

**FW-008-GC**
**Order on Court Fee Waiver After Hearing  
(Superior Court) (Ward or Conservatee)**

Clerk stamps date here when form is filed.

**① (Proposed) guardian or conservator who asked the court to waive court fees for (proposed) ward or conservatee:**

Name: \_\_\_\_\_

Street or mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

**② Lawyer, if person in ① has one:**

Name: \_\_\_\_\_ State Bar No: \_\_\_\_\_

Firm or Affiliation: \_\_\_\_\_

Street or mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail: \_\_\_\_\_ Telephone: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**
**③ (Proposed) ward or conservatee:**

Name: \_\_\_\_\_

Street or mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fill in case number and name:

**Case Number:**
**④ Lawyer for (proposed) ward or conservatee, if any:**

Name: \_\_\_\_\_ State Bar No: \_\_\_\_\_

Firm or Affiliation: \_\_\_\_\_

Street or mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail: \_\_\_\_\_ Telephone: \_\_\_\_\_

**Case Name:**
**⑤ A request to waive court fees was filed on (date):** \_\_\_\_\_

**⑥ There was a hearing on (date):** \_\_\_\_\_  
**at (time):** \_\_\_\_\_ **in (Department):** \_\_\_\_\_

The following people were at the hearing (check all that apply):

 Person in ①       Lawyer in ②       Person in ③       Lawyer in ④ Others (names):       Additional persons present listed on Attachment 6.
**Read this form carefully. All checked boxes  are court orders.**

**Notice:** The court may order you to answer questions about the ward's or conservatee's finances after granting a waiver and may order payment of the waived fees from his or her estate. If this happens and the fees are not paid, the court can also charge collection fees. The court may also direct you to make efforts to collect money to pay back waived fees from persons who owe a duty to support the ward or conservatee. If there is a change in the ward's or conservatee's financial circumstances during this case that increases his or her ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010-GC.)

If this case is an action against another party and you win the case on behalf of the ward or conservatee, the trial court may order the other side to pay some or all of the waived fees. If you settle the matter for **\$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

The court may also have a lien against the ward's or conservatee's estate that must be paid before the estate is distributed, the guardianship or conservatorship proceeding is concluded, and you are discharged as guardian or conservator.

7 After reviewing your (*check one*):  Request to Waive Court Fees  Request to Waive Additional Court Fees  
**the court makes the following order:**

a.  The court **grants** your request and waives the ward's or conservatee's court fees and costs as follows:

(1)  **Fee Waiver.** The court **grants** your request and waives the court fees and costs listed below (*Cal. Rules of Court, rules 3.55 and 8.818.*) You do not have to pay the court fees for the following:

- |   |                                  |
|---|----------------------------------|
| • Filing papers in superior court   | • Court fees for phone hearing   |
| • Making copies and certifying copies   | • Sheriff's fee to give notice   |
| • Sending papers to another court department  | • Giving notice and certificates |
| • Reporter's fee for attendance at hearing or trial, if you request that the court provide an official reporter |                                  |
| • Assessment for court investigations under Probate Code section 1513, 1826, or 1851                            |                                  |
| • Preparing and certifying the clerk's transcript on appeal   |                                  |
| • Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834                  |                                  |
| • Making a transcript or copy of an official electronic recording under rule 8.835                              |                                  |

(2)  **Additional Fee Waiver.** The court **grants** your request and waives the additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.

- |   |   |
|---|---|
| <input type="checkbox"/> Jury fees and expenses           | <input type="checkbox"/> Fees for a peace officer to testify in court   |
| <input type="checkbox"/> Fees for court-appointed experts | <input type="checkbox"/> Court-appointed interpreter fees for a witness |
| <input type="checkbox"/> Other: ( <i>specify</i> ): _____ |   |

b.  The court **denies** your request and **will not waive or reduce** the ward's or conservatee's fees and costs.

(1) The reason for this denial is as follows:

(a)  Your request is incomplete. You did not provide all of the information that the court requested. The missing items are specified:  Below  On Attachment 7b(1)(a)

---



---



---

(b)  You did not go to court on the hearing date to provide the information the court needed to make a decision.

(c)  The information you provide shows ineligibility for the fee waiver you requested because (*check all that apply*):

i.  The ward's or conservatee's income is too high.

ii.  The reasons stated:  Below  On Attachment 7b(1)(c)(ii)

---



---



---

(d)  There is not enough evidence to support a fee waiver.

(e)  Other reasons stated:  Below  On Attachment 7b(1)(e)

---



---



---

Name of (Proposed) Ward or Conservatee:

Case Number:

- (7) b. (2)  You may pay the initial filing fee over time. You must make monthly payments of at least \$ \_\_\_\_\_ beginning (date): \_\_\_\_\_ and then payable on the 1st of each month after that, until the fees checked below are paid in full.

Filing fees.

Other (describe): \_\_\_\_\_

You must pay all other court fees and costs as they are due.

- c.  The court **partially grants** your request so you can pay, from the estate of the ward or conservatee or from funds from persons or entities with a duty to support the ward or conservatee, court fees without using money needed to pay for the ward's or conservatee's household's basic needs. You are ordered to pay a portion of the ward's or conservatee's fees, **as checked in items c(1) and (2) below**.

The court only partially grants the request for the reasons stated:  Below  On Attachment 7c

(1)  You must pay \_\_\_\_\_ percent of the ward's or conservatee's court fees.

(2)  The court waives some fees. The fees checked below are waived. You must pay all other court fees.

Filing papers at superior court  
 Sheriff's fee to give notice  
 Court-appointed interpreter  
 Jury fees and expenses  
 Court-appointed experts' fees  
 Making certified copies  
 Reporter's fee for attendance at trial or hearing, if you request that the court provide an official reporter  
 Other fees (specify): \_\_\_\_\_

Giving notice and certificates  
 Sending papers to another court department  
 Court-appointed interpreter fees for a witness  
 Fees for a peace officer to testify in court  
 Court fees for telephone hearings

(3)  Other orders as specified:  Below  On Attachment 7c(3)

**Warning! If item 7b or 7c above is checked:** You have **10 days** after the clerk gives notice of this order (see date below) to pay your fees as ordered, unless there is a later date for beginning payments in item 7b(2). If you do not pay, your court papers will not be processed. If the papers are a notice of appeal, your appeal may be dismissed.

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

}

Signature of Judicial Officer

### Clerk's Certificate of Service

I certify that I am not involved in this case and (check one):

- I handed a copy of this order to the party and attorney(s), if any, listed in ①, ②, and ④, at the court, on the date below.
- This order was mailed first class, postage paid, to the party and attorney(s), if any, at the addresses listed in ①, ②, and ④, from (city): \_\_\_\_\_, California, on the date below.
- A certificate of mailing is attached.

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

Clerk, by \_\_\_\_\_, Deputy  
Name: \_\_\_\_\_