## INFORMATION SHEET ON WAIVER OF SUPERIOR COURT FEES AND COSTS

If you have been sued or if you wish to sue someone, if you are filing or have received a family law petition, or if you are asking the court to appoint a guardian for a minor or a conservator for an adult or are an appointed guardian or conservator, and if you (or your ward or conservatee) cannot afford to pay court fees and costs, you may not have to pay them in order to go to court. If you (or your ward or conservatee) are getting public benefits, are a low-income person, or do not have enough income to pay for your (or his or her) household's basic needs and your court fees, you may ask the court to waive all or part of those fees.

- 1. To make a request to the court to waive your fees in superior court, complete the *Request to Waive Court Fees* (form FW-001) or, if you are petitioning for the appointment of a guardian or conservator or are an appointed guardian or conservator, complete the *Request to Waive Court Fees* (*Ward or Conservatee*) (form FW-001-GC). If you qualify, the court will waive all or part of its fees for the following:
  - Filing papers in superior court (other than for an appeal in a case with a value of over \$25,000)
    - Giving notice and certificates
  - Making and certifying copiesSheriff's fee to give notice
- Sending papers to another court department
- Court fee for telephone hearing
- 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 (use form FW-020 to ask for a court reporter)
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under Cal. Rules of Court, rule 8.833 or 8.834
- Making a transcript or copy of an official electronic recording under Cal. Rules of Court, rule 8.835
- 2. You may ask the court to waive other court fees during your case in superior court as well. To do that, complete a *Request to Waive Additional Court Fees (Superior Court)* (form FW-002) or *Request to Waive Additional Court Fees (Superior Court)* (Ward or Conservatee) (form FW-002-GC). The court will consider waiving fees for items such as the following, or other court services you need for your case:
  - Jury fees and expenses

- Fees for a peace officer to testify in court
- Fees for court-appointed experts Co
- Court-appointed interpreter fees for a witness

- Other necessary court fees
- 3. If you want the Appellate Division of Superior Court or the Court of Appeal to review an order or judgment against you and you want the court fees waived, ask for and follow the instructions on *Information Sheet on Waiver of Appellate Court Fees (Supreme Court, Court of Appeal, Appellate Division)* (form APP-015/FW-015-INFO).

## **IMPORTANT INFORMATION!**

- You are signing your request under penalty of perjury. Answer truthfully, accurately, and completely.
- The court may ask you for information and evidence. You may be ordered to go to court to answer questions about your ability, or the ability of your ward or conservatee, to pay court fees and costs and to provide proof of eligibility. Any initial fee waiver you or your ward or conservatee are granted may be ended if you do not go to court when asked. You or your ward's or conservatee's estate may be ordered to repay amounts that were waived if the court finds you were not eligible for the fee waiver.
- **Public benefits programs listed on the application form.** In item 5 on the Request to Waive Court Fees (item 8 of the Request to Waive Court Fees (Ward or Conservatee)), there is a list of programs from which you (or your ward or conservatee) may be receiving benefits, listed by the abbreviations they are commonly known by. The full names of those programs can be found in Government Code section 68632(a), and are also listed here:
  - Medi-Cal
  - Food Stamps-California Food Assistance Program, CalFresh Program, or SNAP
  - SSP—State Supplemental Payment
  - Supp. Sec. Inc.—Supplemental Security Income (not Social Security)
  - County Relief/Gen. Assist.—County Relief, General Relief (GR), or General Assistance (GA)
  - IHSS—In Home Supportive Services (*list continues on next page*)

