

## Court Costs and Fees (A Guide to Fee Waivers)

Learn what to do if you cannot afford to pay court costs and fees for Family, civil, housing, and small claims cases.

If you don't have the money to pay court costs, you can fill out a form asking for a "fee waiver." A fee waiver means that you will not have to pay the court costs or fees.

A judge will look at your form and make a decision.

- ***If the judge approves your fee waiver***, you may not have to pay certain fees.
- ***If the judge does not approve (denies) your fee waiver***, you can ask for a court hearing. Each court does things differently--ask the clerk in your courthouse for help.

### **Public Benefits include:**

- Food stamps (now called SNAP)
  - State welfare (TFA & SAGA)
  - SSI (Supplemental Security Income)
  - State Supplement (AABD/Aid to the Aged, Blind and Disabled)
- ...and more

### **Who can get a fee waiver?**

You should be able to get a fee waiver if:

- You get help from the government (*public benefits*), such as welfare, or
- The money you bring home after taxes is very low.

And sometimes,

- A judge may give you a fee waiver because you cannot afford to pay.

If you cannot get a fee waiver, you can ask for a court hearing. Ask the court clerk what you need to do. You can also call [Statewide Legal Services](#) (1-800-453-3320).

### **What fees can be waived?**

Fees can be waived in family, housing, small claims and civil cases. Here are a few examples.

- Fees to file court papers (such as a *Complaint* or *Motions to Open or Change*)
- Fees to have a State Marshal serve (officially deliver) court papers to the other side
- Fees to attend the Parenting Education Program
- Fees for certified copies of court documents
- Other fees (such as transcripts, recording fees). Ask a court clerk if these can be waived.

## How do I ask for a fee waiver?

Follow these 5 steps.

### **STEP 1: Get the form for your type of case.**

#### **Family Case:**

Application for Waiver of Fees/ Appointment of Counsel

[Family Form \(JD-FM-75\)](#)

#### **Civil, Housing, Small Claims:**

Application for Waiver of Fees

[Civil, Housing, Small Claims Form \(JD-CV-120\)](#)

You can get the form at the court or online.

- At the court clerk's office or the Court Services Center.
- Online ([www.jud.ct.gov](http://www.jud.ct.gov)) from the State of Connecticut Judicial web site. You can print out a blank form or fill it out online and then print it.

### **STEP 2: Fill out the form.**

See the instructions below and use the sample at the end of this article as a guide.

### **STEP 3: Bring your papers to the court clerk.**

- **Give the court clerk** your form and any court papers that you listed on the form.
- **Ask the court clerk to notarize the form.** *Notarize* means the clerk will ask you to swear that what you wrote is true and ask you to sign it. (A lawyer or notary public can also notarize the form.)

### **STEP 4: Ask the court clerk how your court works.**

Each court does things differently. Talk to the court clerk to find out how it works in the court you are using. You may want to ask:

- *Do I need to do anything else?*
- *What happens next?*
- *How long does it take for the judge to decide?*
- *How will I find out what the judge decided?*
- *Do I need special papers to show my income or how I support myself?*

### **STEP 5: Make three copies of the form.**

- **Give the original** to the court clerk.
- **Give one copy** to the other "party" (the other person in the case) and his lawyer.
- **Keep a copy** for yourself. You may need to show it to a state marshal or court clerk later on.

**TIP:** Use the [sample form below](#) as a guide.

### **How to fill out the form**

- Carefully read the instructions.
- Print neatly or type.
- If you need help, ask the court clerk.
- Look at the *sample form for your type of case* as a guide.

**Note:** We put numbers 1, 2, 3 on our sample form to guide you as you fill out the form. These numbers are not on the court form.

### ***Starting in the first blank box near the top of the form...***

**1:** Write the name of your case. You can find it on your court papers.

*For example... **Smith vs. Jones**  
(your name) (other party's name)*

Write the docket number if you have one.

(The court uses the docket number to identify your case.)

