Getting Started Application for Waiver of Court Fees

Getting Started

Application for Waiver of Court Fees

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to use the *Application for Waiver of Court Fees* forms. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *How to Ask the Judge to Participate in a Court Case for Free or at a Reduced Cost* instruction sheet and the instructions on the forms.

| Names of the forms: | Application for Waiver of Court Fees |
|-----------------------------|--|
| | Order for Waiver of Court Fees |
| Purpose of the forms: | To ask the court to let you participate in a court case for free or at a reduced cost. |
| Types of cases the forms | All civil cases. For example, divorce cases, family cases, |
| CAN be used for: | eviction cases, small claims cases, foreclosure cases and |
| | lawsuits for injury or property damage. It can also be used in |
| | expungement and sealing of criminal cases. |
| Types of cases the forms | All criminal, traffic, and juvenile justice cases. If you need to |
| CANNOT be used for: | ask for a fee waiver in a criminal case, you can use the |
| CANTO I De asca for. | Application for Waiver of Criminal Court Assessments form |
| | found here: illinoiscourts.gov/Forms/approved/Circuit.asp |
| Special information or | You will need to know your income and expenses |
| papers needed to complete | information for the past 12 months. You also need to know |
| the forms: | the value of your belongings, including any real estate. |
| the forms. | |
| | If you are filling this form out on behalf of a minor or |
| | incompetent adult, you will need that person's information. |
| | If you get public benefits, you may want to bring current |
| | proof of eligibility and a benefits statement from the |
| | agency providing the benefit when you file your forms. |
| | If you don't get public benefits, you may want to bring |
| | documents showing your income, value of belongings |
| | (including real estate) and expense information when you |
| | file your forms. |
| Statutes and rules covering | • 735 ILCS 5/5-105 and 5/5-105.5 |
| the forms: | Illinois Supreme Court Rule 298 |
| Where to find the forms and | illinoiscourts.gov/Forms/approved/Circuit.asp |
| instruction sheet: | minorassansigati oriniorapprovoa orioantaop |
| For more information: | Read the How to Ask the Court to Participate in a Court Case |
| i of more information. | for Free or at a Reduced Cost instruction sheet that comes |
| | with these forms. You may also find more information, |
| | resources, and the location of your local county self help |
| | center at: illinoislegalaid.org/FeeWaiver. |
| | Center at. Initioisiegalaid.org/Feevvalver. |

Find Illinois Supreme Court approved forms at: illinoiscourts.gov/Forms/approved/.

Print Form

Save Form

Application for Waiver of Court Fees

If you are seeking a waiver of court fees, you will need to submit the below in .pdf format. If possible, combine the documents in one .pdf document (see attached information sheet regarding .pdf). Do not include documents other than what is listed below.

- 1. File your Application for Waiver of Court Fees with the Clerk's Office;
- 2. Submit a copy of the filed Application for Waiver of Court Fees, as well as a copy of the Order for Waiver of Court Fees, in .pdf format.
- 3. Proof of income (paystub, W-2,etc.) or evidence of the means-based public assistance you are receiving. e.g. SSI, GA, TANF, AABD, SNAP.

If you have not complied with the instructions, your Application and Order will not be forwarded to the Judge to whom your case is assigned.

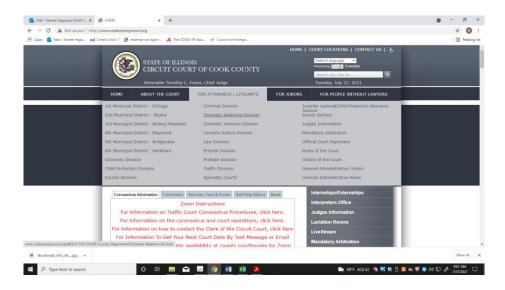
Once you have filled out your Application

