



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-072

For business meeting on: March 24, 2023

Title

Rules and Forms: Technical Form Changes
to Reflect Federal Poverty Guidelines

Rules, Forms, Standards, or Statutes Affected

Revise forms FW-001, FW-001-GC,
APP-015/FW-015-INFO, and JV-132

Recommended by

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Agenda Item Type

Action Required

Effective Date

April 1, 2023

Date of Report

January 30, 2023

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Executive Summary

Judicial Council staff recommend the revision of four Judicial Council forms containing figures based on the federal poverty guidelines to reflect the changes in those guidelines recently published by the federal government. Staff also recommend that, at the same time, one of the forms also be revised to reflect recent additions to the qualifying public benefits listed in the fee waiver statute, Government Code section 68632(a).

Recommendation

Judicial Council staff recommend that the Judicial Council, effective April 1, 2023, revise the following documents to reflect 2023 increases in the federal poverty guidelines and, for form JV-132, recent changes to Government Code section 68632:

- *Request to Waive Court Fees* (form FW-001)
- *Request to Waive Court Fees (Ward or Conservatee)* (form FW-001-GC)

- *Information Sheet on Waiver of Appellate Court Fees—Supreme Court, Court of Appeal, Appellate Division* (form APP-015/FW-015-INFO); and
- *Financial Declaration—Juvenile Dependency* (form JV-132).

The revised forms are attached at pages 5–15.

Relevant Previous Council Action

The council last revised forms FW-001, FW-001-GC, and APP-015/FW-015-INFO effective August 1, 2022, to reflect new fee waiver eligibility requirements in Government Code section 68632(a) and (b), enacted in Assembly Bill 199 (Stats. 2022, ch. 57). The council last revised form JV-132 effective March 14, 2022, to reflect the most recent change in the federal poverty guidelines.

Analysis/Rationale

Judicial Council forms containing figures based on the federal poverty guidelines and listing qualifying public benefits need to be revised to conform to the current guidelines and current law.

Fee waiver forms

The eligibility of indigent litigants to proceed without paying filing fees or other court costs is determined by California Government Code section 68632. Among other things, section 68632(b) provides that a fee waiver will be granted to litigants whose household monthly income is 200 percent or less of the current poverty guidelines established by the U.S. Department of Health and Human Services (HHS).

The Judicial Council has adopted rules of court and forms for litigants to obtain fee waivers. Three of the forms—*Request to Waive Court Fees* (form FW-001), *Request to Waive Court Fees (Ward or Conservatee)* (form FW-001-GC), and *Information Sheet on Waiver of Appellate Court Fees—Supreme Court, Court of Appeal, Appellate Division* (form APP-015/FW-015-INFO)—contain figures based on the monthly poverty guidelines. The tables in item 5b on the general fee waiver application form, in item 8b on the probate fee waiver form, and on page 1 of the appellate court information sheet provide monthly income figures on which a court may base a decision to grant a fee waiver in accordance with Government Code section 68632.

The monthly income figures currently on the three fee waiver forms reflect 200 percent of the 2022 poverty guidelines established by the HHS. The HHS released revised federal poverty guidelines in January 2023.¹ As a result, these items on the Judicial Council fee waiver forms must be revised to reflect the 2023 federal poverty guideline revisions. To determine the new monthly income figures for the forms, the federal poverty guidelines must be multiplied by 200

¹ The 2023 figures have been published in the Federal Register. See U.S. Department of Health and Human Services, Annual Update of the HHS Poverty Guidelines, 88 FR 3424. (See Link A.)

percent and divided by 12.² The new figures are reflected in the revised tables on the attached forms.

Juvenile form

The Judicial Council administers a program under Welfare and Institutions Code section 903.47 to collect reimbursement of the cost of court-appointed counsel in dependency proceedings from liable persons found able to pay. (Cal. Rules of Court, App. F.) Under the statewide standard adopted by the council, an otherwise liable person is presumed to be unable to pay reimbursement if that person's monthly household income is 125 percent or less of the current federal poverty guidelines established by the HHS. (Cal. Rules of Court, App. F, § 6(d)(1)(A).)³ *Financial Declaration—Juvenile Dependency* (form JV-132) contains figures based on the poverty guidelines: the table in item 3 provides monthly income levels below which an individual is presumed to be unable to pay reimbursement for the cost of court-appointed counsel.

