less loan):	\$ _____		\$ _____	
Auto #2 (Value less loan):	\$ _____	Sub-Total:	\$ <u>280.00</u>	
Home (Value less mortgage):	\$ _____	8. My Other Debts with Monthly Payments:		
Other:	\$ _____		\$ _____ /mo	
Other:	\$ _____		\$ _____ /mo	
Other:	\$ _____		\$ _____ /mo	
Other:	\$ _____		\$ _____ /mo	
Other:	\$ _____	Sub-Total:	\$ _____	
Total Household Assets:		\$ <u>25.00</u>	Total Household Expenses and Debts, lines 6, 7, and 8:	\$ <u>992.00</u>
Date: <u>02/09/12</u>		Signature: _____		

Unofficial Copy

FILED
SUPERIOR COURT

2012 MAR -6 P 2:21

COWLITZ COUNTY
BEVERLY R. LITTLE, CLERK

BY *[Signature]*

Superior Court of Washington
For Cowlitz County

No. 12 3 00151 5

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

Order Re Waiver of Filing Fees and
Surcharges

Granted (ORPRFP) *Disso \$280⁰⁰*
 Denied (ORDYMT)
 Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff [] respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes \$30 Judicial Stabilization surcharge.

The filing fee for most Domestic and Family Law cases is \$280, which includes \$200 filing fee, \$20 facilitator surcharge, \$30 DV fee, and \$30 Judicial Stabilization surcharge.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

All filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

The \$200 filing fee shall be paid
 The \$200 filing fee shall be waived

The \$20 facilitator surcharge shall be paid
 The \$20 facilitator surcharge shall be waived 1508

The \$30 DV fee shall be paid
 The \$30 DV fee shall be waived

The \$30 Judicial Stabilization surcharge shall be paid
 The \$30 Judicial Stabilization surcharge shall be waived

other: The waiver granted above is subject to review.
The waiver may be rescinded and the fee imposed.

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 10 Feb 2012

Judge/Commissioner

Presented by:

X
Signature of Party or Lawyer/WSBA No. _____

X
Print or Type Name _____ Date 02/09/12

FILED

COWLITZ COUNTY SUPERIOR COURT
BEVERLY R. LITTLE
COUNTY CLERK
KELSO WA

12-3-00151-5

Rcpt. Date	Acct. Date	Time
03/06/2012	03/06/2012	02:24

Receipt/Item #	Tran-Code	Docket-#
2012-01-01397/01	1508	#FFR

Cashier: JLK

Paid By:	✓
Transaction Amount:	\$21

Unofficial Copy

COPY
Original Filed

MAY 27 2011

Scott G. Weber, Clerk, Clark Co.

COPY
Original Filed

MAY 26 2011

Scott G. Weber, Clerk, Clark Co.

Superior Court of Washington
For Clark County

No. 11 3 01255 4

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

**Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(QLSP Filing)
(MTAF)**

I. Motion

On behalf of the petitioner/plaintiff respondent/defendant, I am asking for a waiver of all filing fees and surcharges.

I base this motion on GR 34(a) and the declaration, below.

Dated: 5/25/11

II. Declaration

I declare that,

- 2.1 I represent the petitioner/plaintiff respondent/defendant.
- 2.2 I am an attorney working with Northwest Justice Project, which is a Qualified Legal Services Provider (QLSP) as defined by the Washington State Bar Association in APR 8(e)(2).
- 2.3 I am working with the QLSP as an:
 - attorney employed by the QLSP, or
 - attorney working in conjunction with the QLSP.
- 2.4 The QLSP screened the petitioner/plaintiff respondent/defendant and found the filigant eligible for free civil legal aid services.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope for timely return of a conformed copy of the order.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Vancouver, (state) WA on (date) 5/25/11.

FILED

2011 MAY 27 AM 10: 04

SCOTT G. WEBER, CLERK
CLARK COUNTY

Superior Court of Washington For Clark County

Petitioner/Plaintiff, vs.

Respondent/Defendant.

No. 11 3 01255 4

Order Re Waiver of Civil Filing Fees
and Surcharges
 Granted (ORPRFP)
 Denied (ORDYMT)
 Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - other: _____

2.2 [] The moving party is not indigent.

2.3 [] Other: _____

III. Order

Based on the findings the court orders:

3.1 [X] The motion is granted, and

[X] all filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived, *except Facultative surcharge*

[X] other: _____
Fees are to be recovered at time of
filing of Final Order.

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 8/26/11

Judge/Commissioner

Presented by: _____

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**COPY
ORIGINAL FILED
JUN 06 2011**

Scott G. Weber, Clerk, Clark Co.

Hearing Date: June 24, 2011
Without Oral Argument

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR CLARK COUNTY**

No. 11-3-01255-4

Petitioner,

v.

Respondent.

**DECLARATION OF
IN SUPPORT OF
PETITIONER'S MOTION FOR
RECONSIDERATION**

I, _____, declare as follows:

1. I am the petitioner named in the above-entitled action. I make this declaration based upon personal knowledge of which I am competent to testify.
2. I am married to _____, although we have since separated. I have three sons: J.C. (16 years old), B.C. (12 years old) and J.K. (2 years old). _____ the father of J.K.
3. I am seeking a divorce to protect myself and J.K. from my husband. My relationship with my husband has been abusive and I have been subjected to many forms of

**DECLARATION OF
IN SUPPORT OF PETITIONER'S MOTION
FOR RECONSIDERATION - 1**

**Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000
APPENDIX 000066**

1 domestic violence from him over the years. On May 3, 2011, I secured a one-year domestic
2 violence protective order against my husband.

3
4 4. Northwest Justice Project is helping me with my dissolution case. On May
5 26, 2011, Northwest Justice Project attempted to file my Petition for Dissolution along with
6 a motion asking the court to waive the fees related to my filing.
7
8

9
10 5. I cannot afford to pay any filing fees or surcharges. J.K. recently suffered
11 from stage four neuroblastoma (a type of brain cancer) and he is now severely disabled. He
12 is blind, unable to move well or speak and is fed through a feeding tube. I provide 24-hour
13 care for J.K. and I cannot work outside the home without jeopardizing his health. My
14 monthly income consists of \$200 in social security benefits that I receive for J.K..
15
16

17
18 6. On or around May 26, 2011, one of the attorneys with Northwest Justice
19 Project informed me that a judge had granted the motion, but did not waive a twenty dollar
20 surcharge fee. The attorney told me that if I did not pay the twenty dollar fee by the
21 following day then the court was going to shred my documents and refuse to file my case.
22
23

24
25 7. I did not have twenty dollars to pay this fee, but I was afraid to delay filing
26 my petition for dissolution because I do not have confidence that the domestic violence
27 protective order can adequately protect me or J.K. until my marriage is dissolved. I am
28 afraid of my husband; recently, I have been sexually assaulted and falsely imprisoned by
29 him.
30
31

32
33 8. Based on the clerk's statement that she would shred my documents unless I
34 paid the fee, I felt that I had no choice but to borrow the money. I knew that I did not have
35 the means to pay back the twenty dollars, but I felt that I did not have any other option.
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1 9. I gave the money to Northwest Justice Project to submit to the court so that I
2
3 could move forward with my petition for dissolution of my marriage. My petition for
4
5 dissolution was filed on May 27, 2011.
6

7 **I declare under penalty of perjury under the laws of the**
8 **State of Washington that the foregoing is true and correct.**
9

10 EXECUTED at Vancouver, Washington this 6th day of June, 2011.
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**COPY
ORIGINAL FILED
JUN 06 2011**

Scott G. Weber, Clerk, Clark Co.

Hearing Date: June 24, 2011
Without Oral Argument

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR CLARK COUNTY**

Petitioner,

v.

Respondent.

No. 11-3-01255-4

**DECLARATION OF
IN SUPPORT OF
PETITIONER'S MOTION FOR
RECONSIDERATION**

I, _____, declare as follows:

1. I am a legal assistant with Northwest Justice Project. I make this declaration based upon personal knowledge of which I am competent to testify.

2. On May 26, 2011, I brought a form Order Re Waiver of Civil Filing Fees and Surcharges to ex parte for signature. The order related to a Motion and Declaration for Waiver of Civil Filing Fees and Surcharges that Northwest Justice Project was presenting on behalf of _____.

