

## INSTRUCTIONS FOR MOTION AND ORDER TO WAIVE FILING FEES

If you believe that you are unable to afford the civil fee and related surcharges in your civil or family law court case, you may request that the court waive it. In determining whether the filing fee should be waived, the Court will consider your ability to pay. In doing so, the court may apply a financial availability table based on 125% of the Federal Poverty Standard (see below). If there is a joint petition in a family law matter, your income will be added to your spouse's income in determining eligibility for a fee waiver.

However, the court may also waive the requirement for you to pay fees if your income is above the thresholds below, but finds that you have recurring basic living expenses which render you unable to pay the fees, or it may waive the fees if it finds there are other compelling circumstances to do so. If you are represented by a Qualified Legal Services Provider, that provider may obtain a fee waiver by presentation of the forms designated for their use.

| Family Size                    | 1        | 2        | 3        | 4        | 5        | 6        | 7        | 8        | 9 or more                              |
|--------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|--|
| <b>Maximum Monthly Income*</b> | \$1,569  | \$2,129  | \$2,690  | \$3,250  | \$3,810  | \$4,371  | \$4,931  | \$5,492  | Add \$560 for each additional person   |
| <b>Maximum Annual Income*</b>  | \$18,825 | \$25,550 | \$32,275 | \$39,000 | \$45,725 | \$52,450 | \$59,175 | \$65,900 | Add \$6,725 for each additional person |

\* "Income" means net income received, after taxes and child care costs are deducted.

The court may also waive the fees if you are currently receiving assistance under a needs-based, means-tested assistance program such as the following:

- Federal Temporary Assistance for Needy Families (TANF)
- State-provided general assistance for unemployable individuals (GA-U or GA-X)
- Federal Supplemental Security Income (SSI)
- Federal poverty-related veteran's benefits
- Food Stamp Program (FSP)

If using any of the above as the basis for waiver of fees, please bring evidence, such as a copy of a recent benefits award letter.

**FORMS TO USE:** The Court has standard forms for obtaining fee waivers, which you are to use even though you may have obtained similar forms elsewhere. The forms are available at no cost in the Clerk's Office (E609), or online ([www.courts.wa.gov/forms/?fa=forms.contribute&formID=87](http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=87)).

1. Motion and Order to Waive Civil Fees and Surcharges
2. Financial Statement (If you currently receive needs-based, means-tested benefits as identified above, you do not need to complete this form.)



Superior Court Clerk's Office

## **INSTRUCTIONS:**

Fill out all forms completely to include the order. The court will not complete the order-waiving fee. Be sure to sign and date the Motion and Order and complete the "Financial Statement" form or obtain a copy of a recent benefits award letter. You must also have your original documents needed to start your case. Required documents to initiate (for example: Petitions, Complaints, and Case Assignment Area Form and Case Index Cover Sheets, Confidential Information Form,) most forms can be found at <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms> and for family law forms at <http://www.courts.wa.gov/forms/?fa=forms.static&staticID=14>.

If the Commissioner signs the Order, you will be able to file your case without paying any fees. If the waiver is denied, you will be required to pay the filing fee to file your case. If approved, the clerk will initiate your case; send you a copy of your approved order, case number and case schedule if it applies by method you indicated on the coversheet. If denied, the clerk will return a copy of the denial order by method indicated on the coversheet and mail back your original documents.

### **Delivery In-Person or by Mail at either location below**

|   |   |
|---|---|
| King County Superior Court<br>Attn: Clerks Office<br>516 Third Avenue Room E609<br>Seattle, WA 98104-2386 | Maleng Regional Justice Center<br>Attn: Clerks Office<br>401 Fourth Avenue N, Room 2C<br>Kent, WA 98032 |
|---|---|

The King County Superior Court Clerk's Office is open 8:30 am – 4:30 pm with limited service between 12:15 – 1:15 pm.

### **Delivery Electronically**

Instructions on how to "[Start a new case with fee waiver](https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver)" can be found on the clerks "Fees & Waiver" page at <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver>.