

Superior Court of Washington  
For Spokane County

No. \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Plaintiff,  
vs.  
\_\_\_\_\_  
Respondent/Defendant.

**Motion and Declaration For Waiver of  
Civil Filing Fees and Surcharges  
(MTAF)**

Type of Action

- |   |  |
|---|--|
| <input type="checkbox"/> Dissolution/Legal Separation               | <input type="checkbox"/> Third Party Custody                     |
| <input type="checkbox"/> Petition to Establish Residential Schedule | <input type="checkbox"/> Petition to Establish Paternity         |
| <input type="checkbox"/> Civil Harassment Petition                  | <input type="checkbox"/> Modification of Parenting Plan Petition |
| <input type="checkbox"/> Waiver of Facilitator Surcharge            | <input type="checkbox"/> Modification of Child Support Petition  |
| <input type="checkbox"/> Other Civil Action _____                   |  |

**I. MOTION**

- 1.1 I am the  petitioner/plaintiff  respondent/defendant in this action.
- 1.2 I am asking for a waiver of  all  some 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. As outlined below, I am indigent.

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.

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

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

3.3 If you live with another adult, you must disclose their monthly income. \$\_\_\_\_\_ per month.

3.4 The other party to this case [ ] does [ ] does not have income. If the other party does have income, I believe that income is \$\_\_\_\_\_ per month.

[ ] (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 (Attachment)			
1. My name is:			
2. <input type="checkbox"/> I provide support to people who live with me: How many?		Age(s):	
<b>3. My Monthly Income:</b>		<b>6. My Monthly Household Expenses:</b>	
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:	\$
<b>4. Other Sources of Income Per Month in my Household:</b>		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:	\$
<b>Total Income, lines 3 (take home pay) and 4:</b>		Sub-Total:	\$
<b>5. My Household Assets:</b>		<b>7. My Other Monthly Household Expenses:</b>	
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):	\$	<b>8. My Other Debts with Monthly Payments:</b>	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	\$
<b>Total Household Assets:</b>		<b>Total Household Expenses and Debts, lines 6, 7, and 8:</b>	
\$		\$	
Date:		Signature:	

<b>Superior Court of Washington For Spokane County</b>	
_____	Petitioner/Plaintiff,
	vs.
_____	Respondent/Defendant.

No. \_\_\_\_\_

**Order Re Waiver of Civil Filing Fees and Surcharges**

- 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/plaintiff  respondent/defendant for the filing of a:

- |   |  |
|---|--|
| <input type="checkbox"/> Dissolution/Legal Separation               | <input type="checkbox"/> Third Party Custody                     |
| <input type="checkbox"/> Petition to Establish Residential Schedule | <input type="checkbox"/> Petition to Establish Paternity         |
| <input type="checkbox"/> Civil Harassment Petition                  | <input type="checkbox"/> Modification of Parenting Plan Petition |
| <input type="checkbox"/> Waiver of Facilitator Surcharge            | <input type="checkbox"/> Modification of Child Support Petition  |
| <input type="checkbox"/> Other Civil Action _____                   |  |

**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 moving party 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 moving party is not indigent.

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 moving party's ability to secure access to judicial relief, are waived.
  - The Petitioner shall pay:
    - Facilitator Fee \$20
    - DV Surcharge \$54
    - Clerk's Filing Fee \$ \_\_\_\_\_
    - Court Facilitator Surcharge \$ \_\_\_\_\_

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 moving party.

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 moving party or another party to pay the filing fees and/or surcharges that have been waived by this order.

- 3.4  The fees shall be paid:  
 At the time the final decree is entered.  
 No later than \_\_\_\_\_.
- 3.5  The Petitioner shall request in their Petition and motion for temporary orders that the Respondent pay the filing fee.
- 3.6  If this is a joint petition, respondent shall pay the filing fee prior to entry of the final orders. A judgment for the filing fee will be entered against the respondent, if payment is not received when the final orders are entered.
- 3.7 Payment of the filing fee may be reviewed at a subsequent hearing.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Presented by:

\_\_\_\_\_  
 Signature of Party or Lawyer/WSBA No.

\_\_\_\_\_  
 Print or Type Name                      Date