

# Connecticut Judicial Branch Self-Represented Parties Information Series

## Filling Out and Filing an Application for Waiver of Fees Form in Family Matters

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**Welcome to the Connecticut Judicial Branch Law Libraries Self-Represented Parties Information Series.**

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**Filling out and filing an Application for Waiver of Fees form in family matters.**

In this overview, we will show you the correct way to fill out and file an Application for Waiver of Fees in family matters, sometimes called a Fee Waiver form. A Fee Waiver, form JD-FM-75, is the official court form filed with the Court Clerk that asks the Court to waive, or to excuse you from paying certain court fees due to financial hardship. The Fee Waiver only excuses you from paying the fees indicated on the form. All other court fees and costs must be paid. Any party to a case, either a plaintiff or defendant, may file an Application for Waiver of Fees form.

If your case is not a family matter, but is a civil, housing or small claims matter, you will need to use a different Application for Waiver of Fees, form JD-CV-120. This video is **not** for filling out form JD-CV-120.

The Fee Waiver form will ask you to provide the Court, under oath, with financial information about your income, expenses, debts and assets. The Court will then look at the information you have given and decide whether or not you are financially qualified for the fees to be excused under the law.

This form is also used for requesting Appointment of Counsel. We will not be addressing this part of the form in this video.

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**How this demonstration works.**

In this demonstration, the video in the top screen will show you what to do to fill out the Fee Waiver form. A blank Fee Waiver form is in the bottom screen. You may fill out the form in the bottom screen as we go through this demonstration.

To move to the next slide, click on the blue button with the arrow that points to the right. To move back a slide, click on the blue button with the arrow that points to the left.

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**Some words to know.**

In this overview, a fee is money charged by the Court. Entry fee is the fee charged by the court to begin your case. Filing fee is the fee charged to file papers, such as some motions, pleadings and other documents, in your case. Waive means to excuse or not require something. An affidavit is a written statement that is sworn to under oath as being true. Proceeding is any type of event involving your case taking place in the Court; this could include hearings, trials or mediation meetings.

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**Qualifying for a Fee Waiver.**

There are state statutes that describe how a person may qualify to have his or her fees waived. The statutes are Connecticut General Statutes sections 46b-231 and 52-259b. The state statutes can be found on the Connecticut General Assembly's website or in any Judicial Branch Law Library.

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**Court Rule on Filing a Fee Waiver.**

The Court rule on filing a Fee Waiver can be found in the Connecticut Practice Book at section 8-2. The Connecticut Practice Book can be found in any Judicial Branch Law Library and on the Judicial Branch website.

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**Connecticut Practice Book.**

From the Judicial Branch home page, click on the quick link for Court Rules. Click on the link for the current year Connecticut Practice Book.

The Connecticut Practice Book is in PDF format with a linked table of contents on the left hand side. Under Superior Court – General Provisions, click on Chapter 8, Commencement of Action.

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**Federal Poverty Level Measure**

Both Connecticut General Statute section 52-259b and Connecticut Practice Book section 8-2 talk about how the Federal Poverty Level can be used by the court to help it decide if a person should be given a Fee Waiver. A copy of the Federal Poverty Level Chart can be found on the Judicial Branch website forms page, form JD-CL-67. You may want to look at this chart to see how your income compares to the poverty level.

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In the box labeled "Name of case," type the name of your case. Be sure to use the full name of the case. In the box to the right, labeled "Docket number," type the docket number of the case if there is one.

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On the next line in the box labeled "Judicial District," type the Judicial district for the court that your case is filed in. For example, if your case is in the Hartford court, type "Hartford." In the box labeled "Address of court," type the full address of the court. Include the number, street, city or town, and zip code.

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In the box below, type your name in the box labeled "Name of Applicant." Type your last name first, followed by your first name and middle initial. Be sure to use your full legal name. For example, if your name is William, type William, not Bill. In the next box labeled "Address of Applicant," type your full address with the number, street, city or town, and zip code. In the last box on this line labeled "Telephone," type your telephone number. Be sure to include the area code.

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Below your name and address, check the box that tells the Court what type of proceeding you are involved in. The choices are: Contempt, Dissolution of Marriage or Divorce, Dissolution of Civil Union, Motion to Open or Modify, Application for Custody, Application or Petition for Visitation, or Paternity. If none of these describe your case, check the box before "Other" and type a description on the line below.

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In the next section of the form, labeled "Fee Waiver," you are asking the Court to waive certain fees. Put a check in the box before each of the types of fees you want to have waived. The choices are: Entry Fee, Filing Fee, Costs of service of process (delivery of papers by a state marshal or other proper officer), and Costs for participating in parenting education. If you want any other fee waived, check the box before "Other," and name the type of fee on the line which follows.

Skip the part of the form labeled "Appointment of Counsel."

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The next part of the form is the Financial Affidavit. This is the section where you will give the Court information about your income, expenses, assets (or property) and debts. When filling out this part of the form you must provide truthful information. You will have to swear to the truth of the information before a notary or a Court Clerk. If you knowingly give false information you can be fined or imprisoned.

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In part "1. Dependents," type in the box the number of dependents you have, including children who are not living with you but who you pay support for. Do not count yourself as a dependent. If you do not have any dependents, enter 0.