3. When I attempted to file the order with the Clerk's Office, the clerk informed me that although the Judge had signed the order, he had ordered that Ms. _____ pay a

**DECLARATION OF
IN SUPPORT OF PETITIONER'S MOTION
FOR RECONSIDERATION - 1**

**Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000**

1 \$20 fee before the case could be filed and that any fees waived should be reviewed at the
2 time of final orders and before the case was closed. The clerk conveyed that she would keep
3 the originals of the motion and declaration and the order and explained that we had until
4 4:30 p.m. the following day to pay the \$20 fee or the documents would be shredded.
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7
8 4. Upon returning to the office, I conveyed this information to one of the
9 attorneys at Northwest Justice Project.
10

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12
13 **I declare under penalty of perjury under the laws of the**
14 **State of Washington that the foregoing is true and correct.**

15 EXECUTED at Vancouver, Washington this 6th day of June, 2011.
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DECLARATION OF ()
IN SUPPORT OF PETITIONER'S MOTION
FOR RECONSIDERATION - 2

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000
APPENDIX 000070

FILED
KITSAP COUNTY CLERK
2011 APR 13 PM 3:44
DAVID W. PETERSON

Superior Court of Washington County of Kitsap	
_____	Petitioner/Plaintiff,
vs/and	
_____	Respondent/Defendant.

No. 11 3 00486 0
**Order Re Waiver/Deferral of Civil
Filing Fees and Surcharges**
 Granted (ORPRFP)
 Denied (ORDYMT)
 Clerk's Action Required 3.1

I. Basis

The court received the motion to waive or defer payment of filing fees and surcharges filed by or on behalf of the requesting party.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The requesting party is indigent based on the following: He or she:
 - receives benefits from one or more needs-based, means-tested assistance programs (TANF, GA-U, GA-X, SSI, food stamps, poverty-related veteran's benefits, etc.) and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - other: _____
- 2.2 The requesting party is not indigent, but is seeking to defer payment of said fees and surcharges, either by paying said fees and surcharges in monthly installments and/or by paying the filing fee and applicable surcharges in full before the entry of a final Order, Judgment, or Decree, in order to secure access to judicial relief.

EX PARTE

32

COPY
ORIGINAL FILED
AUG 23 2011
THOMAS R. FALLQUIST
SPOKANE COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR SPOKANE COUNTY	
In Re the Parenting and Support of:	
Child,	
Petitioner,	
and	
Respondent.	

No. 11302065-5

**Order Re Waiver of Civil Filing Fees
and Surcharges**
 Granted (ORPRFP)
 Denied (ORDYMT)
[X] Clerk's Action Required 3.1

I. BASIS

The Court received the motion to waive filing fees and surcharges filed by or on behalf of the Petitioner.

II. FINDINGS

The Court reviewed the motion and supporting declaration(s) Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or

- has household income at or below 125% of the federal poverty guideline; and/or
- has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
- other: _____

2.2 The moving party is not indigent.

2.3 Other: _____

III. ORDER

Based on the findings, the Court orders:

3.1 The motion is granted, and

all filing fees and surcharges, the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief, are waived. *except*

The Petitioner shall pay:

- | | | |
|-------------------------------------|----------------------------|----------|
| <input checked="" type="checkbox"/> | Facilitator Fee | \$20 |
| <input type="checkbox"/> | DV Surcharge | \$30 |
| <input type="checkbox"/> | Clerk's Filing Fee | \$ _____ |
| <input type="checkbox"/> | Court Facilitator User Fee | \$ _____ |

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the Court or the moving party.

If the motion was granted and the Court, upon review, later finds that either the Petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

- 3.4 The fees shall be paid:
- At the time the final decree is entered.
 - No later than _____.
- 3.5 The Petitioner shall request in their Petition and motion for temporary orders that the Respondent pay the filing fee.
- 3.6 This is a joint petition. Respondent shall pay the filing fee prior to entry of the final orders. A judgment for the filing fee will be entered against the Respondent, if payment is not received when the final orders are entered.

Dated: 5/23/11

COURT COMMISSIONER

Judge/Commissioner

Presented by:

Attorney for Petitioner

FILED

MAR 23 2011

THOMAS R. FALLQUIST
SPOKANE COUNTY CLERK

Superior Court of Washington
For Spokane County

No. **11300771-3**

Petitioner/Plaintiff,

Respondent/Defendant.

Order Re Waiver of Civil Filing Fees and
Surcharges

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

2.1 The moving party is indigent based on the following: He or she:

is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or

receives benefits from one or more needs-based, means-tested assistance programs; and/or

has household income at or below 125% of the federal poverty guideline; and/or

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

3.1. The motion is granted, and

all filing fees and surcharges, the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief, are waived.

The Petitioner shall pay:

<input checked="" type="checkbox"/> Facilitator Fee	\$20
<input type="checkbox"/> DV Surcharge	\$30
<input type="checkbox"/> Clerk's Filing Fee	\$ _____
<input type="checkbox"/> Court Facilitator User Fee	\$ _____

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

3.4 The fees shall be paid:
 At the time the final decree is entered.
 No later than _____.

3.5 The Petitioner shall request in their Petition and motion for temporary orders that the Respondent pay the filing fee.

3.6 This is a joint petition; respondent shall pay the filing fee prior to entry of the final orders. A judgment for the filing fee will be entered against the respondent, if payment is not received when the final orders are entered.

Dated: 3/23/11

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

FILE

MAY 2 2011

SONYA L. ...
SNOHOMISH COUNTY CLERK
EX-OFFICIO CLERK OF COURT

SUPERIOR COURT OF WASHINGTON
FOR SNOHOMISH COUNTY

No. **11 3 01299 1**

Petitioner,
vs.
Respondent.

Order Re Waiver of Civil Filing Fees
and Surcharges
 [] Granted (ORPRFP)
 [] Denied (ORDYMT)
 [X] Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

2.1 The moving party is indigent based on the following: He or she:

- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
- receives benefits from one or more needs-based, means-tested assistance programs; and/or
- has household income at or below 125% of the federal poverty guideline; and/or

Order re Civil Fee Waiver (ORPRFP, ORDYMT)
WPF GR 34.0500 (2/2011) - GR 34 - Page 1 of 3

Northwest Justice Project
2731 Wetmore Avenue, Suite 410
Everett, Washington 98201
Phone: (425) 252-8515 Fax: (425) 252-5945

ORIGINAL

1 [] has household income above 125% of the federal poverty guideline
2 but cannot meet basic household living expenses and pay the fees
3 and/or surcharges; and/or

4 [] other: _____
5 _____
6 _____

7 2.2 [] The moving party is not indigent.

8 2.3 [] Other: _____
9 _____
10 _____
11 _____

12 iii. Order

13 Based on the findings the court orders:

14 3.1 The motion is granted ^{in part} and

15 [] all filing fees and surcharges the payment of which is a condition
16 precedent to the moving party's ability to secure access to judicial
17 relief are waived.

18 other: the surcharges shall be paid
within 90 days.
the \$200 filing fee is waived
subject to later review before
entry of final orders

22 3.2 [] The motion is denied.

23 3.3 If there is a material change in financial circumstances, the ruling can be revisited
24 by the court or the moving party.

25 If the motion was granted and the court, upon review, later finds that either the
petitioner or another responsible party to this proceeding has sufficient resources
to pay the waived filing fees or surcharges, the Court may modify this order and
require the moving party or another party to pay the filing fees and/or surcharges
that have been waived by this order.

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MAY 02 2011

Dated: _____

Judge/Commissioner

Presented by:

Attorney for Petitioner

Order re Civil Fee Waiver (ORPRFP, ORDYMT)
WPF GR 34.0500 (2/2011) - GR 34 - Page 3 of 3

Northwest Justice Project
2731 Wetmore Avenue, Suite 410
Everett, Washington 98201
Phone: (425) 252-6515 Fax: (425) 252-6943

84

FILED
12 JUN 26 AM 10:14
KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

Superior Court of Washington
For King County

12-3-04506-6 KNT

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

I. Motion

- 1.1 I am the petitioner/plaintiff [respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 6-25-2012

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Seattle, (state) WA on (date) 6/25/12.

Signature _____

Print or Type Name _____

Case Name: _____

Case Number: _____

Financial Statement (Attachment)			
1. My name is: _____			
2. <input type="checkbox"/> I provide support to people who live with me: How many? _____ Age(s): _____			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input checked="" type="checkbox"/> Unemployed <input type="checkbox"/>		Rent/Mortgage:	\$ 1,000.00
Employer's Name: _____		Food/Household Supplies:	\$ 350.00
Gross pay per month (salary or hourly pay):	\$ 1,100.00	Utilities:	\$ 300.00
Take home pay per month:	\$ 922.50	Transportation:	\$ 300.00
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ 0
Source:	\$	Ordered Child Support actually paid:	\$ 210.00
Source:	\$	Clothing:	\$ 30.00
Source:	\$	Child Care:	\$ 0
Source:	\$	Education Expenses:	\$ 0
Sub-Total:		Insurance (car, health):	\$ 40.00
		Medical Expenses:	\$ 0
<input type="checkbox"/> I receive food stamps.		Sub-Total: \$ 2290.00	
Total Income, lines 3 (take home pay) and 4:		\$ 922.50	
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ 0		\$
Checking Account Balance:	\$ 60.00		\$
Savings Account Balance:	\$ 0		\$
Auto #1 (Value less loan):	\$ 4,000		\$
Auto #2 (Value less loan):	\$	Sub-Total: \$ 0	
Home (Value less mortgage):	\$ 66,000	8. My Other Debts with Monthly Payments:	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total: \$ 0	
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	
\$ 70,060.00		\$ 2290.00	
Date: 10-25-2012		Signature: _____	

EXP04

FILED

12 JUN 26 AM 10:14

KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

Superior Court of Washington	
For King County	
_____	Petitioner/Plaintiff,
_____	Respondent/Defendant.