INFORMATION SHEET ON WAIVER OF SUPERIOR COURT FEES AND COSTS

- CalWORKs-California Work Opportunity and Responsibility to Kids Act
- Tribal TANF-Tribal Temporary Assistance for Needy Families
- CAPI-Cash Assistance Program for Aged, Blind, or Disabled Legal Immigrants
- WIC—Special Supplemental Nutrition Program for Woman, Infants, and Children
- Unemployment—unemployment compensation
- If you receive a fee waiver, you must tell the court if there is a change in your finances, or the finances of your ward or conservatee. You must tell the court within five days if those finances improve or if you, or your ward or conservatee, become able to pay court fees or costs during this case. (File *Notice to Court of Improved Financial Situation or Settlement* (form FW-010) or *Notice to Court of Improved Financial Situation or Settlement* (Ward or Conservatee) (form FW-010-GC) with the court.) You may be ordered to repay any amounts that were waived after your eligibility, or the eligibility of your ward or conservatee, came to an end.
- If you receive a judgment or support order in a family law matter: You may be ordered to pay all or part of your waived fees and costs if the court finds your circumstances have changed so that you can afford to pay. You will have the opportunity to ask the court for a hearing if the court makes such a decision.
- If you win your case in the trial court: In most circumstances the other side will be ordered to pay your waived fees and costs to the court. The court will not enter a satisfaction of judgment until the court is paid. (This does not apply in unlawful detainer cases. Special rules apply in family law cases and in guardianships and conservatorships. (Gov. Code, § 68637(d), (e); and Cal. Rules of Court, rule 7.5.)
- If you settle your civil case for \$10,000 or more: Any trial court-waived fees and costs must first be paid to the court out of the settlement. The court will have a lien on the settlement in the amount of the waived fees and costs. The court may refuse to dismiss the case until the lien is satisfied. A request to dismiss the case (use form CIV-110) must have a declaration under penalty of perjury that the waived fees and costs have been paid. Special rules apply to family law cases.
- The court can collect fees and costs due to the court. If waived fees and costs are ordered paid to the trial court, or if you fail to make the payments over time, the court can start collection proceedings and add a \$25 fee plus any additional costs of collection to the other fees and costs owed to the court.
- The fee waiver ends. The fee waiver expires 60 days after the judgment, dismissal, or other final disposition of the case or earlier if a court finds that you or your ward or conservatee are not eligible for a fee waiver. If the case is a guardianship or conservatorship proceeding, see California Rules of Court, rule 7.5(k) for information on the final disposition of that matter.
- If you are in jail or state prison: Prisoners may be required to pay the full cost of the filing fee in the trial court but may be allowed to do so over time. See Government Code section 68635.
- If you want a record made of your court hearing or trial: There are various reasons why you may want a record of the hearing or trial. Among other reasons, you may want to have a record for an appeal if you disagree with a court order or judgment. If you receive a fee waiver and if the court is not electronically recording the proceeding, you may ask the court to have an official court reporter attend your hearing or trial at no cost to you, so there can be a record of the proceeding. You should use form FW-020 to make the request, which you should file at least 10 calendar days before a scheduled court date, or as soon as you can if the court date is set with less than 10-days' notice.

If you want a written transcript after the hearing or trial, you will need to pay the court reporter separately, or arrange to get the transcript in another way. To learn about ways to do that, talk with the court's Self Help Center or read the information about appeals on the self-help webpages at <u>https://courts.ca.gov/selfhelp-appeals.htm.</u>

	<b>N-001-GC</b> Request to Waive Court Fees (Ward or Conservatee)	CONFIDENTIAL					
This the a fees othe inter	form must be used by a guardian or conservator, or by a petitioner for appointment of a guardian or conservator, to request a waiver of court in the guardianship or conservatorship court proceeding or in any r civil action in which the guardian or conservator represents the rests of the ward or conservatee as a plaintiff or defendant.	Clerk stamps date here when form is filed.					
oetiti	e ward or conservatee (including a proposed ward or conservatee if a ion for appointment of a guardian or conservator has been filed but has not	Fill in court name and street address:					
yet b by pu berso need court he w	been decided by the court) directly receives public benefits or is supported ublic benefits received by another for his or her support, is a low-income on, or does not have enough income to pay for his or her household's basic s and the court fees, you may use this form to ask the court to waive the t fees. The court may order you to answer questions about the finances of ward or conservatee. If the court waives the fees, the ward or conservatee,	Superior Court of California, County of					
	r her estate, or someone with a duty to support the ward or conservatee, still have to pay later if:	Fill in case number and name:					
Ýc Th Yc	bu cannot give the court proof of the ward's or conservatee's eligibility, he ward's or conservatee's financial situation improves during this case, or bu settle the civil case on behalf of the ward or conservatee for <b>\$10,000</b> or	Case Number:					
set	bre. The trial court that waives fees will have a lien on any such ttlement in the amount of the waived fees and costs. The court may also arge the ward or conservatee, or his or her estate, any collection costs.	Case Name:					
1	<b>Your Information</b> (guardian or conservator, or person asking the court to appoint a guardian or conservator):						
$\bigcirc$	Name:	•••					
	Street or mailing address:						
	City: State: Zip:						
2)	Your Lawyer (if you have one): Name:						
	Firm or Affiliation:						
	Address:						
	City:						
	a. The lawyer has agreed to advance all or a portion of court fees or costs ( <i>check one</i> ): Yes  No						
	b. (If yes, your lawyer must sign here.) Lawyer's signature: If your lawyer is not providing legal-aid type services based on your or you may have to go to a hearing to explain why you are asking the cour	the ward's or conservatee's low income t to waive the fees.					
3	Ward's or Conservatee's Information (file a separate Request for each Name:						
	Street or mailing address:						
	City: State: Zip:						
	Phone:						
	Ward's or Conservatee's Lawyer, if any: Name:						
<b>4</b> )							
4		State Bar No.:					
4	Firm or Affiliation:						
4	Firm or Affiliation:Address:	Phone:					
4	Firm or Affiliation:	Phone:					