The monthly income figures currently on form JV-132 reflect 125 percent of the 2022 poverty guidelines established by the HHS. As noted above, those guidelines were revised by HHS in January. As a result, the figures in this item, like those on the fee waiver forms, must be revised to reflect the 2023 federal poverty guideline revisions. To determine the new monthly income figures for form JV-132, the federal poverty guidelines must be multiplied by 125 percent and divided by 12.⁴ The new figures are reflected in revised item 3 on the attached form JV-132.

In addition to the presumptive inability to pay based on income, a presumptive inability to pay is established in Appendix F if the individual receives public benefits under any of the programs listed in Government Code section 68632(a). (Cal. Rules of Court, App. F, § 6(d)(1)(A).) This proposal also includes revisions to form JV-132 to reflect a recent change in qualifying benefits listed in that statute that was made by Assembly Bill 199. Government Code section 68632(a) was amended to add two benefit programs:

² See Attachment A for the Computation Sheet for Fee Waiver Forms. The monthly income figures in the tables on the forms slightly exceed 200 percent of the poverty guidelines because they are rounded up to the nearest cent. The language on the forms reflects this slight excess in stating that the item should be checked if the household income is “less than” the amount in the chart.

³ The Family and Juvenile Law Advisory Committee is considering a proposal to amend the *Guidelines for the Juvenile Dependency Counsel Collections Program* in Appendix F of the California Rules of Court to increase, from 125 percent of the federal poverty guidelines to 200 percent of the federal guidelines, the income level at or below which a responsible person is presumed unable to pay the cost of appointed counsel in a juvenile dependency proceeding. That proposal would circulate for comment in the 2023 spring cycle, but because it would not have an effective date until 2024, the revisions proposed here are needed so that the forms comply with the current standard.

⁴ See Attachment B for the Computation Sheet for Juvenile Form. The monthly income figures in the tables on the forms slightly exceed 125 percent of the poverty guidelines because they are rounded up to the nearest cent. The language on the forms reflects this slight excess in stating that the item should be checked if the household income is “less than” the amount in the chart.

1. California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program), and
2. Unemployment compensation.

The list of qualifying public benefits in item 2 of form JV-132 has been expanded to include these two new benefits.⁵

Policy implications

Staff monitors revisions to the poverty guidelines and ensures that the forms are revised as necessary and submitted to the council. Revised forms FW-001, FW-001-GC, APP-015/FW-015-INFO, and JV-132 should take effect immediately to ensure that litigants and courts are provided with accurate monthly income guidelines on which a court may base a decision regarding fee waivers or financial liability. This rapid change is necessary because the revised poverty guidelines take effect immediately on release. Once adopted, the revised forms will be distributed to the courts and forms publishers and posted to the California Courts website.

Comments

These proposals were not circulated for public comment because they are minor noncontroversial revisions to implement changes in law, and are therefore within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

Alternatives considered

The alternative to updating the income tables using the 2023 federal poverty guidelines would be *not* to update them. Staff did not consider this option because of the provisions in Government Code section 68632 and in the Judicial Council standard for determining ability to pay.

Fiscal and Operational Impacts

If a court provides free copies of these forms to parties, it will incur costs to print or duplicate the forms. However, the revisions are required to make the forms consistent with current law.

Attachments and Links

1. Forms FW-001, FW-001-GC, APP-015/FW-015-INFO, and JV-132, at pages 5–15
2. Attachment A: Computation Sheet for Fee Waiver Forms
3. Attachment B: Computation Sheet for Juvenile Form
4. Link A: Annual Update of the HHS Poverty Guidelines, www.federalregister.gov/index/2023

⁵ Similar revisions were already approved by the council in the fee waiver forms.

Clerk stamps date here when form is filed.

DRAFT

1/30/2023

NOT APPROVED BY THE
JUDICIAL COUNCIL

Fill in court name and street address:

Superior Court of California, County of

Fill in case number and name:

Case Number:

Case Name:

If you are getting public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and your court fees, you may use this form to ask the court to waive your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for \$10,000 or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

1 Your Information (person asking the court to waive the fees):

Name: _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

Phone: _____

2 Your Job, if you have one (job title): _____

Name of employer: _____

Employer's address: _____

3 Your Lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number): _____

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes ☐ No ☐

b. (If yes, your lawyer must sign here) Lawyer's signature: _____

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived?