Once you have filled out your Application and filed with the Clerk of the Circuit Court of Cook County, the Clerk of the Circuit Court will transmit the Application packet to the Court Coordinator or Court Clerk to send to the Judge to whom your case is assigned. For a list of court coordinators and judges, please visit www.cookcountycourt.org and follow these steps to take you to the Contact List for the Domestic Relations Division:

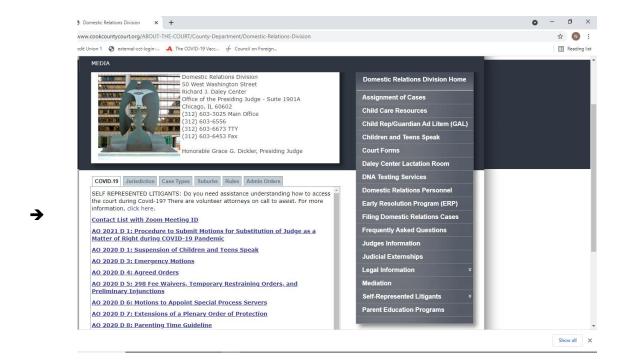
1. <u>www.cookcountycourt.org</u>



2. Select "For Attorneys/Litigants" then select "Domestic Relations Division"



3. Select "Contact List and Zoom Meeting IDs"



Remote Court Documents



How to prepare and send forms, evidence and other documents to the court for your remote court hearing

Any time you email documents to the court:



DO



Make sure everything is in order and filled out completely.



Only send documents that are saved as PDF files.



Send one email with all documents saved and attached individually.



Put your court case number in the subject line of every email.



DO NOT



Do **NOT** send documents that are sideways or upside down.



Do **NOT** save documents in programs like Word, Pages, etc.

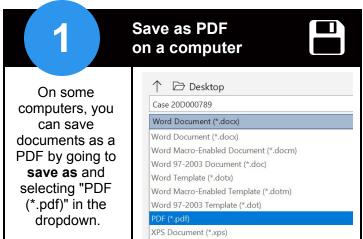


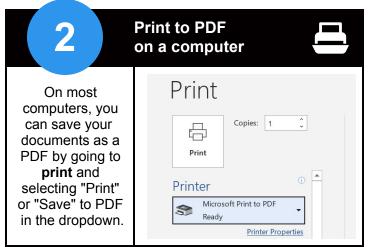
Do **NOT** attach individual pages of documents with multiple pages.

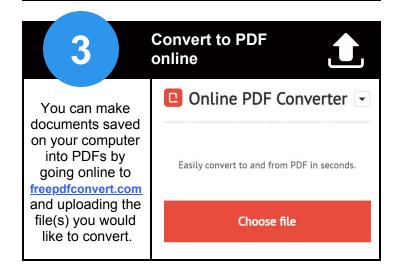


Do **NOT** take and send pictures of your documents.

Four ways to save documents as a PDF:









Application for Waiver of Court Fees

| STATE OF II | | APPLICATION FOR WAIVER OF COURT FEES | For Court Use Only |
|---|--|--|---|
| Instructions ▼ Directly above, enter the name of the county where the case was filed. Enter the name of the | | | |
| person who started the lawsuit as Plaintiff/Petitioner. Enter the name of the person being charged as Defendant/Respondent. | Plaintiff / Petit | ioner (First. middle, last name) | |
| Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one. | Defendant /Re | spondent (First, middle, last name) | Case Number |
| NOTE: | If you are comp | oleting this form on behalf of a minor or an incon information on this form instead of your ow | |
| ame 1b, only enter the | 1. I believe I | inois Supreme Court Rule 298 and 735 ILCS cannot afford to pay the court fees in this ca nformation about myself: | |
| 1b, only enter the ear you were born. O NOT enter your tire date of birth. | I believe I of following if a. Name: | cannot afford to pay the court fees in this can formation about myself: First Middle Birth: | ase and I am providing the |
| ame 1 b, only enter the ear you were born. O NOT enter your tire date of birth. 1 c, enter your omplete current ldress. 2 a, enter the number | 1. I believe to following i a. Name: b. Year of c. Street / City, St. 2. I am provide. | cannot afford to pay the court fees in this can formation about myself: First Middle Birth: Address: ate, ZIP: dting the following information about people | Last who live with me: |
| 1.1a, enter your full ame 1.1b, only enter the ear you were born. O NOT enter your intire date of birth. 1.1c, enter your omplete current dress. 1.2a, enter the number people age 18 and ider living in your ousse who you support. 1.1b, one of the content of the | 1. I believe I of following in a Name: b. Year of c. Street A City, St 2. I am provide a. I suppose. I suppose. | cannot afford to pay the court fees in this can formation about myself: First | Last who live with me: who live with me. |
| anne in the number the number to get a la se la | 1. I believe lof following in a Name: b. Year of c. Street / City, St 2. I am provio a. I suppo b. I suppo b. I suppo b. Suppo c. Street in the street in th | cannot afford to pay the court fees in this can formation about myself: First | Last who live with me: who live with me. with me. with me. |
| ame 1 tb, only enter the ear you were born. O NOT enter your inter date of birth. 1 tc, enter your omplete current dress. 1 ta, enter the number pepels age 18 and dder living in your couse who you support. upport means that the eople rely on you | 1. I believe I d following i a. Name: b. Year of c. Street / City, St 2. I am provic a. I suppo b. I suppo b. I suppo c. Street / Suppo a. I am receiv a. I suppo b. I suppo c. Suppo a. Aid a. Te b. Suppo a. Aid a. Te b. Suppo b. Suppo c. Suppo c | cannot afford to pay the court fees in this can formation about myself: First | Last who live with me: who live with me. with me. with me. |

This is a 3 page document and is available for download on line at https://www.illinoiscourts.gov/documents-and-forms/approved-forms/

Once at the website, select "Fee Waiver for Civil Cases" or you may obtain a hard copy at the office of the Clerk of Circuit Court of Cook County. Example of a filled out fee waiver is on the following pages.

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

| STATE OF ILLINOIS, CIRCUIT COURT [insert county where your case is filed] COUNTY | | APPLICATION FOR WAIVER OF | For Court Us | - |
|--|---------------------------------|---|---|--|
| | | COURT FEES | In order to have your fee waiver entered by the Court, your fully completed Application for Waiver of | |
| Instructions ▼ | | | of the Circuit C | all be filed with the Clerk Court of Cook County. If ith the Clerk of the |
| Directly above, enter the name of the county where the case was filed. | | | Circuit Court a on the waiver. | ith the Clerk of the and the file stamp is not the Court will not be the waiver of fees. |
| Enter the name of the person who started the lawsuit as Plaintiff/Petitioner. | | Name of Petitioner ioner (First, middle, last name) | | |
| Enter the name of the person being charged as | V. | | | number assigned of the Circuit Court of |
| Defendant/Respondent. | | | Cook County | |
| Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one. | | t Name of Respondent spondent (First, middle, last name) | 2021 D xx Case Nui | |
| | | | • | |
| NOTE: | If you are comp | leting this form on behalf of a minor or an incom information on this form instead of your ow | | ovide that person's |
| | Pursuant to III | inois Supreme Court Rule 298 and 735 ILCS | <u>5/5-105</u> , I state |): |
| In 1a , enter your full name | | cannot afford to pay the court fees in this ca | se and I am pro | oviding the |
| In 1b , only enter the year you were born. | • | nformation about myself: | | |
| DO NOT enter your entire date of birth. | | Name of Person Seeking Waiver of Fees First Middle Birth: Year of birth of | Last | |
| In 1c , enter your complete current address. | - | seeking waiver of fees | | |
| | | Address: Address of person seeking waiver of | | |
| In 2a, enter the number of people age 18 and older living in your | • | ate, ZIP: <u>City, State and Zip Code of person s</u> ling the following information about people | • | |
| house who you support. Support means that the people rely on you financially. | a. I suppo me. b. I suppo | rtadults (not counting myself) w | who live with | Select option that applies. |
| In 2b , enter the number of people under age 18 living in your house who you support. | Yes | ring 1 or more of the benefits listed below: | | |
| In 3, check "Yes" if you are currently | • Aic | pplemental Security Income (SSI) (Not Social S to the Aged, Blind and Disabled (AABD) mporary Assistance to Needy Families (TANF) | Security) ← | Select option that applies. |