Name of (Proposed) Ward or Conservatee:

Case Number:

form FW-001-INFO).) nation Sheet on Waiver of
hs. eck here): 🔲
es?
e's spouse or registered
SNAP (Food Stamps) Medi-Cal Aged, Blind, and Disabled) /IC Program) <i>c benefits listed above):</i>
t benefits tisted above).
tions for taxes) is less than page 4 of this form.)*
If more than 6 people
at home, add \$856.67
for each extra person.
or conservatee, make nt him or her in family r of the conservatee.)
s 9 and 10.
2:
on date:
f death):
f death):
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**FW-001-GC**, Page 2 of 4

Name of (Proposed) Ward or Conservatee:	Case Number:
Conservators or petitioners for their appointmen	t must complete items 11–13.
(11) Conservatee's Estate: Derson only, no estate.	st. collection date:
(12) Conservatee's Spouse's or Registered Domestic Partner Name of conservatee's spouse or registered domestic partner: Date of marriage or partnership:	<b>'s Information:</b> Spouse Partner Deceased ( <i>date of death</i> ):
Street or mailing address:	
Employer's address:	or following appointment of a conservator is ty outside the conservatorship estate. n on page 4 includes include does not include the spouse/partner outside the estate.
Date of support order ( <i>if multiple, date of latest</i> ):	
The conservatee: a. is is is not a trustor or settlor of a trust. b. is is is not a beneficiary of a trust. If you selected "Is" to complete any of the above statements, identit the current address and telephone number of the current trustee(s) of value of each trust and the nature and value of the conservatee's in frequency of any distributions to or for the benefit of the conservate which you are aware. (You may use Judicial Council form MC-025)	of each trust, describe the general terms of and terest in each trust, and the amount(s) and ee prior to your appointment as conservator of
All applicants who checked item 8b or item 8c on pag instructions for completion of items 14–16 or items 14-	-18 on page 4, before signing below.
The information I have provided on this form and all attachments true and correct to the best of my information and belief. The info attachments concerning myself is true and correct. I declare under of California that the foregoing is true and correct.	rmation I have provided on this form and all
Date:	

Print your name here

Sign here

Caeo	Number:
Juse	number.