No. 12-3-04506-6 KNT

Order Re Waiver of Civil Filing Fees and Surcharges
 Granted (ORPRFP)
 Denied (ORDYMT)
 Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff [] respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

2.1 The moving party is indigent based on the following: He or she:

[] is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or

[] receives benefits from one or more needs-based, means-tested assistance programs; and/or

has household income at or below 125% of the federal poverty guideline; and/or

[] has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: Rebecca is working out time, and
Her family assisted.

2.2 [] The moving party is not indigent.

2.3 [] Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

all filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

other: Prior to entry of the final Pleadings
being entered as to whether or not
Relitiner should pay filing fee.

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 6/25/12

Judge/Commissioner _____

Presented by:

Signature of Party or Lawyer/vsBA No. _____

Print or Type Name _____ Date 6/25/12

FILED

KING COUNTY SUPERIOR COURT
BARBARA HINER
DIRECTOR & SUPERIOR CT CLERK
SEATTLE WA

12-3-04506-6

Rept. Date 11/30/2012
Acct. Date 12/03/2012
Time 02:08 PM
Receipt/Item # 2012-08-06515/01
Trans-Code 1103
Docket-Code #FFR
Cashier: JSS

Paid By:
Transaction Amount: \$270.00

FILED

12 NOV 30 PM 2:08

KING COUNTY
SUPERIOR COURT CLERK
KENT, WA

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
COUNTY OF KING

Petitioner/Plaintiff,

vs

Respondent/Defendant,

NO: 12-3-04506-6 Knt

Notice of Filing Fee Received

- Appeal to Appellate Court (JRS-1116) (\$AFF)
- Arbitration (JRS-1112) (\$FFR)
- Misc. Filing Fee Received (JRS-varies) (\$FFR) *Dissolution*
- Non-Compliance Sanction (JRS-1552) (\$NCSR)
- Supplemental Proceedings (JRS-1114) (\$FFR)
- Unlawful Detainer- Answer/Show Cause (JRS-1136) (\$FFR)
- Warrant Fee Received & Issued (put in warrant status) (\$FFR)
- Writ, Subpoena, Citation, ect. (JRS-1110) (\$FFR)

Superior Court of Washington	
County of Kitsap	
_____	Petitioner/Plaintiff,
vs/and	
_____	Respondent/Defendant.

No. _____

Order Re Waiver/Deferral of Civil Filing Fees and Surcharges

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive or defer payment of filing fees and surcharges filed by or on behalf of the requesting party.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The requesting party is indigent based on the following: He or she:
 - receives benefits from one or more needs-based, means-tested assistance programs (TANF, GA-U, GA-X, SSI, food stamps, poverty-related veteran's benefits, etc.) and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - other: _____
- 2.2 The requesting party is not indigent, but is seeking to defer payment of said fees and surcharges, either by paying said fees and surcharges in monthly installments and/or by paying the filing fee and applicable surcharges in full before the entry of a final Order, Judgment, or Decree, in order to secure access to judicial relief.

- 2.3 The requesting party is not indigent, has not sought to defer payment of the filing fees and surcharges, and has the ability to pay the required filing fees and surcharges.

III. Order

Based on the findings the court orders:

- 3.1 The motion is granted, and the filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived today; however, **the court reserves the right to require payment of any and all fees and surcharges prior to finalization. If the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the requesting party or another party to pay the filing fees and surcharges that have been waived by this order prior to entering a final Order, Judgment, or Decree in this case.**
- 3.2 The motion to defer payment of the filing fees and surcharges is granted. The requesting party shall pay the filing fee and applicable surcharges as follows:
- in full before the entry of a final Order, Judgment, or Decree in this case.
 - in monthly installments of \$25 \$50 \$_____, beginning _____, and continuing until the fee and surcharges are paid in full. The Court reserves the right to require payment in full prior to entry of the final orders.
- 3.3 The motion to waive or defer payment of the filing fees and/or surcharges is denied.
- 3.4 If there is a material change in financial circumstances, the ruling can be revisited by the court or the requesting party.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Requesting Party or Lawyer/WSBA No.

Print or Type Name

Date

From: County Clerks [<mailto:COUNTYCLERKS@LISTSERV.COURTS.WA.GOV>]

Sent: Wednesday, June 15, 2011 2:33 PM

To: COUNTYCLERKS@LISTSERV.COURTS.WA.GOV

Subject: [COUNTYCLERKS] Payment of filing fees

This can either be answered at the convention or if you won't be there please respond to this question. I was called to a meeting with our Judge this morning who is working with us on how to collect more filing fees rather than doing so many waivers. He wants to perhaps start accepting payments until the fee is paid and the final decree entered or signed. We know there are a couple counties he has dealt with who do this, so I would like to know how many do and what are your procedures and how do you track the payments. Of course there is concern of the extra work load to do this and the time it will take when my staff is already over-whelmed and under-staffed. I really feel it is a good idea and would like to make it as easy as possible. With this GR 34 most all of the people in _____ County will qualify for waivers. The Judge made comment that some is better than none but as my bookkeeper pointed out we still have 1/2 filing fees in suspension as the other party never pd their 1/2 so the case never got finished and we still have the money on the books. That's another issue of what do you do? So.....if any of you can bring your policy to me at conference, I would REALLY appreciate it or.....if you're like me and may not keep track or remember to get it to me, go ahead and answer this way. Thanks. I will be out of the office as of noon tomorrow (Thursday) for the rest of the week and of course all next week. I may come in on Sat night to check for any responses. Have a great weekend and see most of you soon.

County Clerk

This e-mail has been sent to everyone in the COUNTYCLERKS@LISTSERV.COURTS.WA.GOV mailing list. To reply to the sender, click Reply. To reply to the sender and the mailing list, click Reply All.

You can remove yourself from this mailing list at any time by sending a "SIGNOFF COUNTYCLERKS" command to LISTSERV@LISTSERV.COURTS.WA.GOV.

FILED

2011 MAY 23 PM 4: 25

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH



Superior Court of Washington
In and For Snohomish County

Cause No. **11 3 01485 3**

(Insert Petitioner's/Plaintiff's Name Above)
Petitioner/Plaintiff,

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

(Insert Respondent's/Defendant's Name Above)
Respondent/Defendant.

I. Motion

- 1.1 I am the petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent

Dated: 5.23.11

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that:

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3

3.2 In addition to the information in the financial statement I would like the court to consider the following:

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Everett (state) WA on (date) 5.23.2011

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is: _____			
2. <input checked="" type="checkbox"/> I provide support to people who live with me: How many? <u>4</u> Age(s): <u>22yrs, 9yrs, 11, 37</u>			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed: Full time <input type="checkbox"/> Part time <input type="checkbox"/> Unemployed <input checked="" type="checkbox"/>		Rent/Mortgage:	\$ <u>420</u>
Employer's Name: _____		Housing/rent provided by other party <input type="checkbox"/> check if yes	
Dates of employment (to/from): _____		Food/Household Supplies:	\$ <u>Food Stamp</u>
Gross pay/month (salary or hourly pay):	\$ _____	Utilities (include cell phone):	\$ <u>152</u>
Take home pay per month:	\$ _____	Transportation:	\$ <u>30</u>
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ _____
Source:	\$ _____	Ordered Child Support paid:	\$ _____
Source:	\$ _____	Clothing:	\$ _____
Source:	\$ _____	Child Care:	\$ _____
Source:	\$ _____	Education Expenses:	\$ _____
Sub-Total:		Insurance (car, health):	\$ <u>62</u>
<input checked="" type="checkbox"/> I receive food stamps.		Medical Expenses:	\$ _____
<input checked="" type="checkbox"/> I receive SSI, SSD, GAU, AFDC, TANF or other government assistance: \$ <u>1624</u> /month		Other _____:	\$ _____
Total income, lines 3 (take home pay) and 4:		Sub-Total:	\$ <u>662</u>
Total income, lines 3 (take home pay) and 4:		\$ <u>888</u>	
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ <u>4</u>		\$ _____
Checking Account Balance:	\$ <u>0</u>		\$ _____
Savings Account Balance:	\$ <u>0</u>		\$ _____
Auto #1 (Value less loan):	\$ <u>1100</u>		\$ _____
Make/model:	<u>96 Plymouth Caravan</u>		\$ _____
Auto #2 (Value less loan):	\$ _____	Sub-Total:	\$ _____
Make/model:	_____		
Home (Value less mortgage):	\$ _____	8. My Other Debts with Monthly Payments:	
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____	Sub-Total:	\$ _____
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, & 8:	\$ <u>662</u>
Total Household Assets:		\$ <u>1104</u>	
Date: <u>5.23.11</u>		Signature: _____	

FILED

2011 MAY 23 PM 4:25

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH.