**2:** Write the type of court and the court's address.

**3: You** are the **applicant**. Write your name, address, and telephone number. (If you do not want to give your home address for safety reasons, you can write an address where you can get mail.)

**4, 5, 6...** Look at the sample for help filling these out.

**Financial Affidavit part of the form...**

- You need to write average **monthly** amounts.
- If you do not own something the form asks about, write "0" or "none" in that space.
- **FAMILY Cases** - If you say you have zero (0) or none for *Total Monthly Income* or *Expenses*, you need to write how you are supported. (Use the blank lines at the bottom of page 1.)  
*For example: "I live with my mother and she pays the bills."*

<b>How to figure out the average monthly amount</b>	
<p><i>If you have a</i>  <b>Weekly amount...</b> multiply the weekly amount by 4.3. Example: if you spend \$40 a week on gas, multiply \$40 by 4.3. Your monthly average would be \$172.</p> <p><b>Yearly amount...</b> divide the yearly amount by 12. Example: if you spend \$600 a year on car insurance, divide \$600 by 12. Your monthly average would be \$50.</p>	
<p><i>Note: The numbers below (1. Dependents, 2. Monthly Income.... ) are the same as the numbers on the court form.</i></p>	
<b>1. Dependents</b>	Dependents are people in your home who depend on you to pay for their food, clothing, shelter, etc. This usually means children under 18, a disabled spouse, or elderly parents. Write the number of dependents in the box. <b>Do not include yourself.</b>
<b>2. Monthly Income</b>	If your income is different every month, you can get your average monthly income by adding up how much you make in a year and dividing it by 12. Look at your pay stub.
<b>A. Gross monthly income (before deductions)</b>	Write your average monthly income <b>before</b> taxes and other deductions are taken out.
<b>B. Net monthly income (after taxes)</b>	This is how much money you bring home. Write your average monthly income <b>after</b> taxes and other deductions are taken out.
<b>C. Other income</b>	Includes state welfare, child support, social security, unemployment, and other public benefits. Write the source and the average monthly amount.
<b>Total Monthly Income (B+C).</b>	<b>Add B and C</b> and write the amount in the box. <b>Do</b>

	<b>not add the "A" box.</b>
<b>3. Monthly Expenses</b>	<i>Write the average monthly amount. (Add up yearly amount and divide by 12.)</i>
<b>A. Rent or Mortgage</b>	Write the amount you pay each month. If you pay a mortgage, write the full amount of your payment even if it includes property taxes and homeowner insurance.
<b>B. Real Estate Taxes</b>	If you own your home and taxes are <b>not</b> included in your mortgage, write your monthly taxes here.
<b>C. Utilities</b>	Write the average monthly amount.
<b>D. Food</b>	Write what you spend out of pocket. <i>Do not include your food stamp/SNAP benefits.</i>
<b>E. Clothing</b>	Write the average monthly amount.
<b>F. Insurance Premiums</b> ( <i>Medical, Dental, Auto, Life, Home</i> )	Write the average monthly amount. Include home insurance here if it is <b>not</b> paid with your mortgage (see "A. Rent" above).
<b>G. Medical / Dental</b>	Include medical and dental bills, copayments, prescriptions, medical tests and procedures, etc.. <i>Medical and dental insurance go in "F. Insurance" above.</i>
<b>H. Transportation</b> ( <i>bus, gas, etc.</i> )	Include what you spend to keep your car running, such as gas, repairs, oil changes, etc. <i>If you don't have a car, you can include bus, train, taxi or car pool costs. Car insurance goes in "F. Insurance" above.</i>
<b>I. Child Care</b>	Include after-school care, nursery school, childcare centers, or babysitters so that you can work.
<b>J. Other</b> ( <i>Specify</i> )	Other expenses include children's activities, school items (uniforms, books, lunches), diapers, laundry, haircuts, cleaning items, toiletries, church offerings, toys, movies, etc.
<b>Total Monthly Expenses</b>	Add <b>A</b> through <b>J</b> . Write the total in the box
<b>4. Assets</b>	<i>Assets are things you own that have value. This means you would be able to get cash if you sold the items. You may hear assets called "property" or "belongings." Examples: a car, furniture, cash, savings account, etc.</i>
<b>Definitions:</b>	<i>Estimated Value</i> - how much you think you could get if you sold the item today.
	<i>Loan Balance</i>

