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## How to Ask for a Fee Waiver

### Step 1: Prepare your form

Use the [Do-It-Yourself Fee Waiver](https://michiganlegalhelp.org/resources/going-court/do-it-yourself-fee-waiver) tool to prepare your Fee Waiver Request form.

Completing the form on **Michigan Legal Help does not file anything** with the court.

### Step 2: Sign your form and make copies

If you signed electronically with the Do-It-Yourself tool, your form is already signed. The electronic signature will look like this, and you do not need to add another hand-written signature:

/s/ Your Name

If your form is not electronically signed, print the form and then sign and date it at the bottom of the first page.

After you sign the Fee Waiver Request, make a copy for your records. You will need a second copy if you are filing in a **family court** case with Friend of the Court involved.

### Step 3: File your form

You can file your Fee Waiver Request with other documents in your case. For example, if you are filing a motion, you can file the Fee Waiver Request at the same time and the court will not charge a fee when you file. The court will ask you to pay the fee later if the judge says no to the Fee Waiver Request.

Some courts use an electronic filing (e-filing) system called MiFILE. If your court uses MiFILE for your case type, log in to your [MiFILE](http://mifile.courts.michigan.gov) account and file there.

If your court does not use e-filing for your case type, most people file by bringing paper forms to the court. Contact your court to find out how to file another way, like by mail.

To check if your court accepts e-filing, you can either contact the court or use the lookup tool on the Michigan Legal Help Fee Waiver resource page's instructions section.

### Step 4: Get a Decision on the Fee Waiver

If you file in person at the court, the court clerk might sign and approve your Fee Waiver Request while you are there. If this happens, the clerk will give you a copy.

Sometimes the Fee Waiver Request must go to the judge. If that happens, the judge will decide within three business days. The court will mail you a decision on the fee waiver request if you do not get it in person when you file. A written decision from a judge is called an order. The decision will be under the part of the Fee Waiver Request form labeled “Order.”

**If the judge denies the fee waiver, you have 14 days** from the date on the order to do one of the following things:

* Pay the filing fee
* Ask a different judge to reconsider the fee waiver

There is more information about how to do these things later in these instructions.

**Some courts that use MiFILE reject the entire filing when they deny a Fee Waiver Request.** Contact the court to ask them how to pay the fee or file a Request for Review of Denied Fee Waiver. You might need to file the Request for Review of Denied Fee Waiver using a paper form. If you request a review or pay the fee within 14 days of the denial, the court must give your documents the original filing date.

**If the fee waiver is denied and you do nothing, the documents you filed will be rejected.**

### Step 5: Serve (send) the documents to the other party or parties

You must serve (send) the other party a copy of the Fee Waiver Request and the court’s decision on it. Do this within 7 days of the decision on the request. If the other party has a lawyer, send the documents to the lawyer instead.

**If you are filing documents to start a new case** along with the fee waiver, such as a complaint or petition, there are special rules for service. Follow the service rules for your case type.

**If you are filing in an existing case and you or the other party are not using MiFILE**, serve by e-mail if possible. Send documents as PDF files. The email subject line needs to include the name of the court, the name of the case, the case number, and the title of each document.

If you or the other party can't use email or if you are not completely sure of their email address, you can serve by regular mail to the other party’s last known address.

**If you are filing in an existing case with MiFILE**, and the other party is also using MiFILE, you can serve with MiFILE. For more information about how this works, watch [How to e-Serve Documents](https://www.youtube.com/watch?v=Tt_Tj96O_uQ), a video from the State Court Administrative Office.

### Step 6: File the Proof of Service

Filing a Proof of Service tells the court you gave the other party copies of the documents you filed.

**If you filed your Fee Waiver Request with documents to start a new case**, use the Proof of Service that you are using with those documents and include the Fee Waiver Request on that form. In many cases, the Proof of Service is attached to the Summons.

**If you filed your Fee Waiver Request in an existing case and you did not e-file with MiFILE**, use a [Proof of Mailing form](https://www.courts.michigan.gov/4a71a4/siteassets/forms/scao-approved/mc302.pdf). A Proof of Mailing is one specific type of proof of service. If you used email, neatly cross out the part of the form that says you “sent by first-class mail” and write in that you sent by e-mail and include the e-mail address you sent the documents to.

Sign and date the Proof of Mailing or Proof of Service. Make a copy of the form for your records and file the original form with the court. You will need an extra copy for Friend of the Court if you have a family court case and Friend of the Court is involved.

**If you filed documents and served the other party using MiFILE**, you do not need to prepare and file a Proof of Mailing. MiFILE will do this for you. You can look in the History tab of your MiFILE account to see a copy of the Proof of Service and confirm that the other party was e-served. No documents will show up in the History tab until you click the “Search” button. Even if the dates that appear are already in the correct range, you must click “Search” to see documents in your MiFILE History.

**If the judge or clerk granted** your Fee Waiver Request, the process is done after you serve the other party and file a Proof of Service or Proof of Mailing.

**If the judge denied** your Fee Waiver **and you decided to pay**, the process is done after you serve the other party and file a Proof of Service or Proof of Mailing.

**If the judge denied** your Fee Waiver Request **and you want to ask a different judge to review it,** follow the instructions to learn more about How to Ask a Different Judge to Review a Denied Fee Waiver Request on the Michigan Legal Help [Fee Waiver resource page](https://michiganlegalhelp.org/resources/going-court/fee-waivers-court-cases-0).