 General Assistance (GA), Transitional Assistance, or State Children and Family Assistance

If you answered "Yes" in section 3, you qualify for a fee waiver under 735 ILCS 5/5-105(a)(2)(i) and (b)(1). You can skip section 4 and sign the form.

SNAP (Food Stamps)

receiving 1 or more of

If you check "Yes" in 3, skip 4 and sign the form. You do not have to complete 4.

the benefits listed

below.

| | Enter the Case Number given by the Circuit Clerk: | |
|--|--|-------------------|
| In 4a , check "Yes" if you have applied for at least 1 of the benefits listed in section 3. | 4. I checked "No" in section 3, so I am providing the following financial infor a. I have a pending application for 1 or more of the benefits listed in section 3: | |
| In 4b , check the box for each type of money you have received in | b. I received the following money in the past month. (check all that apply) My employment: \$ Social Security (not SSI): | \$ |
| the past month. Also enter the gross (before | ☐ Child support: \$ ☐ Unemployment: ☐ Pension: \$ | \$ |
| taxes) amount for each type. | ☐ Money from other household members:☐ Other (list type and amount): | <u>\$</u> \$ |
| Under Other in 4b and 4c , include any money received from family or friends. | ☐ No income Total of all money received in the past month: \$ | |
| | c. I received the following total amount of money in the past 12 months. (chec | k all that apply) |
| In 4c , check the box for | ☐ My employment: \$ ☐ Social Security (not SSI): | \$ |
| each type of money you have received in the past 12 months. | ☐ Child support: \$ ☐ Unemployment: ☐ Pension: \$ ☐ | \$ |
| Also enter the gross | ☐ Money from other household members: | \$ |
| (before taxes) amount for each type. | Other (list type and amount): | \$ |
| ioi each type. | ☐ No income | |
| | Total of all money received in the past 12 months: \$ | |
| In 4d, check all of your | d. My current monthly debts and expenses are listed below. (check all that appl | 'y) |
| debts and expenses for the past month and list | Rent: per month | |
| the amount of money | ☐ Home Mortgage: \$per month | |
| you pay each month for | Other Mortgage: \$per month | |
| that expense. | Utilities: \$per month | |
| | Food: \$per month | |
| | ☐ Medical: \$per month | |
| | Car Loan: \$ per month | |
| | Childcare: <u>\$</u> per month | |
| | ☐ Child Support: \$per month | |
| | Other expenses not listed above (list type and amount): | |
| | | \$ |
| | Other debts not listed above (list type and amount): | |
| | | \$ |
| | ☐ I have no expenses. | |
| | Total of all expenses: \$per month | |
| If answer | red "No" to section 3, fill out section 4. | |
| Furtherm | nore, some judges will require proof of income. Be prepared to submit Proof o | of income |

(paystub, W-2,etc.) or evidence of the means-based public assistance you are receiving. e.g. SSI, GA, TANF,

AABD, SNAP.