If you checked 8a on page 2, do not fill out below. If you ch 8c, you <b>must</b> answer questions 14–18. If you need more s "Financial Information" and the ward's or conservatee's na	pace, attacl	h foi	rm MC-025 or a	ttach a sl	14–16. If yo heet of pape	u checked er, and write
14 Check here if the ward's or conservatee's income changes a from month to month. If it does, complete the form based on her average income for the past 12 months.	his or	' <b>ard</b> ' Ca	<b>s or Conservatee'</b> s sh	s Househo	ld's Money aı	nd Property \$
$\frown$	b.		financial accounts			
(15) Ward's or Conservatee's Gross Monthly Income a. List the source and amount of <i>any</i> income the ward or conserv	vatee	(1) (2)				\$ \$
gets each month, including: wages or other income from work						
before deductions, spousal/child support, retirement, social se disability, unemployment, military basic allowance for quarters	· ·	Ca	rs, boats, and other	vehicles		
(BAQ), veterans payments, dividends, interest, trust income,			Make / Year		Market	
annuities, net business or rental income, reimbursement for jo	b-			Valu		Still Owe
related expenses, gambling or lottery winnings, etc.						
(1)\$						
(2)\$ (3)\$		Re	al estate			
(4)\$		110		Fair	Market	How Much You
(5)\$			Address	Valu	he	Still Owe
b. Total monthly income: \$						\$
$\bigcirc$		(2)		\$		\$
<ul> <li>(16) Ward's or Conservatee's Household's Income</li> <li>a. List the income of all other persons living in the ward's or cons home who depend in whole or in part on him or her for support</li> </ul>	servatee's		ner personal proper nds, etc.):			
whom he or she depends in whole or in part for support. Name Age Relationship Gross Monthly Ir			Describe	Valu		How Much You Still Owe
(1) \$		(1)		\$		\$
(2) \$		• • •				Φ
(3) \$ (4) \$			s or Conservatee's tions and Expense		ld's Monthly	
(4)			-			
(6) \$	a.		t any payroll deduct			
(7) \$		(2)				\$
(8) \$ (9) \$		(3)				\$
(10)\$		• • •	nt or bourse nourmer			\$\$_
b. Total monthly income of persons above: \$			nt or house paymer od and household s		literiarice	\$\$
Total monthly income and		Uti	lities and telephone			\$
-			othing			\$
household income (15b plus 16b): \$	f. a		undry and cleaning dical and dental exp	oenses		\$\$
To list any other facts you want the court to know, such as the	h.		urance (life, health,		etc.)	\$
(proposed) ward's or conservatee's unusual medical expenses,	i.		hool, child care	<i>,</i>		\$
etc, attach form MC-025 or attach a sheet of paper and write	J. k.		ild, spousal support insportation, gas, a			\$ \$
"Financial Information" and the (proposed) ward's or conservatee's name and case number at the top.	l.		tallment payments Paid to:			Ψ
Check here if you attach another page.						
Important! If the ward's or conservatee's financial situation of	or					\$ \$
ability to pay court fees improves, you must notify the court	m		ages/earnings withh			\$
within five days on form FW-010-GC.			y other monthly exp	-		
Do not include income of guardian or conservator livin in the household in item 16, his or her money and	-		Paid to:			How Much? \$¢
property in item 17, or his or her deductions and expen	ises	(3)				\$
in item 18 unless he or she is a parent of the ward or th spouse or registered domestic partner of the conservate	ee.	. ,	Total n	nonthly ex	xpenses	
spouse of registered domestic particle of the conservation			(ado	18a –18r	n above):	\$
Rev. April 1, 2023 Request to	Waive Co	our	Fees		FW-001-	<b>GC</b> , Page 4 of 4

<b>FW-003-GC</b> (Superior Court) (Word or Concervator)	
(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:	Fill in court name and street address:
City:State:Zip:	Superior Court of California, County of
E-mail: Telephone:	-
3 (Proposed) ward or conservatee:	
Name:	
Street or mailing address:	
City: State: Zip:	
Telephone:	Fill in case number and name:
4 Lawyer for (proposed) ward or conservatee, if any:	Case Number:
Name: State Bar No:	
Firm or Affiliation:	Case Name:
Street or mailing address:	
City: State: Zip:	
E-mail: Telephone:	
<b>5</b> A request to waive court fees was filed on ( <i>date</i> ):	
The court made a previous fee waiver order in this case on ( <i>date</i> ):	
Read this form carefully. All checked boxes $\square$	are court orders.
<b>Notice:</b> The court may order you to answer questions about the ward's or conser and may later order payment of the waived fees from his or her estate. If this hap can also charge collection fees. The court may also direct you to make efforts to from persons who owe a duty to support the ward or conservatee. If there is a ch financial circumstances during this case that increases his or her ability to pay fe court within five days. (Use form FW-010-GC.)	ppens and the fees are not paid, the court collect money to pay back waived fees hange in the ward's or conservatee's ees and costs, you must notify the trial
If this case is an action against another party and you win the case on behalf of t may order the other side to pay some or all of the waived fees. If you settle the n will have a lien on the settlement in the amount of the waived fees. The trial cou is paid.	natter for <b>\$10,000</b> or more, the trial cour
The court may also have a lien against the ward's or conservatee's estate that mu distributed, the guardianship or conservatorship proceeding is concluded, and yo conservator.	
6 After reviewing your:	equest to Waive Additional Court Fees
the court makes the following orders:	
a. The court grants your request concerning the ward's or conserva	atee's court fees and costs, as follows:
(1) <b>Fee Waiver.</b> The court grants your request and waives the	
( <i>Cal. Rules of Court, rules 3.55 and 8.818.</i> ) You do not have	
	for phone hearing
<ul> <li>Making copies and certifying copies</li> <li>Sheriff's fee to give notice</li> <li>Giving notice</li> <li>Sending p</li> </ul>	batice and certificates bapers to another court department and on next page.)
Judicial Council of California, www.courts.ca.gov Revised September 1, 2019, Mandatory Form Guperior Court) (Ward or Consei	FW-003-GC, Page 1 of 3