CL14837803

Superior Court of Washington
In and For Snohomish County

Cause No. **11 3 01485 3**

(Insert Petitioner's/Plaintiff's Name Above)

Petitioner/Plaintiff,

vs. (

(Insert Respondent's/Defendant's Name Above)

Respondent/Defendant.

Order Re Waiver of Civil Filing Fees
and Surcharges

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes a \$200 filing fee and a \$30 Judicial Stabilization surcharge, pursuant to RCW 3.18.020.

The filing fee for most Domestic and Family Law cases is \$280, which includes a \$200 filing fee, a \$20 facilitator surcharge, a \$30 domestic violence surcharge, and a \$30 Judicial Stabilization surcharge, pursuant to RCWs 3.18.016 and 3.18.020.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

2.1 The moving party is indigent based on the following: He or she:

- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
- receives benefits from one or more needs-based, means-tested assistance programs; and/or
- has household income at or below 125% of the federal poverty guidelines; and/or

4

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: It is unclear if petitioner's expenses will change with children living in her home.

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

All filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

The \$200 filing fee shall be paid within _____ days of entry of this order
The \$200 filing fee may be temporarily waived and shall be paid prior to entry of any final order
Are waived subject to later court review

The \$20 facilitator surcharge shall be paid within _____ days of entry of this order

The \$20 facilitator surcharge may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

The \$30 DV fee shall be paid within _____ days of entry of this order

The \$30 DV fee may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

The \$30 Judicial Stabilization surcharge shall be paid within _____ days of entry of this order

The \$30 Judicial Stabilization surcharge may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

other: _____

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

3.4 It is hereby ordered that this case shall be dismissed, without further order of this court, on 6/1/11 (date) if any of the above fees have not been paid as ordered

Dated: MAY 23 2011

Judge/Commissioner *[Signature]*

Presented by *[Signature]*

Signature of Party or Lawyer/WSBA No.

Print or Type Name Date

SUPERIOR COURT OF WASHINGTON
IN AND FOR SNOHOMISH COUNTY

In Re:

Petitioner/Plaintiff,

vs.

Respondent/Defendant

NOTICE OF FEES PAID

Cause No. 12 3 00704 9

- Partial Filing Fee (Order to Proceed In Forma Pauperis previously filed)
- Full Filing Fee (Order to Proceed In Forma Pauperis previously filed)
- Facilitator Surcharge (\$20.00)
- DV Surcharge (\$30.00) \$50
- Judicial Stabilization Surcharge (\$30.00)
- Per Court Order the fees marked above, are to be paid prior to the Final Orders being entered OR
no later than: w/in 30 days
- Anti Harassment Filing Fee (\$53.00)
- Subpoena or Civil Bench Warrant (\$20.00)
- Unlawful Detainer Answer Fee (\$112.00)
- Mandatory Arbitration Filed: _____ (\$220.00)
- Appeal Filing fee to Court of Appeals or the Supreme Court Filed on: _____ (\$280.00)
- Supplemental Proceedings (20.00)
- Bail (Attach original bail receipt)
- Civil Sanction/Fine Ordered on: _____
- Funds Tendered into the Court Registry: \$ _____
- Will Only/Probate Notice to Creditors filing (\$20.00)

Name of Person Filing: _____

Address: _____

Phone No: (_____) _____

- Overpayment in the sum of \$ _____ to be refunded.
- Confidential Intermediary Filing In Re: The Adoption of: _____ (\$20.00)
- FCI/GAL (Family Court Investigation/Guardian Ad Litem) Fee Ordered on: _____
- OTHER: _____

FILED

FEB 23 2012

SONYA KRASKI
SNOHOMISH COUNTY CLERK
EX-OFFICIO CLERK OF COURT

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SNOHOMISH**

In re the Parenting and Support of:

Petitioner,
V,

Respondent.

No. 12 3 00704 9

**Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)**

I. Motion

- 1.1 I am the petitioner/plaintiff in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 2-22-12

(Signature of Requesting Party)

Print or Type Name

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

COPY

3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

I just got back to work on Dec 7th due to I was injured at work. I do not have a bank account due to my expenses are more then my income. I am not receiving Child Support. He has also been to jail and not sure if he will lose his job or not.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Everett, (state) WA on (date) 2-22-12.

Signature _____

Print or Type Name _____

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is: _____			
2. <input checked="" type="checkbox"/> I provide support to people who live with me: How many? <u>3</u> Age(s): <u>19, 13, 11</u>			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input checked="" type="checkbox"/> Unemployed <input type="checkbox"/>		Rent/Mortgage:	\$ <u>0</u>
Employer's Name: _____		Food/Household Supplies:	\$ <u>(receive stamps)</u>
Gross pay per month (salary or hourly pay):	\$ <u>890.92</u>	Utilities:	\$ <u>Pay with rent</u>
Take home pay per month:	\$ <u>94.40</u>	Transportation:	\$ <u>150.00</u>
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$
Source:	\$	Ordered Child Support actually paid:	\$ <u>236.00</u> <u>172.00</u>
Source:	\$	Clothing:	\$ <u>100.00</u>
Source:	\$	Child Care:	\$ <u>none</u>
Source:	\$	Education Expenses:	\$ <u>none</u>
Sub-Total:		Insurance (ca), health:	\$ <u>68.00</u>
<input checked="" type="checkbox"/> receive food stamps.		Medical Expenses:	\$ <u>none</u>
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	
\$ <u>94.40</u>		\$ <u>1790.00</u>	
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ <u>0</u>		\$
Checking Account Balance:	\$ <u>none</u>		\$
Savings Account Balance:	\$ <u>none</u>		\$
Auto #1 (Value less loan):	\$ <u>4500.00</u>		\$
Auto #2 (Value less loan):	\$	Sub-Total:	
Home (Value less mortgage):	\$	\$	
Other:	\$	8. My Other Debts with Monthly Payments:	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	
\$ <u>4500.00</u>		\$ <u>790.00</u>	
Date: <u>2-22-12</u>		Signature: _____	

See
Child
pay sub

FILED

2012 JUL -5 PM 2:44

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH



CL15322002

<u>Superior</u> Court of Washington For <u>Snohomish County</u>
_____ Petitioner/Plaintiff, vs. _____ Respondent/Defendant.

No. 12 3 01892 0

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

I. Motion

- 1.1 I am the [] petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 7/2/12

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

Mt and Decl for Civil Fee Waiver (MTAF) - Page 1 of 13
WPF GR 34.0100 (2/2011) - GR 34

12

3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Monroe, (state) WA on (date) 7/2/12.

Signature _____

Print or Type Name _____

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is: _____			
2. <input checked="" type="checkbox"/> provide support to people who live with me: How many?		Age(s): (0)	
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed []	Unemployed <input checked="" type="checkbox"/>	Rent/Mortgage:	\$
Employer's Name:		Food/Household Supplies:	\$
Gross pay per month (salary or hourly pay):	\$	Utilities:	\$
Take home pay per month:	\$	Transportation:	\$ 70
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$
Source:	\$	Ordered Child Support actually paid:	\$
child support	315.99	Clothing:	\$
Source:	\$	Child Care:	\$
Source:	\$	Education Expenses:	\$
Source:	\$	Insurance (car, health):	\$ 61.66
Sub-Total: \$ 315.99		Medical Expenses:	\$
<input checked="" type="checkbox"/> receive food stamps.		Sub-Total: \$ 131.66	
Total Income, lines 3 (take home pay) and 4: \$ 315.99			
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ 10.00		\$
Checking Account Balance:	\$ 5.00		\$
Savings Account Balance:	\$		\$
Auto #1 (Value less loan):	\$		\$
Auto #2 (Value less loan):	\$	Sub-Total: \$	
Home (Value less mortgage):	\$	8. My Other Debts with Monthly Payments:	
Other:	\$	credit card	\$ 120 /mo
Other:	\$	credit card	\$ 25 /mo
Other:	\$	credit card	\$ 25 /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total: \$ 170	
Total Household Assets: \$ 15.00		Total Household Expenses and Debts, lines 6, 7, and 8: \$ 301.66	
Date: 6/26/12		Signature: _____	

FILED

2012 JUL -5 PM 2:43

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH



CL15322001

<u>Superior</u> Court of Washington	
For <u>Snohomish County</u>	
_____	Petitioner/Plaintiff,
_____	vs
_____	Respondent/Defendant.

