

Name of Person Filing: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Daytime Phone Number: _____
 Evening Phone Number: _____
 ATLAS Number (if applicable): _____
 Attorney Bar Number (if applicable): _____
 Representing Self Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA MOHAVE COUNTY

Name of Petitioner

Case Number: _____

APPLICATION FOR DEFERRAL OF COURT FEES AND/OR COST AND CONSENT TO ENTRY OF JUDGEMENT

Name of Respondent

IMPORTANT

This "**Application for Deferral of Court Fees and/or Costs**" includes a "**Consent to Entry of Judgment.**" By signing this Consent, you agree a Judgment may be entered against you for all fees and costs that are deferred but remain unpaid thirty (30) calendar days after entry of final Judgment. At the conclusion of the case you will receive a Notice of Court Fees and Costs Due indicating how much is owed and what step you must take to avoid a Judgment against you if you are still unable to pay. Addition details about this process are discussed in the "**Consent to Entry of Judgment**" Section of this Application.

STATEMENTS MADE TO THE COURT UNDER OATH OR AFFIRMATION. I swear or affirm that the information in this application is true and correct. I make this statement under the penalty of prosecution for perjury if it is determined that I did not tell the truth.

I am requesting a deferral of the following fees and/or costs in my case:

- Any or all of the following: All filing fees, fees for the issuance of either a summons and subpoena, or fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings.
- Fees for service of process by a sheriff, marshal, constable or local law enforcement agency (fill out separate affidavit form).
- Fees for service by publication (fill out separate affidavit form).
- Filing fees and photocopy fees for the preparation of the record on appeal.
- Court reporter's fees of reporters or transcribers employed by the court for the preparation of the transcript.

The basis for the request is:

1. **WAIVER: I am permanently unable to pay. My income and liquid assets are insufficient or barely sufficient to meet the daily essentials of life and unlikely to change in the foreseeable future.**
2. **DEFERRAL:**
 - A. **I receive governmental assistance from the state/federal program(s) marked below:**

- Temporary Assistance to Needy Families (TANF)
- Supplemental Security income (SSI)
- Food Stamps
- General Assistance (GA)

If you marked either boxes 1 or 2A, you must complete the Financial Questionnaire. You MUST sign in front of the Court Clerk if completed in person, or a notary public if submitted by mail or a third party. Please be prepared to submit proof that you receive governmental assistance. If you are submitting this application by mail or a third party, please attach a photocopy of that proof.

OR

- B. My income is insufficient or is barely sufficient to meet the daily essentials of life, and includes no allotment that could be budgeted for the fees and costs that are required to gain access to the Court.**

NOTE: To determine whether income is insufficient or barely sufficient, the Court will review your income and expenses. Among the factors the Court may consider are:

1. Whether your gross income as computed on a monthly basis is 150% or less of the current federal poverty level. Gross monthly income includes your share of community property income if available to you.
2. If your income is greater than 150% of the poverty level, but you have proof of extraordinary expenses (including medical expenses and costs of care for elderly or disabled family members) or other expenses that the Court finds are extraordinary that reduce your gross monthly income to at or below 150% of the poverty level.

OR

- C. I do not have the money to pay Court filing fees and/or costs now. I can pay the filing fees and/or costs at a later date. Explain.** _____
- _____
- _____

If you checked either boxes 2B or 2C, you must complete the Financial Questionnaire. You must sign this application in front of the Court Clerk, or a notary public if submitted by mail or a third party.

FINANCIAL QUESTIONNAIRE

SUPPORT RESPONSIBILITIES: List all persons you support (including those you pay child support and/or spousal maintenance/support for):

NAME	RELATIONSHIP
_____	_____
_____	_____
_____	_____
_____	_____

STATEMENT OF INCOME AND EXPENSES

ASSISTANCE: I receive assistance from:

- Arizona Health Care Cost Containment System (AHCCCS)
- Arizona Long Term Care System (ALTCS)
- Other (explain): _____

MONTHLY INCOME: My monthly income is:

Monthly gross income: \$ _____

Employer name: _____

Employer address: _____

Employed since (month/year): _____

Other current monthly income, including spousal maintenance/support, retirement, rental, interest, pensions, scholarships, grants, royalties, lottery winnings (explain amount and source): \$ _____

My spouse's monthly gross income (if available to me): \$ _____

TOTAL MONTHLY INCOME: \$ _____

MONTHLY EXPENSES AND DEBTS: My monthly expenses and debts are:

	PAYMENT AMOUNT	LOAN BALANCE
Rent/Mortgage payment	\$ _____	\$ _____
Car Payment	\$ _____	\$ _____
Credit Card Payments	\$ _____	\$ _____
Explain:		
Other payments & debts	\$ _____	\$ _____
Explain:		
Food/Household supplies	\$ _____	
Utilities/Telephone	\$ _____	
Clothing	\$ _____	
Medical/Dental/Drugs	\$ _____	
Health Insurance	\$ _____	
Nursing care	\$ _____	
Laundry	\$ _____	
Child Support	\$ _____	
Child Care	\$ _____	
Spousal Maintenance	\$ _____	
Car Insurance	\$ _____	
Gasoline/Bus Fare	\$ _____	
Contributions to Employer		
Or Other Retirement Account	\$ _____	

TOTAL MONTHLY PAYMENTS: \$ _____

STATEMENT OF ASSETS: List only those assets available to you and accessible without financial penalty. Equity is defined as market value minus any liens or loans.

ESTIMATED VALUE

Cash and Bank Accounts	\$ _____	
Credit Union Accounts	\$ _____	
Equity in:		
1. Home	\$ _____	
2. Other property	\$ _____	
3. Cars/other vehicles	\$ _____	
Other, including stocks, bonds, etc.	\$ _____	
Retirement Accounts	\$ _____	
TOTAL ASSETS:		\$ _____

EXTRAORDINARY EXPENSES: For example, unusual medical needs, financial hardship, costs of care of elderly or disabled family members. (Proof must be submitted.)

DESCRIPTION

AMOUNT

\$ _____
\$ _____
\$ _____

TOTAL EXTRAORDINARY EXPENSES

\$ _____

NOTE: If you receive a deferral and have unpaid fees at the end of your case you will receive a Notice of Court Fees and Costs Due. This is to remind you that you may submit a supplemental application for further deferral or waiver if you believe you need more time to pay or cannot afford to pay your Court fees and costs. The Court will decide at that time whether or not you must pay. If you do not file a supplemental application, the original deferral order remains in effect and a consent judgment may be entered against you if you do not pay within thirty calendar days after entry of final judgment.

If your case is dismissed for any reason, the fees and costs are still due.

CONSENT TO ENTRY OF JUDGMENT: By signing this Application, I agree that a Judgment may be entered against me for all fees and/or costs that are deferred but remain unpaid thirty (30) calendar days after entry of final judgment. Judgment may be entered against me unless any one of the following applies:

- A. Fees and costs are taxed to another party;
- B. I have an established schedule of payments in effect and I am current with those payments;
- C. I filed a supplemental application for waiver or further deferral of fees and costs and a decision by the Court is pending;
- D. In response to a supplemental application, the Court orders that the fees and costs be waived or further deferred; or
- E. Within twenty days of the date the Court denies the supplemental application, I either:
 - 1. Pay the fees and/or costs; or,
 - 2. Request a hearing on the Court's order denying waiver or further deferral. If I request a hearing, the Court cannot enter the Consent Judgment unless a hearing is held, waiver or further deferral is denied and payment has not been made within the time prescribed by the Court.

If you appeal the final decision in your case, a Consent Judgment for deferred fees and/or costs that remain unpaid in the lower Court shall not be entered until after the appeals process is concluded.

OATH OR AFFIRMATION

I swear or affirm that the information on this document is true and correct to the best of my knowledge, under penalty of perjury.

Signature: _____ Date: _____

Sworn to or Affirmed before me this _____ day of _____, 20_____

by _____

My Commission Expires: _____

Deputy Clerk / Notary Public

**CONFIDENTIAL
AFFIDAVIT**

State of Arizona)
)
County of Mohave) **ss.**

I, _____, am an applicant for **DEFERRAL OR WAIVER OF COURT FEES AND COSTS, pursuant to A.R.S. § 12-302.** The Application for Deferral of Court Fees and Costs requires a Consent to Entry of Judgment. By signing the Consent, I have agreed that a judgment may be entered against me for all fees and costs that are deferred but remain unpaid thirty (30) calendar days after entry of final judgment. I understand that collection efforts include referring the judgment to a collection program (A.R.S. § 12-116.03), entry into a tax intercept program (A.R.S. § 41-1122(b)) and reporting of the debt to credit bureaus (A.R.S. § 12-288) which require the use of my social security number. I understand that the information provided is collected for administrative purposes and shall be maintained as confidential information under Rule 123, Rules of the Supreme Court, unless needed to enforce the Consent Judgment as specified above. Therefore,

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

I hereby verify that my social security number is _____ - ____ - _____

OR

I hereby verify that I do not possess a valid Social Security Number.

Applicant

SUBSCRIBED AND SWORN before me this _____ day of _____, 20_____.

**Deputy Clerk
Mohave County Superior Court**