

**Superior Court of Washington
For Snohomish County**

Petitioner,

vs.

Respondent

No.

**Motion and Declaration For
Waiver of Filing Fees and
Surcharges - Harassment
(MTWVF)
(RCW 10.14.060; RCW 10.14.055)**

I. Motion

- 1.1 I am the petitioner in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1 GR 34 allows the court to waive “filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief” for a person who is indigent. RCW 10.14.060 provides that if the petitioner’s request for fee waiver is granted, “then no fees for service may be charged to the petitioner.” As outlined below, I am indigent.
- 2.2 RCW 10.14.055 allows the court to waive “filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief” for a person who is seeking relief from a person:
 - who has stalked them as that term is defined in RCW 9A.46.110; or
 - who has engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or
 - from a person who is a family or household member as defined in RCW 26.50.010 who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010.

RCW 10.14.060 provides that if the petitioner's request for fee waiver is granted, "then no fees for service may be charged to the petitioner."

Dated: _____

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

In addition to the information in the financial statement I would like the court to consider the following:

_____.

3.2 I am seeking protection from the respondent who:

has stalked me, or the minor child(ren) listed in the petition;

has engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or

is a family or household member as defined in RCW 26.50.010 who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010;

as described in the Statement in the Petition for Order for Protection – Harassment.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____.

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement - Harassment (Attachment)			
1. My name is:			
2. <input type="checkbox"/> I provide support to people who live with me: How many? Age(s):			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input type="checkbox"/> Unemployed <input type="checkbox"/>		Rent/Mortgage:	\$
Employer's Name:		Food/Household Supplies:	\$
Gross pay per month (salary or hourly pay):	\$	Utilities:	\$
Take home pay per month:	\$	Transportation:	\$
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$
Source:	\$	Ordered Child Support actually paid:	\$
Source:	\$	Clothing:	\$
Source:	\$	Child Care:	\$
Source:	\$	Education Expenses:	\$
Sub-Total:		Insurance (car, health):	\$
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	
\$		\$	
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$		\$
Checking Account Balance:	\$		\$
Savings Account Balance:	\$		\$
Auto #1 (Value less loan):	\$		\$
Auto #2 (Value less loan):	\$	Sub-Total:	
Home (Value less mortgage):	\$	8. My Other Debts with Monthly Payments:	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	
\$		\$	
Date:		Signature:	

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No. _____

Order Re Waiver of Filing Fees and Surcharges - Harassment

Granted (ORPRFP)

Denied (ORDYMT)

Clerk's Action Required 3.1

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The petitioner is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - other: _____

_____.

- 2.2 The petitioner is seeking protection from a person who:
- has stalked them as that term is defined in RCW 9A.46.110;
- engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or
- is a family or household member as defined in RCW 26.50.010(2) who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010(1).

2.3 Other: _____.

III. Order

Based on the findings the court orders:

- 3.1 The motion is granted, and
- all filing fees and surcharges the payment of which is a condition precedent to the petitioner's ability to secure access to judicial relief are waived.
- Law Enforcement shall serve all papers in this action without charging a fee for service to the petitioner.
- other: _____
- _____.

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the petitioner.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the petitioner or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name

Date

**SUPERIOR COURT OF WASHINGTON
IN AND FOR SNOHOMISH COUNTY**

NOTICE OF FEES PAID

Petitioner

vs.

Respondent

NO.

- Partial Filing Fee (Order to Proceed In Forma Pauperis previously filed)
- Full Filing Fee (Order to Proceed In Forma Pauperis previously filed)
- Facilitator Surcharge (\$20.00)
- DV Surcharge (\$30.00)
- Anti Harassment Filing Fee (\$53.00)
- Will Only/Probate Notice to Creditors Filing (\$20.00)
- Unlawful Detainer Answer Fee (\$112.00)
- Trial De Novo Filed: _____ (\$250.00)
- Mandatory Arbitration Filed: _____ (\$220.00)
- Appeal Filing to Court of Appeals of Supreme Court Filed: _____ (\$250.00)
- Supplemental Proceedings (20.00)
- Bail (Attach original bail receipt)
- Civil Sanctions/Fine
- Appeal Bond
- Transcript of Judgment (\$20.00)
- Abstract of Judgment (\$20.00)
- Will Only/Probate Notice to Creditors filing (\$20.00)

Name of Person Filing:

Address:

Phone No: (_____) _____

- Overpayment in the sum of \$ _____ to be refunded.
- OTHER: _____