12 3 01892 0

No. _____

Order Re Waiver of Civil Filing Fees and Surcharges

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff respondent/defendant.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or

13

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: _____
_____ *Petitioner temporarily unable to pay*
_____ *filing fee - housing & living expenses*
_____ *currently pd by her parents*

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

all filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

other: _____ *Fees are waived temporarily*
_____ *All fees shall be repaid by petitioner*
_____ *on/before 8/6/2012 in*

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

*CLERK will Dismiss
case*

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

JUL 05 2012

Dated: _____

Judge/Commissioner

Presented by: _____

Signature of Party or Lawyer/WBA No.

Print or Type Name

Date

Order re Civil Fee Waiver (ORPRFP, ORDYMT) - Page 3 of 3
WPF GR 34.0500 (2/2011) - GR 34



FILED

2012 AUG -2 AM 9:49

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH

FILED

2012 AUG -2 AM 9

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

PLAINTIFF / PETITIONER

and

DEFENDANT / RESPONDENT

NO. 12-3-01892-0

ORDER

IT IS HEREBY ORDERED:

*The petitioner's obligation to pay
The fees is extended to 9/14/12.*

DONE IN OPEN COURT this date: AUG 02 2012

Presented By:

JUDGE / COURT COMMISSIONER

Copy Received:

FILED

2011 MAR 25 PM 3:59

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH



CL14761381

SUPERIOR COURT OF WASHINGTON
IN AND FOR SNOHOMISH COUNTY

Cause No. **11 3 00943-4**

Petitioner/Plaintiff,

vs.

Respondent/Defendant

APPLICATION/ORDER TO
PROCEED IN FORMA PAUPERIS

(ORPRFP)

I. APPLICATION

- 1.1 I, _____, move the Court for an Order authorizing me to proceed in Forma Pauperis (at public expense) in this case.
- 1.2 Attached is a Financial Statement in support of this motion.

II. ORDER

2.1 It is hereby ordered that the above named is permitted to proceed without payment of the filing fees indicated below:

- General Case Fee \$200
- Mandatory Arbitration Fee \$220
- Request for Trial De Novo \$250
- Domestic Case Fee \$200.00 (see sections 1.3 and 2.4)
- Domestic Modification Fee (In-County) \$36 (see section 2.3 below)
- Other _____

2.2 It is hereby ordered that the above fee(s):

- Are waived subject to later court review;
- Are waived temporarily and shall be paid within _____ days of entry of this order;
- Are waived temporarily and shall be paid prior entry of any final orders in this case;
- Are waived in the amount of \$ _____ with the balance to be paid:

- at the time of filing
- within _____ days of filing
- prior to entry of any final orders in this case

Other _____

16

1 2.3 It is hereby ordered that the \$20.00 Facilitator Surcharge in cases under Title 26 RCW
2 (per Snohomish County Code 4.90) shall be paid:

- 3 Does not apply
4 At the time of filing
5 Within 30 days of filing or no later than _____ (date)
6 Prior to entry of any final orders

7 2.4 It is hereby ordered that the \$30.00 Domestic Violence Prevention Surcharge (RCW
8 36.18.016(2)(b)) assessed on all petitions for dissolution, legal separation or declaration
9 concerning validity of a marriage shall be paid:

- 10 Does not apply.
11 At the time of filing.
12 Within 30 days of filing or no later than _____ (date)
13 Prior to entry of any final orders.

14 2.5 It is hereby ordered that the \$30.00 Judicial Stabilization Trust Account Surcharge
15 assessed pursuant to SHB 2362 and RCW 36.18.018 and 36.18.020 shall be paid:

- 16 Does not apply.
17 At the time of filing.
18 Within 30 days of filing or no later than _____ (date)
19 Prior to entry of any final orders.

20 2.6 It is hereby ordered that this case shall be dismissed, without further order of the court, on
21 _____
22 _____ (date) if any of the above fees have not been paid as ordered

23 DATED THIS _____ DAY OF MAR 25 2011, 20____

24 JUDGE/COURT COMMISSIONER

25 Presented by:

Signature of Petitioner

1 FAILURE TO PROSECUTE THIS ACTION BY FAILURE TO APPEAR AT YOUR HEARING OR OTHERWISE
 2 MAY RESULT IN AN ORDER AND JUDGMENT REQUIRING THE PETITIONER TO PAY THE FILING FEE AND
 3 SERVICE COSTS.
 FINANCIAL STATEMENT IN SUPPORT OF APPLICATION AND ORDER TO PROCEED IN FORMA PAUPERIS

4 3.1 GENERAL INFORMATION

(a) Name: _____ (a) Spouse's Name: _____
 (b) Address: _____ (b) Address: Snodgrass, WA 98290
 (c) Telephone #: _____ (c) Telephone #: _____

7 3.2 FAMILY INFORMATION

(a) Persons whom you financially support: Spouse Children Other
 (b) List names, ages, relationship and address if different from yours:

10 3.3 EMPLOYMENT INFORMATION

(a) Are you presently employed: Yes No (a) Is spouse presently employed: Yes No
 (b) Name & address of employer: n/a (b) Name & address of spouse's employer: n/a
 (c) Length of Employment: _____ (c) Length of Employment: _____
 (d) Occupation: _____ (d) Occupation: _____
 (e) Other source of income: _____ (e) Other source of income: _____

16 3.4 INCOME AND ASSETS

(a) Gross monthly income (personal) 478
 (b) Gross monthly income (spouse) 0
 (c) Savings Accounts 0
 (d) Checking Accounts 0
 (e) Stocks & Bonds 0
 (f) Cash 0
 (g) Vehicles/boats/RV/motorcycles _____
 (h) Home equity (sale value less amount owing) _____
 (i) Other _____

3.5 EXPENSES AND DEBTS

(a) Monthly living expenses (itemize):
 Rent/House Payment 750
 Food 520
 Utilities 100
 Transportation 50
 Insurance 0
 Medical & Dental 0
 (b) Debts: 0

Name of Creditor	Amount Owed
_____	_____
_____	_____

24 TOTAL ASSETS: 0

TOTAL OBLIGATIONS: 1420

25 UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS DOCUMENT AND THE PRECEDING INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND ABILITY

DATE 3/24/2011

SIGNATURE _____

WHAT TO DO IF YOU CANNOT PAY THE FILING FEE

(See back for details)

** Getting a Fee Waiver*

10

Snohomish County 
WASHINGTON

Sonya Kraski
Snohomish County Superior Court Clerk
MS 605, 3000 Rockefeller Avenue
Everett, WA 98201
(425) 388-3466

Updated: 5/20/2011

Self-Help Center
#10

HOW TO GET THE FILING FEE WAIVED

RCW 36.18.022

CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- * You want to file a Petition or a new case under RCW Chapter 26 (Domestic Relations).
OR
- * You want to file a civil law suit or a counterclaim, cross-claim or third-party claim in a civil action
OR
- * You want to file a probate or estate action
AND
- * You would like to request the court waive or defer those filing fees based on your current financial situation.

Types of cases and related filing fees include but are not limited to the following:

	<u>Filing Fee</u>
Dissolution of Marriage	\$280.00
Legal Separation	\$280.00
Invalidity of Marriage	\$280.00
Domestic Partnership	\$280.00
Establishment of Parentage	\$250.00
Nonparental Custody	\$250.00
Modification (Out of County)	\$250.00
Adoption	\$250.00
Civil Action	\$230.00
Estate/Probate	\$230.00
Unlawful Detainer	\$75.00/\$187.00
Modification of Child Support (Snohomish County Order)	\$56.00
Modification/ Adjustment of Custody Decree/ Parenting Plan (Snohomish County Order)	\$56.00
Ex Parte ("mail-in") fee	\$30.00

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document or get involved with a court case, it is important that you carefully read the document to make sure you are doing the right thing. You may also want to contact a lawyer for legal advice and help with those issues you do not understand. The Snohomish County Bar Association has a list of local attorneys who can give you legal advice and who can help you on a task-by-task basis for a fee. If you need help with the forms, procedures and rules of the court, there is a Family Law Facilitator available to assist you.

INSTRUCTIONS

There are fees and surcharges required for filing a new case. If you cannot pay the fees right now, or if your current financial situation makes it difficult for you to pay the fees now or later, you can ask the Court to waive the fees or to allow you to file your case without paying a filing fee. To make this request, you need to fill out a motion and order requesting waiver of the fees and surcharges and present it to a Court Commissioner for approval. Do this **AFTER** you have completed your petition and other papers, but **BEFORE** filing or attempting to file your paperwork. The Court may waive all or part of the fees, may require you to pay all or part of the fees within a certain amount of time, or may temporarily waive the fees subject to later court review.