(Superior Court) (Ward or Conservatee)

<ul> <li>Assessment for court investigations under</li> <li>Preparing, certifying, copying, and sending</li> <li>Holding in trust the deposit for a reporter's</li> <li>Making a transcript or copy of an official of</li> <li>Additional Fee Waiver. The court grants you costs that are checked below. (<i>Cal. Rules of C</i> items.</li> <li>Jury fees and expenses</li> <li>Fees for court-appointed experts</li> <li>Other (<i>specify</i>):</li></ul>	g the clerk's transcript on appeal s transcript on appeal under rule 8.130 or 8.834
<ul> <li>costs that are checked below. (<i>Cal. Rules of C</i> items.</li> <li>Jury fees and expenses</li> <li>Fees for court-appointed experts</li> <li>Other (<i>specify</i>):</li></ul>	<i>Court, rule 3.56.)</i> You do not have to pay for the checked Fees for a peace officer to testify in court
The court <b>denies</b> your fee waiver request, as follow	vs:
<b>Warning!</b> If you miss the deadline below, the court can you filed with your original request. If the papers were a	not process your request for hearing or the court papers notice of appeal, the appeal may be dismissed.
<ul><li>this order (see date of service on next page) to</li><li>Pay the ward's or conservatee's fees and c</li></ul>	
<ul> <li>2) The court denies your request because the information or conservate is not eligible for the fee waive</li> <li>Below On Attachment 6b(2)</li> </ul>	formation you provided on the request shows that the ward er for the reasons specified:
	earing About Court Fee Waiver Order (Ward or -GC). You have <b>10 days</b> after the clerk gives notice of this
<ul> <li>Pay the fees and costs in full or the amoun</li> <li>Ask for a hearing in order to show the councering.)</li> </ul>	t listed in c below, or rt more information. (Use form FW-006-GC to request
<ul> <li>The court needs more information to decide w date on page 3. The hearing will be about que:</li> <li>Below On Attachment 6c(1)</li> </ul>	whether to grant your request. You must go to court on the stions regarding your eligibility specified:
2) D Bring the items of proof to support your reque	est, if reasonably available, that are listed:
-	<ul><li><i>hearing.</i>)</li><li>The court needs more information to decide w date on page 3. The hearing will be about que</li></ul>

**Warning!** If item c is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay the ward's or conservatee's fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

**NOTE TO GUARDIAN or CONSERVATOR**: If there are unpaid court fees after a denial of a request for a fee waiver, your case—including the guardianship or conservatorship proceeding if the waiver is requested in that matter—might not go forward. After a denial, you may choose to advance the court costs yourself to ensure that the case proceeds. If you or another person is appointed as guardian or conservator, you would have an opportunity to be reimbursed for such advances from the assets of the guardianship or conservatorship estate, if any, as allowable expenses of administration. You might also have the right to reimbursement for advanced court costs from persons with an obligation to support the ward or conservatee from assets not part of his or her estate, such as a parent of the ward, the spouse or registered domestic partner of the conservatee who is managing the couple's community property outside the conservatorship estate, or the trustee of a trust of which the conservatee is a beneficiary.

Hearing Date	Time: Room:		lress of court if different from above:	- - -
Date:	 Signature of (check one):	Judicial Officer	Clerk, Deputy	



**Request for Accommodations.** Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before your hearing. Contact the clerk's office for *Request for Accommodation*, Form MC-410. (Civil Code, § 54.8.)

## **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: \_\_\_\_\_\_

This is a Court Order.

Order on Court Fee Waiver (Superior Court) (Ward or Conservatee)