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In part "2. Monthly Income," in the box next to "A. Gross monthly income" type your monthly income before taxes are taken out. Be sure to include both state and federal taxes.

In the box for "B. Net monthly income after taxes," type your monthly income after the taxes are taken out.

In the box for "C. Other income," type the amount of any other income you have such as Social Security, state assistance, unemployment, workers' compensation, child support, alimony, or other income.

Add the amounts in lines B and C and enter the total in the box labeled "Total Monthly Income" or allow the online form to do it for you. If the total is 0, go to the bottom of the page where the asterisk, or star, is and enter an explanation for how you are supported without a monthly income.

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In part "3. Monthly Expenses," enter your monthly rent or mortgage in the box next to "A. Rent/Mortgage."

In the next box labeled "B. Real Estate Taxes," enter your monthly real estate tax, if not already included in your mortgage. If you pay on some schedule other than monthly, take the yearly total and divide it by 12.

Continue filling out the information for boxes C through I. Be sure to make your entries reflect monthly costs and be as accurate as you can.

In the box labeled "J. Other" enter any other monthly expenses you have, such as child support or alimony, and type what they are on the line after the word "Specify."

Add up the amounts for boxes A through J and enter the total in the box labeled "Total Monthly Expenses" or allow the online form to do it for you. If the total is 0, go to the bottom of the page where the asterisk, or star, is and enter an explanation for how you are supported without any monthly expenses.

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In part "4. Assets," you have to enter your assets. If you do not have the type of asset listed on the form, leave the line blank. Next to "A. Real estate," there are three boxes. The first is for the estimated value of your real estate. The second box is for any balance you have left on loans taken out against the real estate. The third box is for the equity that you have available in the real estate. For example, if you own a home that is worth \$120,000.00, put 120,000 in the box labeled "Estimated Value." In the box labeled "Loan Balance," enter how much you still owe to the bank or whomever you borrowed the money to purchase the home from. In the box labeled "Equity," subtract what you still owe from the estimated value, this is your equity.

Do the same for the three boxes for "B. Motor Vehicles" and "C. Other Personal Property."

For lines D, E and F, enter the total value of all savings accounts, checking accounts and cash. If you have other assets that do not fit into the boxes listed, enter the value of these assets in the box for "G. Other Assets" such as boats, snowmobiles, RVs or investments, and list the assets after the word "Specify."

Add together all the amounts under the "Equity" column and enter the total in the box labeled "Total Assets" or let the online form to do it for you.

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In part "5. Liabilities/Debts," enter all other debts you have. These debts could include credit cards and other loans. Do not enter any of the loans you put in the "Assets" section, because those have already been counted. Under "Type of Debt," describe the debt or loan. In the box "Amount Owed," enter the total amount you still owe on the debt. In the box in the column "Monthly Payment," type how much you pay each month on that debt or loan. If you pay on some schedule other than monthly, take the yearly total and divide it by 12 and enter the number.

At the bottom next to "Total Liabilities," enter the total of all amounts owed in the box for the column "Amount Owed" and enter the total of all monthly payments in the box for the column "Monthly Payment" or let the online form to do it for you.

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Review the form on the front side (page 1) and make sure that everything is correct and truthful. Make any changes that are needed.

The certification at the top of the back side of the form (page 2), is where you are swearing to the fact that the information you gave on the front of the form (page 1) in the "Financial Affidavit" area is true to the best of your knowledge. Skip the box labeled "Signed," and type your full legal name in the next box labeled "Print name of person signing at left." Leave the "Date" box blank. **Do not sign the form at this time.**

Do not fill in any other parts of the form. The parts of the form labeled "Order" and "Order After Hearing" are for use by the Court. The part labeled "Request for Hearing on Denied Application" will be discussed later in this video.

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Print the form by pressing the "Print" button at the bottom of either page 1 or page 2.

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Take the filled in form to a Notary. Notaries can be found in the Court Service Centers or at most banks. Sign and date the form in the "Signed" and "Date signed" boxes in front of the Notary. Bring a valid, current picture ID with you. The Notary will then sign and date the form. Take the form to the Clerk's Office at the court.

You can also bring the form to the Clerk's Office at the court and sign it and date it in front of the Clerk. Again, be sure to have current picture ID with you. The Clerk will then sign and date the form. It can then be filed with the court.

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If your Application for Fee Waiver is denied by the court and you feel that the denial is not correct, you may ask for a hearing on the application by a judge or a family support magistrate. Get a copy of your Fee Waiver form from the Clerk's Office with the court denial. On the back of the form (page 2), below the "Ordered" section, there is a section labeled "Request for Hearing on Denied Application." Check the box before "I request a court hearing on the application." Sign and date the copy and file it with the Clerk's Office. The Clerk will schedule a date when you can come to court and explain to the judge or family support magistrate why you think you should not have to pay the fee.

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**More Help.**

If you need procedural help or further assistance with filling in the Fee Waiver form or any court form, please visit a Court Service Center.

If you need further information on handling your case, please visit a Judicial Branch Law Library.

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This is the end of our demonstration. For more information please visit a [Judicial Branch Law Library](#), a [Court Service Center](#), or the [Judicial Branch website](#).