- ☐ Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
- ☐ Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

5 Why are you asking the court to waive your court fees?

a. ☐ I receive (check all that apply; see form FW-001-INFO for definitions):

- ☐ Food Stamps ☐ Supp. Sec. Inc. ☐ SSP ☐ Medi-Cal ☐ County Relief/Gen. Assist. ☐ IHSS
- ☐ CalWORKS or Tribal TANF ☐ CAPI ☐ WIC ☐ Unemployment

b. ☐ My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b, you must fill out 7, 8, and 9 on page 2 of this form.)

| Family Size | Family Income | Family Size | Family Income | Family Size | Family Income | If more than 6 people at home, add \$856.67 for each extra person. |
|-------------|---------------|-------------|---------------|-------------|---------------|--|
| 1 | \$2,430.00 | 3 | \$4,143.34 | 5 | \$5,856.67 | |
| 2 | \$3,286.67 | 4 | \$5,000.00 | 6 | \$6,713.34 | |

c. ☐ I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to: (check one and you **must** fill out page 2):

- ☐ waive all court fees and costs ☐ waive some of the court fees ☐ let me make payments over time

6 ☐ Check here if you asked the court to waive your court fees for this case in the last six months.

(If your previous request is reasonably available, please attach it to this form and check here): ☐

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct.

Date: _____

Print your name here

Sign here

Your name: _____

If you checked 5a on page 1, do not fill out below. If you checked 5b, fill out questions 7, 8, and 9 only. If you checked 5c, you **must** fill out this entire page. If you need more space, attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

- 7** ☐ Check here if your income changes a lot from month to month. If it does, complete the form based on your average income for the past 12 months.

8 Your Gross Monthly Income

- a. List the source and amount of **any** income you get each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

| | |
|-----------|----------|
| (1) _____ | \$ _____ |
| (2) _____ | \$ _____ |
| (3) _____ | \$ _____ |
| (4) _____ | \$ _____ |

b. Your total monthly income: \$ _____

9 Household Income

- a. List the income of all other persons living in your home who depend in whole or in part on you for support, or on whom you depend in whole or in part for support.

| Name | Age | Relationship | Gross Monthly Income |
|-----------|-------|--------------|----------------------|
| (1) _____ | _____ | _____ | \$ _____ |
| (2) _____ | _____ | _____ | \$ _____ |
| (3) _____ | _____ | _____ | \$ _____ |
| (4) _____ | _____ | _____ | \$ _____ |

b. Total monthly income of persons above: \$ _____

Total monthly income and household income (8b plus 9b): \$ _____

To list any other facts you want the court to know, such as unusual medical expenses, etc., attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

Check here if you attach another page. ☐

Important! If your financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010.

10 Your Money and Property

- a. Cash \$ _____
- b. All financial accounts (List bank name and amount):
- | | |
|-----------|----------|
| (1) _____ | \$ _____ |
| (2) _____ | \$ _____ |
| (3) _____ | \$ _____ |
- c. Cars, boats, and other vehicles
- | Make / Year | Fair Market Value | How Much You Still Owe |
|-------------|-------------------|------------------------|
| (1) _____ | \$ _____ | \$ _____ |
| (2) _____ | \$ _____ | \$ _____ |
| (3) _____ | \$ _____ | \$ _____ |
- d. Real estate
- | Address | Fair Market Value | How Much You Still Owe |
|-----------|-------------------|------------------------|
| (1) _____ | \$ _____ | \$ _____ |
| (2) _____ | \$ _____ | \$ _____ |

- e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):

| Describe | Fair Market Value | How Much You Still Owe |
|-----------|-------------------|------------------------|
| (1) _____ | \$ _____ | \$ _____ |
| (2) _____ | \$ _____ | \$ _____ |

11 Your Monthly Deductions and Expenses

- a. List any payroll deductions and the monthly amount below:

| | |
|-----------|----------|
| (1) _____ | \$ _____ |
| (2) _____ | \$ _____ |
| (3) _____ | \$ _____ |
| (4) _____ | \$ _____ |

- b. Rent or house payment & maintenance \$ _____
- c. Food and household supplies \$ _____
- d. Utilities and telephone \$ _____
- e. Clothing \$ _____
- f. Laundry and cleaning \$ _____
- g. Medical and dental expenses \$ _____
- h. Insurance (life, health, accident, etc.) \$ _____
- i. School, child care \$ _____
- j. Child, spousal support (another marriage) \$ _____
- k. Transportation, gas, auto repair and insurance \$ _____
- l. Installment payments (list each below):

Paid to:

| | |
|-----------|----------|
| (1) _____ | \$ _____ |
| (2) _____ | \$ _____ |
| (3) _____ | \$ _____ |