IF YOU ARE REPRESENTING YOURSELF, fill out the following documents from this packet, see instructions on the following page:

- Motion and Declaration For Waiver of Civil Filing Fees and Surcharges (MTAF)
- Financial Statement (Attachment)
- Order Re Waiver of Civil Filing Fees and Surcharges

IF YOU HAVE BEEN SCREENED BY A QUALIFIED LEGAL SERVICE PROVIDER (QLSP) AND HAVE BEEN FOUND ELIGIBLE FOR FREE CIVIL LEGAL AID SERVICES, have your attorney fill out the following documents from this packet , see instructions on the following page:

- Motion and Declaration For Waiver of Civil Filing Fees and Surcharges (QLSP Filing)
- Order Re Waiver of Civil Filing Fees and Surcharges

HOW TO FILL OUT THE FORMS

MOTION AND DECLARATION FOR WAIVER OF CIVIL FILING FEES AND SURCHARGES (MTAF):

Complete the caption. Insert the parties' names and a cause number if you have one.

Paragraph 1.1 Check if you are the petitioner/plaintiff or respondent/defendant.

Paragraph 2.1 Insert the date, sign and print your name where indicated.

Paragraph 3.2 Add any information that you would like the court to consider in addition to the financial statement attachment which you will be completing and including with your motion.

Check if you are submitting your motion by mail. See the instructions at the end of this packet for submitting your motion by mail.

Fill in the city, state, and date that you signed the motion. Sign where indicated and print or type in your name where requested.

FINANCIAL STATEMENT:

The Court reviews this document to determine whether or not to waive all or part of your filing fee. Complete all the blanks. If something does not apply to your situation, write "N/A." If you do not know the answer, write "Unknown." Date and sign at the bottom. Staple this statement to the Motion and Declaration for Waiver of Civil Filing Fees and Surcharges (MTAF).

ORDER RE WAIVER OF CIVIL FILING FEES AND SURCHARGES:

Complete the caption. Insert the parties names and a cause number if you have one.

In section I. Basis, check if you are the petitioner/plaintiff or respondent/defendant.

On page 3, sign and print your name where it says "Presented by". If you are working with a QLSP, your lawyer should sign where it says "Presented by". The Court will fill out the rest of the order based upon its findings.

MOTION AND DECLARATION FOR WAIVER OF CIVIL FILING FEES AND SURCHARGES (QLSP Filing)

This form should only be used if you have been screened by a qualified legal service provider (QLSP), have been found eligible for free civil legal aid services and are represented by a free legal aid attorney.

Have your attorney fill out, sign and submit the motion, declaration and order.

FINALIZING YOUR REQUEST

Remove the applicable documents from the instruction packet. Assemble and staple all documents individually. The Financial Statement, if needed, should be stapled to the Motion and Declaration for Waiver of Civil Filing Fees and Surcharges (MTAF).

You may submit your motion either in person or by mail.

Whether you are presenting your motion in person or by mail, you must have completely filled out your summons and petition or complaint and otherwise be ready to file your lawsuit.

TO SUBMIT YOUR MOTION IN PERSON:

You may present your motion and order on an *Ex Parte* basis, in the Ex Parte courtroom at the courthouse, Department A on the 1st floor. The hours are Monday - Friday from 9:00 a.m. - 10:30 a.m. and 1:00 p.m. - 4:00 p.m. The 9:00 - 10:30 a.m. timeframe is attorney priority which means that attorneys will be called first, and if there are a lot of attorneys, you may be asked to come back at 1:00 p.m.

Bring with you to court the motion/declaration to waive fees with the attachment, the order waiving the fee, and your completed summons and petition or complaint.

Sign in on the clipboard at the clerk's desk and be seated. When your name is called, go to the bench and hand the clerk your documents with a brief explanation to the Court of why you are there.

If the Court signs your order, you will take your documents directly to the Clerk's Office on the 2nd floor (room M206) to file. Please be sure to carefully read and understand the terms contained in your order.

If the Court denies your request or requires that you pay a portion of your fee at filing, you will have to pay those fees when you file your papers.

If the Court defers payment of your fees to a later date, make your payment as ordered or your action may be dismissed for nonpayment of these fees.

Sometimes the Court may waive the fees at filing, but may order a review your financial situation before final orders are entered. If the Court later finds that you can afford to pay the fee, you will be directed to do so prior to entry of any final orders. Please be prepared to address any changes that may occur in your financial situation.

Be sure to review the court order carefully so you understand what is required of you. Noncompliance may result in dismissal of your action.

TO SUBMIT YOUR MOTION BY MAIL:

Send your ex parte mail request to:

Snohomish County Clerk's Office
3000 Rockefeller Ave. MS 605
Everett, WA 98201

You must include all of the following. Failure to provide any of the following will result in return/rejection of your submission. If you do not provide a self-addressed stamped envelope with your submission, your paperwork will not be mailed back to you.

- Original Motion and Declaration for Waiver of Civil Filing Fees and Surcharges
- Original Financial Statement (if required)
- Original Order Re Waiver of Civil Filing Fees and Surcharges
- A copy of your completed summons and petition or complaint
- A self-addressed stamped envelope (postage paid)

The original Order Re Waiver of Civil Filing Fees and Surcharges with the Court's decision on your request will be returned to you. Be advised that it can take 7 to 10 business days to complete your request upon receipt by our mail ex parte department.

Once you receive the order granting the waiver of your filing fees, you may proceed with filing your action. Be sure to bring this order with you when you go to the Clerk's Office to file your action.

If the Court denies your request or requires that you pay a portion of your fee at filing, you will have to pay those fees when you file your papers.

If the Court defers payment of your fees to a later date, make your payment as ordered or your action may be dismissed for nonpayment of these fees.

Sometimes the Court may waive the fees at filing, but may order a review your financial situation before final orders are entered. If the Court later finds that you can afford to pay the fee, you will be directed to do so prior to entry of any final orders. Please be prepared to address any changes that may occur in your financial situation.

Be sure to review the court order carefully so you understand what is required of you. Noncompliance may result in dismissal of your action.



WASHINGTON
COURTS

BOARD FOR JUDICIAL ADMINISTRATION

February 4, 2009

Honorable Bruce Hilyer, Presiding Judge
King County Superior Court
516 Third Avenue, Room C-203
Seattle, WA 98104-2361

Dear Judge Hilyer:

At Monday evening's meeting of the Board for Judicial Administration's Executive Committee there was considerable discussion regarding a proposal we understood to be under consideration in King County to introduce legislation providing for a variety of local option user fees in the superior courts. The primary focus of our discussion was maintaining the integrity of the process for consideration of legislation affecting the administration of justice and preserving the unity of the judiciary before the legislature. Secondly, the relative merits of such a proposal, in concept, were discussed.

In recent years the judiciary, through the commitment of individual judges, the trial court associations, and the Board for Judicial Administration, has presented a united front to the legislature. While this has most visibly occurred under the banner of the Justice In Jeopardy Initiative, it has carried through on many other levels and fronts. The result of this unified approach has been unprecedented success in advancing the policy goals of the entire judiciary. Most significantly, we have gained the funding necessary to launch and support those policy goals in the form of real programs.

The commitment to unity and speaking with a single voice is firmly rooted in a process which provides everyone an opportunity to participate and speak. Our continued success depends on maintaining the commitment to this process. The issues presented by a proposal to adopt local option user fees have significant practical implications for each individual court across our state. In addition, they implicate broader questions of access to justice. It is most particularly issues of this nature which require us to adhere to our commitment as judges, courts, court levels and as a branch of government to the process we instituted in the effort to present a united judiciary.

TEMPLE OF JUSTICE

415 12th Street West • PO Box 41174 • Olympia, WA 98504-1174
360-357-2121 • 360-357-2127 • www.courts.wa.gov

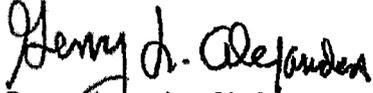
Letter to Honorable Bruce Hilyer
February 4, 2009
Page 2 of 2

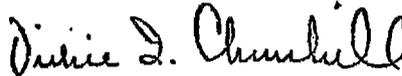
It is precisely this commitment to unity that caused the Executive Committee to defer taking a position on the concept of local option user fees in the absence of prior review and debate by the Superior Court Judges' Association and the District and Municipal Court Judges' Association. On behalf of the Board for Judicial Administration, we urge you and your fellow King County Superior Court judges to engage in the internal review process prior to taking a position as a court. While we understand the argument that, as a local option, no other court would be required to adopt any new fees, the reality is that every other superior court in the state would be placed in the position of responding to a request from their local funding authority to adopt a similar fee structure. And, the logical extension would be to enact similar local option fees in the courts of limited jurisdiction. We believe, in sum, that this is simply not a question for a single court to debate and pursue enactment without a broader discussion within the judiciary as a whole.

