

Superior Court of Washington, County of Klickitat

Petitioner	vs.	DOB
Respondent		DOB

No. _____

**Motion and Declaration for Waiver
of Filing Fees and Surcharges –
Harassment**
(MTWVF)
(RCW 7.105.105(9))

Motion and Declaration For Waiver of Filing Fees and Surcharges – Harassment

1. I am the Petitioner in this action. I am asking for a waiver of all filing fees and surcharges.

2. Basis

Unable to Pay. 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 7.105.105(9)(b)(ii) provides that the court must waive the antiharassment protection order filing fee if the court determines the petitioner is not able to pay the costs of filing. As outlined below, I am indigent and not able to pay the costs of filing.

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**, WPF GR 34.0300, 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:

Filing Fee Prohibited. To the best of my understanding, my petition for an antiharassment protection order is based on (*check all that apply*):

stalking

hate crime

single act/threat of violence including malicious and intentional threat or presence of firearm/weapon causing substantial emotional distress

family or household member engaged in domestic violence

nonconsensual sexual conduct or penetration or a sex offense

RCW 7.105.105(9)(b)(i) prohibits the court from charging filing fee in this situation.

3. **Mail** (*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):			
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:	

Superior Court of Washington, County of Klickitat

Petitioner DOB

vs.

Defendant/Respondent DOB

No.: _____

**Order Re Waiver of Filing Fees and
Surcharges – Harassment**

Granted (ORALFF)

Denied (ORDYMT)

Clerk's Action Required: **3**

Order Re Waiver of Filing Fees and Surcharges - Harassment

1. The court received the motion to waive filing fees and surcharges filed by or on behalf of the Petitioner.
2. **Findings.** The Court reviewed the motion and supporting declaration/s. Based on the declaration/s and any relevant records and files, the Court finds:

The Petitioner is indigent based on the following, they:

are represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or

receive benefits from one or more needs-based, means-tested assistance programs; and/or

have household income at or below 125% of the federal poverty guideline; and/or

have 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: _____

The Petitioner is seeking protection from a person who has engaged in:

stalking

hate crime

- single act/threat of violence including malicious and intentional threat or presence of firearm/weapon causing substantial emotional distress
- domestic violence and is a family or household member
- nonconsensual sexual conduct or penetration or a sex offense
- other: _____.

3. Order. Based on the findings the court orders:

- The motion is granted, and
 - filing fees and surcharges are waived due to Protected Person’s inability to pay.
 - the court is prohibited from charging a filing fee because this petition for an antiharassment protection order is based on the reason checked in section **2**.
 - Law Enforcement shall serve all papers in this action without charging a fee for service to the Petitioner.
 - other: _____.

The motion is denied because _____.

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

Print Judge/Commissioner Name

Presented by:

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name Date