

Checklist for Fee Waiver

Keep a copy of all documents for your records.
Attend all court hearings.

(1) Motion and Affidavit to Waive Fees

- Print your name and contact information at the top of the first page. Check whether you are the plaintiff/petitioner or defendant/respondent or the attorney for the plaintiff/petitioner or defendant/respondent.
- Complete the heading exactly as it appears in the Complaint/Petition.
- Paragraph (3) is for certain domestic cases, such as a petition for divorce, parentage, temporary separation or separate maintenance, in which you have to file an even more detailed Financial Declaration as part of the case. (Generally, any domestic case involving a final or temporary order for alimony, child support, debt division, property division, attorney fees paid by the other party, or modification of those orders.) Check the box showing that you have attached the Financial Declaration.
- Paragraph (4) is for recipients of public assistance. Check the boxes to say which programs you have qualified for. Check the box showing that you have attached the financial statement that you used to qualify for the program.
- Paragraph (5) is for clients of Utah Legal Services or The Legal Aid Society of Salt Lake. Check the box showing that you have attached the financial statement that you used to qualify for representation.
- Paragraph (6) is for everyone who does not qualify to use a financial statement under Paragraph (3), (4), or (5). Check the box showing that you have attached the Financial Affidavit Supporting Motion to Waive Fees.
- Date and sign the form in front of a notary public or judicial services representative.
- Complete the Certificate of Service.
- Attach any required documents and forms.
- Serve the form and attachments on the other party.
- File the form and attachments with the judicial services representative.

(2) Financial Affidavit Supporting Motion to Waive Fees

- File this form if you do not qualify to file a financial statement under Paragraph (3), (4), or (5) of the Motion and Affidavit to Waive Fees.
- Print your name and contact information at the top of the first page. Check whether you are the plaintiff/petitioner or defendant/respondent or the attorney for the plaintiff/petitioner or defendant/respondent.
- Complete the heading exactly as it appears in the Complaint/Petition.

- Complete the entire form, describing your assets, obligations, income and expenses in detail.
- Date and sign the form in front of a notary public or judicial services representative.
- Complete the Certificate of Service.
- Attach any required documents and forms.
- Serve the form and attachments on the other party.
- File the form and attachments with the judicial services representative.

(3) Certificate Regarding Inmate Account

- Complete the heading exactly as it appears in the Complaint/Petition.
- Print your name and inmate number in the table.
- Ask your trust account administrator to complete the rest of the form.
- File the form with the Motion and Affidavit to Waive Fees.

(4) Proposed Order on Motion to Waive Fees

- Complete the heading exactly as it appears in the Complaint/Petition.
- Do not complete the rest of the form. The judge will do this.
- File and serve the form with the Complaint/Petition.

(5) Memorandum Demonstrating Inability to Pay Fees

- Do not file this form unless there has been a change of circumstances after the judge has ordered you to pay the fees.
- Print your name and contact information at the top of the first page. Check whether you are the plaintiff/petitioner or defendant/respondent or the attorney for the plaintiff/petitioner or defendant/respondent.
- Complete the heading exactly as it appears in the Complaint/Petition.
- Check the boxes that show why you cannot pay the fees ordered by the court.
- Attach any required documents and forms.
- Date and sign the form.
- Complete the Certificate of Service.
- Serve the form and attachments on the other party.
- File the form and attachments with the judicial services representative.

(6) Duty to report changes

- If the judge orders that fees be waived, you must inform the court of changes in your financial circumstances that might affect the order.