As you might expect, the discussion of the merits of local option user fees covered a wide range of issues: access to justice, the role of the judicial branch in raising revenue, and the short and long term budget implications in King County and in other jurisdictions across the state. What was absent from our discussion was your voice and perspective.

We look forward to the opportunity to work together with your court on this and other issues, as we have in the past. Please feel free to contact either of us regarding the substance of this letter at your convenience.

Sincerely,


Gerry Alexander, Chair
Board for Judicial Administration


Vickie I. Churchill, Member Chair
Board for Judicial Administration

cc: Judge Richard McDermott, President, Superior Court Judges' Association
Judge Marilyn Paja, President, District and Municipal Court Judges' Association
Board for Judicial Administration Members



Northwest Justice Project

715 Tacoma Ave S
Tacoma, WA 98402
Tel. (253) 272-7879
Fax (253) 272-8226

Toll Free 1-888-201-1015
www.nwjustice.org

César E. Torres
Executive Director

February 6, 2012

Hon. Robyn Lindsay, Presiding Commissioner
Pierce County Superior Court
930 Tacoma Ave. S., Room 334
Tacoma, WA 98402

Kevin Stock, Clerk
Pierce County Superior Court
930 Tacoma Ave. S.
Tacoma, WA 98402

Re: Clerk's office practice of requiring prepayment of \$40 ex parte fee for presentation of GR 34 applications received by mail.

Dear Commissioner Lindsay and Mr. Stock:

I write to bring to your attention an issue regarding the Clerk's office practice of requiring prepayment of a \$40 ex parte fee for presentation of GR 34 applications received by mail. This issue was recently brought to my attention by another NJP attorney who corresponded with Deputy Clerk Dan Ladenburg on the same issue. A copy of that correspondence is enclosed for your reference. I have quickly reviewed the topic and hope that summarizing the results of that research will persuade you to change this practice for the reasons addressed below.

Both the Clerk's fee schedule dated July 26, 2009 and an undated handout entitled "Procedures for Filing by Ex-Parte Mail" (copy attached) require prepayment of a \$40 fee for presentation of ex parte matters to a Commissioner. This is consistent with Pierce County Council Resolution 2004-109, effective January 1, 2005 authorizing the Clerk to assess a service fee in the amount of \$40.00 for presentment of ex parte orders.¹

GR 34 was adopted effective December 28, 2010 and establishes a uniform statewide process by which judicial officers may waive civil filing fees and surcharges based on indigence of the party presenting an application for such relief. The rule specifically provides both that

¹ RCW 36.18.016(12) provides that "for processing ex parte orders, the clerk may collect a fee of thirty dollars." The difference between this number and the \$40 fee authorized by council resolution is not currently an issue.



February 6, 2012

Page 2

“[t]he court shall accept an application submitted...by mail” and that “[t]here shall be no locally imposed fee for making an application.” GR 34(a)(2).

It appears that the Clerk’s office was not aware of the explicit exception under GR 34 to the otherwise appropriate general practice of refusing to present applications for ex parte orders not accompanied by prepayment of the \$40 fee. I hope now that this matter has been brought to your attention that the clerk’s office will modify their practice (and perhaps their handout) to reflect this exception.

I very much appreciate each of your willingness to consider this request for change in practice regarding the processing of GR 34 applications received by mail. Please let me know if you have any questions, concerns or see the matter differently than articulated by me in this letter.

Sincerely,



John Purbaugh
Senior Attorney



Northwest Justice Project

401 Second Ave S. Suite 407
Seattle, WA 98104
Tel. (206) 464-1519
Fax (206) 382-2509

Toll Free 1-888-201-1012
www.nwjustice.org

César E. Torres
Executive Director

January 31, 2012

Dan Ladenburg
Chief Deputy
Pierce County Superior Court
County-City Building
930 Tacoma Avenue South, Room 334
Tacoma, WA 98402



Dear Mr. Ladenburg:

Per our conversation last week, I am attorney with the Coordinated Legal Education, Advice and Referral (CLEAR) line and I am providing *pro se* assistance to _____, a low-income client who lives in Tennessee. As I explained when we spoke, _____ husband lives in Washington and she would like to file for divorce in Washington, but was told that while she could file her initial dissolution pleadings by mail, her fee waiver request could not be submitted unless she appeared personally. When I called and spoke with one of the clerks, I was told that while Ms. _____ could mail in her fee waiver request, she would have to pay the \$40 *ex parte* presentation fee if she wanted to submit a fee waiver request by mail.

You and I spoke last week and I explained Ms. _____'s situation. You agreed to waive the *ex parte* presentation fee if her dissolution pleadings and fee waiver request were accompanied by a letter from me explaining what we discussed. I would like to respectfully request that the *ex parte* presentation fee be waived for Ms. _____ and any other people who request a fee waiver by mail in the future. This request is supported by the explicit language of GR 34(2):

“The court shall accept an application submitted in person, by mail and where authorized by local court rule not inconsistent with GR 30, electronic filing. The process for presentation of the application shall conform to local court rules and clerk processes not inconsistent with the rules of this court for presenting *ex parte* orders to the court directly or via the clerk. All applications shall be presented to a judicial officer for consideration in a timely manner and in conformity with the



Dan Ladenburg
January 31, 2012
Page 2

local court's established procedures. There shall be no locally imposed fee for making an application..."

Thank you for speaking with me last week and thank you in advance to for your attention to this matter. I look forward to your response.

Sincerely,



Attorney at Law

PROCEDURES FOR FILING BY EX-PARTE MAIL

The ex-parte presentation of documents to Superior Court Commissioners for approval, signature and subsequent filing is a convenience provided to members of the BAR and the public by the Clerk of the Superior Court in accordance with the provisions of RCW 36.18.016(12) and PCCO 2004-109. In order to facilitate the most expeditious processing of documents submitted, it is necessary that the specific procedures and requirements be complied with and met. All ex-parte documents must be addressed to:

Pierce County Clerk
930 Tacoma Ave. S. #110
Tacoma, WA 98402-2177

- All documents being submitted must be accompanied by a letter of instruction which clearly states the purpose of the documents and the services being requested.
- Provide originals and copies of ALL documents being sent in for signature and filing.
- Provide a self-addressed, stamped envelope large enough for your return copies to fit in.
- Provide payment in the amount of \$40.00 for each presentation, whether it is signed by the Court or not. (Pro se's payments must be submitted in the form of either a money order or cashiers' check ONLY.)
- If requesting certified copies, additional payment must be submitted; \$5.00 for the first page and \$1.00 for each additional page thereafter, per document.
- Ensure that a DOD printout is filed as a separate document with the proper coversheet (originals must be stapled as a separate document, not attached to the back of others or as attachments).
- **Additional forms required when filing a NEW case and presenting orders ex-parte:**
 - a. **Divorce Case**
 - i. Case Coversheet
 - ii. Confidential Information Sheet
 - iii. Vital statistics
 - b. **Civil Case**
 - i. Case Cover Sheet
 - ii. Request for Track Assignment (if required)

If submitted ex-parte mail does not comply with ALL of the above requirements, it will be returned unprocessed.

FILED
SUPERIOR COURT
THURSTON COUNTY WASH.

'11 AUG -8 P2:49

BETTY J. GOULD CLERK

BY _____
DEPUTY

Superior Court of Washington
For the County of Thurston

No. 04-3-00027-1

Petitioner/Plaintiff,
vs.
Respondent/Defendant.

Order Re Waiver of Civil Filing Fees
and Surcharges

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - other: _____

2.2 [] The moving party is not indigent.

2.3 [] Other: _____

III. Order

Based on the findings the court orders:

Denied. There is no filing fee. There is an ex parte fee and that fee is not waived.

3.1 [X] The motion is granted, and

[X] all filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

[] other: _____

3.2 [] The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: 8/8/11

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA no.

Print or Type Name

8/2/2011
Date

**Superior Court of Washington
For Grays Harbor County**

Petitioner/Plaintiff,
vs.

Respondent/Defendant.

No. _____

**Order Re Waiver of Civil Filing Fees
and Surcharges**
 Granted (ORPRFP)
 Denied (ORDYMT)
 Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant for:

- Divorce Non Parental Custody
- Parenting Plan/Residential Schedule Establishing parentage

- Civil law suit

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - other: _____
- 2.2 The moving party is not indigent.

III. Order

Based on the findings the court orders:

- 3.1 The motion is granted, and
 - The petitioner/respondent shall pay the facilitator fee of \$20.00. The filing Fee and surcharge shall be waived.
 - The case may be filed upon receipt of \$_____ and according to the following payment plan: _____
 - this case may be filed, the filing fee and surcharge shall be waived.
- 3.2 The motion is denied.
- 3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

FILED

2012 NOV -8 PM 3:55

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH



CL15834702

**Superior Court of Washington
In and For Snohomish County**

(Insert Petitioner's/Plaintiff's Name Above)
Petitioner/Plaintiff,

(Insert Respondent's/Defendant's Name Above)
Respondent/Defendant.