	<p>- how much you still owe on it. (For example, from a car loan or furniture that you bought on a finance plan).</p> <p><i>Equity</i></p> <p>- how much money you have left after selling it and paying off the loan.</p>
<p><b>Example:</b>  Your car is worth \$3000 (Value)  You still owe - 2000 (Loan Balance)  Money you have left = 1000 (Equity)</p>	
<b>A. Real Estate</b>	Write the - <i>Estimated Value</i>
<b>B. Motor Vehicles</b>	- <i>Loan Balance</i>
	- <i>Equity</i>
<b>C. Other Personal Property</b>	Personal property includes jewelry, furniture, appliances, etc.
<b>D. Savings Account Balance</b>	Write the total of all accounts. If you don't have any, write "0."
<b>E. Checking Account Balance</b>	Write the average monthly balance after the bills are paid. If you have none, write "0."
<b>F. Cash</b>	Write the amount you have.
<b>G. Other Assets</b>	Write the type of asset.
<b>Total Assets</b>	Add <b>A</b> through <b>G</b> of the <b>Equity</b> column and write the total in the box.
<b>5. Liabilities/Debts</b>	This part is about bills you owe. Include bills such as credit cards, medical, utility payment plans, furniture payment plans, and loans. Do not include loans that you listed above in "4. Assets."
<i>Type of Debt</i>	
<i>Amount Owed</i>	- For example, MasterCard, CL& P....
<i>Monthly Payment</i>	- How much you still owe.
	- How much you pay each month. If you are not making any payments because you have not been able to do so, write "0."
<b>Total Liabilities</b>	Add up the <b>Amount Owed</b> column and the <b>Monthly Payment</b> column and write the totals in the boxes.

**Stop here.** Do not write anything on the second page of the form.

**Look over the front page...**make sure that what you wrote is correct. Get help if you have any questions.

### **Second (or back) page of the form**

DO NOT SIGN IT YET. You must sign the form in front of a court clerk, notary public or lawyer. When you sign this form, you are swearing that the information is true.

**Now you can go to Steps 3 and 4. See page 5. (Make copies and give the form to the court clerk.)**

### **Sample Forms**

<b>SAMPLE 1</b> for Family Cases	<b>SAMPLE 2</b> for Civil, Housing, Small Claims Cases
<b>APPLICATION FOR WAIVER OF FEES/APPOINTMENT OF COUNSEL FAMILY</b> JD-FM-75 Rev. 12-10 C.G.S. §§ 46b-231, 52-259b P.B. §§ 6-2, 25-63 <i>This form must be used only for family and family support magistrate matters. For civil, housing and small claims matters, use form JD-CV-120.</i> <b>To: The Superior Court</b>	<b>APPLICATION FOR WAIVER OF FEES CIVIL, HOUSING, SMALL CLAIMS</b> JD-CV-120 Rev. 11-10 C.G.S. §§ 52-279, 52-279a, 52-279b P.B. § 6-2 <i>Instructions to person asking waived applicant:</i> 1. Print or type all information on 2. Sign the Petitioner Affidavit as court clerk, a notary public or 3. Bring this form to the superior court will be filed or is pending 4. If your application for fees pay for costs of service of process ask for a hearing on the applic <b>To: The Superior Court</b>
① Name of case	Name of case
②	<input type="checkbox"/> Judicial District <input type="checkbox"/> Housing Section <input type="checkbox"/> Geographical Area Number <input type="checkbox"/> Small Claims    Address of court
③	Name of applicant (Last, first, middle initial)    Address of applicant (Number, street, D