

FW-008

Order on Court Fee Waiver After Hearing (Superior Court)

Clerk stamps date here when form is filed.

① Person who asked the court to waive court fees:

Name: _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

② Lawyer, if person in ① has one: (name, firm name, address, phone number, e-mail, and State Bar number):

Fill in court name and street address:

Superior Court of California, County of

③ A request to waive court fees was filed (date): _____

Fill in case number and name:

Case Number:**Case Name:**

④ 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
 Others (names): _____

Additional persons present listed on Attachment 4.

Read this form carefully. All checked boxes are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case 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.

**⑤ After reviewing your: 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 your court fees and costs as follows:

- (1) **Fee Waiver.** The court **grants** your request and waives your 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:
- | | |
|---|--|
| <ul style="list-style-type: none"> • Filing papers in superior court • Making copies and certifying copies • Sheriff's fee to give notice • Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and 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 | <ul style="list-style-type: none"> • Giving notice and certificates • Sending papers to another court department • Court fees for phone hearing |
|---|--|



- (5) a. (2) **Additional Fee Waiver.** The court **grants** your request and waives your 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.

Jury fees and expenses Fees for a peace officer to testify in court
 Fees for court-appointed experts Court-appointed interpreter fees for a witness
 Other: (*specify*): _____

- b. The court **denies** your request and **will not waive or reduce** your 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. This missing items are specified: Below On Attachment 5b(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 that you are not eligible for the fee waiver you requested because (*check all that apply*):
i. Your income is too high.
ii. The reasons stated: Below On Attachment 5b(1)(c)(ii)

(d) There is not enough evidence to support a fee waiver.
(e) Other reasons stated: Below On Attachment 5b(1)(e)

(2) You may pay some court fees and costs over time. You must make monthly payments of \$ _____ 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 (*specify*): _____

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

Case Name:

Case Number:

- (5) c. The court **partially grants** your request so you can pay court fees without using money you need to pay for your household's basic needs. You are ordered to pay a portion of your fees, **as checked below**. The court only partially grants the request for the reasons stated: Below On Attachment 5c

- (1) You must pay _____ percent of your court fees.
- (2) The court waives some fees. The fees checked below are waived. You must pay all other court fees.
- | | |
|--|---|
| <input type="checkbox"/> Filing papers at superior court | <input type="checkbox"/> Giving notice and certificates |
| <input type="checkbox"/> Sheriff's fee to give notice | <input type="checkbox"/> Sending papers to another court department |
| <input type="checkbox"/> Court-appointed interpreter | <input type="checkbox"/> Court-appointed interpreter fees for a witness |
| <input type="checkbox"/> Jury fees and expenses | <input type="checkbox"/> Fees for a peace officer to testify in court |
| <input type="checkbox"/> Court-appointed experts' fees | <input type="checkbox"/> Court fees for telephone hearings |
| <input type="checkbox"/> Making certified copies | |
| <input type="checkbox"/> Reporter's fee for attendance at trial or hearing by reporter provided by the court | |
| <input type="checkbox"/> Other fees (<i>specify</i>): _____ | |
- (3) Other orders as specified: Below On Attachment 5c(3)

Warning! If b or c above are 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 b(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, if any, listed in (1) and (2), at the court, on the date below.
- This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in (1) and (2), from (*city*): _____, California, on the date below.
- A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy
Name: _____