| In 4e, check all of the items owned by you and list the value of each item. If you own real estate, include the total you owe on any mortgage. | | e mortgage is: house I live in, worth: r mortgage is:The 1 st vehicle is paidThe 2 nd vehicle is paid | \$ \$ \$ \$ \$ \$ off: Yes No No \$ |
|--|--|---|-------------------------------------|
| Under Illinois Supreme Court Rule 137, your signature means that you have read the document, that to the best of your belief, it is true and correct and that you are not filing it for an improper purpose, | /s/ Your Signature Print Your Name | Street Address City, State, ZIP | |
| If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name. Enter your complete current address and telephone. | Relationship to Minor or Incompetent Adult (if applicable) Insert signature, address, ar number | Telephone nd telephone | |
| If you are filling out this form for a minor or incompetent adult, sign and print your name and state your relationship to that person. Enter your complete current address and telephone number. | | | |
| address. You should use | OCUMENTS BY EMAIL: If you agree to receive court do an email account that you do not share with anyone else ar important information or notice of court dates. Other parti | nd that you check every day. If yo | ou do not check your email |
| | I agree to receive court documents at this If you have an e-mail address Email | | |

Enter the Case Number given by the Circuit Clerk:___

Order for Waiver of Court Fees

| | COUNTY | | ER FOR F COURT FEES | |
|--|--|----------------------------|---|---|
| Instructions ▼ Directly above, enter the name of the county where the case was filed. Enter the name of the person who started the | Plaintiff / Petir | tioner (First, middle, las | t name) | |
| lawsuit as Plaintiff/Petitioner. Enter the name of the person being sued as Defendant/Respondent. | V. | • | | |
| Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one. | Defendant / R | espondent (First, middl | le, last name) | Case Number |
| Enter your full name as "Applicant." | Applicant Na | ime: First | Middle | Last |
| more blanks on this form. The judge will complete the rest of the form. | The Court having reviewed the Application for Waiver of Court Fees hereby finds: 1. The applicant qualifies for a full (100%) waiver of all fees, costs, and charges bed (check only one): a. The applicant receives means-based government assistance under one of the following programs: • Supplemental Security Income (SSI) (Not Social Security) • Aid to the Aged, Blind and Disabled (AABD) • Temporary Assistance for Needy Families (TANF) • SNAP(Food Stamps) • General Assistance (GA), Transitional Assistance, or State Childre Family Assistance (GA), Transitional Assist | | (SSI) (Not Social Security) bled (AABD) dy Families (TANF) sitional Assistance, or State Children ar % or less of the current poverty level as Health and Human Services and the 35 ILCS 5/12-901 and applicant is unable to pay the fees, cost would result in substantial hardship to th or 25%) waiver of all fees, costs, and me is (check one): 10% (75% waived); OR 175% (50% waived); OR | |
| WA-O 604.4 | | 735 ILCS 5/12-901 a | s and the Applicant's no and 735 ILCS 5/12-1001 ge 1 of 2 | n-exempt assets under are such that the applicant is unable (07/19) |

This is a 2 page document and is available for download on line at

https://www.illinoiscourts.gov/documents-and-forms/approved-forms/

Once at the website, select "Fee Waiver for Civil Cases" or you may obtain a hard copy at the office of the Clerk of Circuit Court of Cook County. Example of a filled out Order for Waiver of Fees is on the following pages.

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT

Cook [insert county] COUNTY

ORDER FOR WAIVER OF COURT FEES

| For | Court | Use | Only |
|-----|-------|-----|------|
| | | | |

The Order for Waiver of Court Fees will need to be submitted with the Application for Fee Waiver.