Cause No. **12 3 02994 8**

**Order Re Waiver of Civil Filing Fees
and Surcharges**

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the
 petitioner/plaintiff respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes a \$200 filing fee and a \$30
Judicial Stabilization surcharge, pursuant to RCW 3.18.020.

The filing fee for most Domestic and Family Law cases is \$280, which includes a \$200 filing fee,
a \$20 facilitator surcharge, a \$30 domestic violence surcharge, and a \$30 Judicial Stabilization
surcharge, pursuant to RCWs 3.18.016 and 3.18.020.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and
any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found
the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested
assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline;
and/or

6

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: Petitioner is temporarily
unable to pay filing fee.

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

All filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

The \$200 filing fee shall be paid within _____ days of entry of this order
 The \$200 filing fee may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

The \$20 facilitator surcharge shall be paid within _____ days of entry of this order
 The \$20 facilitator surcharge may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

The \$30 DV fee shall be paid within _____ days of entry of this order
 The \$30 DV fee may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

The \$30 Judicial Stabilization surcharge shall be paid within _____ days of entry of this order
 The \$30 Judicial Stabilization surcharge may be temporarily waived and shall be paid prior to entry of any final order
 Are waived subject to later court review

other: _____

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

3.4 It is hereby ordered that this case shall be dismissed, without further order of the court, on _____ (date) if any of the above fees have not been paid as ordered

Dated: NOV - 8 2012

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

11-8-12
Date

MAY 03 2012

COWLITZ COUNTY
BEVERLY R LITTLE, Clerk

Superior Court of Washington
For Cowlitz County

No. 09-3-00077-2

Petitioner/Plaintiff,
vs. _____
Respondent/Defendant.

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(QLSP Filing) - Custody Modification.
(MTAF)

I. Motion

On behalf of the petitioner/plaintiff [] respondent/defendant, I am asking for a waiver of all filing fees and surcharges.

I base this motion on GR 34(a) and the declaration, below.

Dated: 5/3/12

Signature of Lawyer

WSBA No.

Print or Type Name

II. Declaration

I declare that,

2.1 I represent the petitioner/plaintiff [] respondent/defendant.

2.2 I am an attorney working with Northwest Justice Project, which is a Qualified Legal Services Provider (QLSP) as defined by the Washington State Bar Association in APR 8(e)(2).

2.3 I am working with the QLSP as an:

- attorney employed by the QLSP, or
- [] attorney working in conjunction with the QLSP.

2.4 The QLSP screened the petitioner/plaintiff respondent/defendant and found the litigant eligible for free civil legal aid services.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope for timely return of a conformed copy of the order.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) Longview, (state) WA on (date) 5/2/12

Signature of Lawyer WSBA No. Print or Type Name

ENDORSED FILED
SUPERIOR COURT

FEB 15 2012

COWLITZ COUNTY
BEVERLY R. LITTLE, Clerk

Superior Court of Washington
For Cowlitz County

No. _____

Petitioner/Plaintiff,

vs

Respondent/Defendant.

Motion and Declaration For Waiver of
Civil Filing Fees and Surcharges
(MTAF)

I. Motion

- 1.1 I am the petitioner/plaintiff [] respondent/defendant in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 2/15/2012

Signature of Requesting Party Attorney for Pet.

Print or Type Name _____

III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

Case Name: _____

Case Number: _____

Financial Statement (Attachment)			
1. My name is _____			
2. <input type="checkbox"/> I provide support to people who live with me: How many? Age(s): 8			
3. My Monthly Income: <input type="radio"/>		6. My Monthly Household Expenses: <input type="radio"/>	
Employed <input type="checkbox"/>	Unemployed <input checked="" type="checkbox"/>	Rent/Mortgage:	\$
Employer's Name:		Food/Household Supplies:	\$
Gross pay per month (salary or hourly pay):	\$	Utilities:	\$
Take home pay per month:	\$	Transportation:	\$
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$
Source:	\$	Ordered Child Support actually paid:	\$
Source:	\$	Clothing:	\$
Source:	\$	Child Care:	\$
Source:	\$	Education Expenses:	\$
Sub-Total:		Insurance (car, health):	\$
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	
\$ <input type="radio"/>		\$ <input type="radio"/>	
5. My Household Assets: <input type="radio"/>		7. My Other Monthly Household Expenses: <input type="radio"/>	
Cash on hand:	\$		\$
Checking Account Balance:	\$		\$
Savings Account Balance:	\$		\$
Auto #1 (Value less loan):	\$		\$
Auto #2 (Value less loan):	\$	Sub-Total:	
Home (Value less mortgage):	\$	\$ <input type="radio"/>	
Other:	\$	8. My Other Debts with Monthly Payments: <input type="radio"/>	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	
\$ <input type="radio"/>		\$ <input type="radio"/>	
Date: 2/10/12		Signature: _____	

FEB 15 2012

COWLITZ COUNTY
BEVERLY R LITTLE, Clerk

Superior Court of Washington For Cowlitz County	
_____ vs, _____ Petitioner/Plaintiff, Respondent/Defendant.	No. _____ Order Re Waiver of Filing Fees and Surcharges <input type="checkbox"/> Granted (ORPRFP) <input type="checkbox"/> Denied (ORDYMT) <input checked="" type="checkbox"/> Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner/plaintiff [] respondent/defendant.

The filing for most Civil and Probate cases is \$230, which includes \$30 Judicial Stabilization surcharge.

The filing fee for most Domestic and Family Law cases is \$280, which includes \$200 filing fee, \$20 facilitator surcharge, \$30 DV fee, and \$30 Judicial Stabilization surcharge.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The moving party is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or

has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or

other: _____

2.2 The moving party is not indigent.

2.3 Other: _____

III. Order

Based on the findings the court orders:

3.1 The motion is granted, and

All filing fees and surcharges the payment of which is a condition precedent to the moving party's ability to secure access to judicial relief are waived.

The \$200 filing fee shall be paid

The \$200 filing fee shall be waived

The \$20 facilitator surcharge shall be paid

The \$20 facilitator surcharge shall be waived

The \$30 DV fee shall be paid

The \$30 DV fee shall be waived

The \$30 Judicial Stabilization surcharge shall be paid

The \$30 Judicial Stabilization surcharge shall be waived

other: The waiver granted above is subject to review.
The waiver may be rescinded and the fee imposed.

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the moving party.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

FEB 15 2012

Dated: _____

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

2/15/12



Northwest Justice Project

401 Second Ave S
Suite 407
Seattle, WA 98104
(206) 464-1519 Phone
1-888-201-1012 Toll Free
1-888-201-9737 TDD
(206) 624-7501 Fax
www.nwjustice.org

César Torres
Executive Director

June 9, 2011

Ms. Karen Lazzara, Supervisor
Superior Court Clerk's Office
516 Third Avenue
Seattle, WA 98104

Re: Fee waivers under GR 34 --

Dear Ms. Lazzara:

Earlier this week, our office sought a civil fee waiver under GR 34 for our client, . Because King County's electronic filing system does not enable the documents to be submitted on-line, we called the Clerk's office to ask about procedures for obtaining a fee waiver by mail. We were told this was not allowed unless our client was incarcerated or unable to walk. We nonetheless submitted motion for the fee waiver, declaration, and proposed order, and a sample copy of the complaint, by mail.

After receiving our materials, Robert from the Clerk's Office called us to say that a fee waiver order obtained by mail is useless. According to Robert, an order to waive fees becomes "void" the day after the order is entered, and thus the complaint must be filed the same day as the order is signed—the practical only way to accomplish this being for the plaintiff to appear in person. For this reason, Robert said he did not intend to present the fee waiver application to the ex parte commissioner. I asked Robert to submit the fee waiver application to the commissioner and mail back the order granting or denying the fee waiver. I told him I understood this might result in the denial of the fee waiver, or in an order to waive the fees not being honored, but that I would challenge the Clerk's practices if need be. Robert agreed to submit the fee waiver application to the commissioner.

You called yesterday to report that an order to waive fees had been signed, but that you could not start a case because you did not have a suitable copy of the complaint and civil cover sheet. You stated that, had we provided those items along with our fee waiver materials, then you would have filed the complaint and started the action. I asked if this would be the Clerk's policy in all cases and you confirmed that it would be. I stated that the policy you described appears is satisfactory

Thus, when seeking filing fee waivers under GR 34 by mail, from now on I will submit the complaint and civil cover sheet for filing, along with the fee waiver motion, declaration, and proposed order. I am also advising my colleagues of this policy so they may do the same. With specific regard to Ms 's case, we agreed you would mail the materials back to our office, which we will re-submit as needed.

Thank you for your effort and cooperation in this matter. I am glad we were able to reach a quick resolution.

Sincerely,

Eric Dunn
Staff Attorney