| | | vvaivoi. |
|--|--|--|
| Instructions ▼ | | |
| | | |
| | | |
| | | |
| | [Insert First and Last Name of Petitioner] | |
| | Plaintiff / Petitioner (First, middle, last name) | |
| | Training Training (Firet, Firet, Fire | |
| | | |
| Enter the name of the | V. | |
| person being sued as | | |
| Defendant/Respondent. | | |
| | The state of the s | The cost Cose Nivershoul |
| | [Insert First and Last Name of Respondent] Defendant / Respondent (First, middle, last name) | [Insert Case Number] Case Number |
| | Deletidant / Respondent (First, middle, last name) | Case Number |
| | | |
| | | |
| Enter your full name | Applicant Name: [Insert name of Applicant] DO NOT FIL | L OUT BELOW THIS LINE |
| as "Applicant." | First Middle | Last |
| | The Court having reviewed the Application for Waiver of 0 | Court Foos haraby finds: |
| DO NOT 1 1 | | • |
| DO NOT check any boxes or fill in any | 1. The applicant qualifies for a full (100%) waiver of a | il lees, costs, and charges because |
| more blanks on this | (check only one): | |
| form. The judge will | a. The applicant receives means-based gove | rnment assistance under one or more |
| complete the rest of the form. | of the following programs: | |
| the form. | Supplemental Security Income (SS | |
| | Aid to the Aged, Blind and Disable Tananana Assistance for Negative | · · · · · · · · · · · · · · · · · · · |
| | Temporary Assistance for Needy FSNAP(Food Stamps) | ramilles (TANF) |
| | · · · · · · · · · · · · · · · · · · · | onal Assistance, or State Children and |
| | Family Assistance | onal Assistance, of State Children and |
| | OR | |
| | b. The applicant's personal income is 125% c | or less of the current poverty level as |
| | established by the U.S. Department of Hea | • |
| | • | |
| | Applicant's non-exempt assets under 735 I | |
| | 735 ILCS 5/12-1001 are such that the app | licant is unable to pay the fees, costs, |
| | or charges; | |
| | OR | |
| | c. Payments of fees, costs, and charges wou | ld result in substantial hardship to the |
| | applicant or his or her family. | |
| | | |
| | 2. The applicant qualifies for a partial (75%, 50%, or 25 | 5%) waiver of all fees, costs, and |
| | charges because the applicant's household income | is <i>(check one)</i> : |
| | more than 125% but not greater than 150% | % (75% waived); OR |
| | more than 150% but not greater than 175 % | % (<i>50% waived</i>); OR |
| | more than 175% but not greater than 200% | |
| | of the current poverty level as established by th | |
| | and Human Services and the Applicant's non-e | • |

735 ILCS 5/12-901 and 735 ILCS 5/12-1001 are such that the applicant is unable

| | to pay the lees, costs; or charges. |
|---|--|
| | 3. The applicant must provide additional information and attend a hearing before the |
| | court decides if the applicant qualifies for a fee waiver. |
| | 4. The applicant does not qualify for a fee waiver because (must state specific reason): |
| | |
| | IT IS HEREBY ORDERED: A. Application for Waiver of Court Fees is GRANTED. i. The applicant qualifies for a full waiver, and may participate in this case without payment of fees, costs, or charges. OR ii. The applicant qualifies for a partial fee waiver as follows (check one): 75% of all fees, costs, and charges are waived (and the applicant must pay 25% of all fees, costs, and charges). 50% of all fees, costs, and charges are waived (and the applicant must pay 50% of all fees, costs, and charges). 25% of all fees, costs, and charges are waived (and the applicant must pay 75% of all fees, costs, and charges). Charges included in this waiver are: filing, service of process, publication, mediation, guardian ad litem, or any other court ordered fees listed in 735 ILCS 5/5-105(a)(2)(1). The applicant must pay fees, costs, and charges currently due by: Date OR Upon good cause shown, the applicant may make payments as follows (describe deferral, installment plan, or other reasonable terms): |
| | This order expires one year from the date of this order. The applicant may reapply before |
| | or after the expiration date. B. Application for Waiver of Court Fees is SET FOR HEARING on |
| | C. Application for Waiver of Court Fees is DENIED . The applicant must pay all fees, costs, and charges currently due by: Date |
| DO NOT complete this section. The judge will sign and | ENTERED: |
| date here. | Judge Date |

Enter the Case Number given by the Circuit Clerk: Insert Case Number

WA-O 604.4 Page 2 of 2 (07/19)