- m. Wages/earnings withheld by court order \$ _____

- n. Any other monthly expenses (list each below).

| Paid to: | How Much? |
|-----------|-----------|
| (1) _____ | \$ _____ |
| (2) _____ | \$ _____ |
| (3) _____ | \$ _____ |

Total monthly expenses (add 11a – 11n above): \$ _____

This form must be used by a guardian or conservator, or by a petitioner for the appointment of a guardian or conservator, to request a waiver of court fees in the guardianship or conservatorship court proceeding or in any other civil action in which the guardian or conservator represents the interests of the ward or conservatee as a plaintiff or defendant.

If the ward or conservatee (including a proposed ward or conservatee if a petition for appointment of a guardian or conservator has been filed but has not yet been decided by the court) directly receives public benefits or is supported by public benefits received by another for his or her support, is a low-income person, or does not have enough income to pay for his or her household's basic needs and the court fees, you may use this form to ask the court to waive the court fees. The court may order you to answer questions about the finances of the ward or conservatee. If the court waives the fees, the ward or conservatee, his or her estate, or someone with a duty to support the ward or conservatee, may still have to pay later if:

- You cannot give the court proof of the ward's or conservatee's eligibility,
- The ward's or conservatee's financial situation improves during this case, or
- You settle the civil case on behalf of the ward or conservatee for \$10,000 or more. The trial court that waives fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge the ward or conservatee, or his or her estate, any collection costs.

Clerk stamps date here when form is filed.

DRAFT

1/30/2023

NOT APPROVED BY THE
JUDICIAL COUNCIL

Fill in court name and street address:

Superior Court of California, County of

Fill in case number and name:

Case Number:

Case Name:

1 Your Information (guardian or conservator, or person asking the court to appoint a guardian or conservator):

Name: _____ Phone: _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

2 Your Lawyer (if you have one): Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ Email: _____

a. The lawyer has agreed to advance all or a portion of court fees or costs (check one): Yes ☐ No ☐

b. (If yes, your lawyer must sign here.) Lawyer's signature: _____

If your lawyer is not providing legal-aid type services based on your or the ward's or conservatee's low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

3 Ward's or Conservatee's Information (file a separate Request for each ward in a multiward case):

Name: _____ Age and date of birth (ward only): _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

Phone: _____

4 Ward's or Conservatee's Lawyer, if any: Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ Email: _____

5 Ward or Conservatee's Job (job title; if not employed, so state): _____

Name of employer: _____

Employer's address: _____ State: _____ Zip: _____



Name of (Proposed) Ward or Conservatee:

Case Number:

6 What court's fees or costs are you asking to be waived?

- ☐ Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
☐ Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

- 7** ☐ Check here if you asked the court to waive court fees for this case in the last six months.
(If your previous request is reasonably available, please attach it to this form and check here): ☐

8 Why are you asking the court to waive the ward's or conservatee's court fees?

- a. ☐ The ward or one or both of the ward's parents, or the conservatee or the conservatee's spouse or registered domestic partner, receive (check all that apply):
- ☐ Supplemental Security Income (SSI) ☐ State Supplemental Payment (SSP) ☐ SNAP (Food Stamps)
☐ IHSS (In-Home Supportive Services) ☐ CalWORKS or Tribal TANF ☐ Medi-Cal
☐ County Relief/General Assistance ☐ CAPI (Cash Assistance Program for Aged, Blind, and Disabled)
☐ Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program)
☐ Unemployment Compensation
- (Names and relationships to ward or conservatee of persons who receive the public benefits listed above):

- b. ☐ The gross monthly income of the ward's or conservatee's household (before deductions for taxes) is less than the amount listed below. (If you check 8b, you **must** fill out items 14, 15, and 16 on page 4 of this form.)*

| Family Size | Family Income | Family Size | Family Income | Family Size | Family Income | If more than 6 people at home, add \$856.67 for each extra person. |
|-------------|---------------|-------------|---------------|-------------|---------------|--|
| 1 | \$2,430.00 | 3 | \$4,143.34 | 5 | \$5,856.67 | |
| 2 | \$3,286.67 | 4 | \$5,000.00 | 6 | \$6,713.34 | |

- c. ☐ The ward's or conservatee's household does not have enough income to pay for its basic needs and the court fees. I ask the court to (check one, and you **must** fill out items 14, 15, 16, 17, and 18 on page 4):*
- (1) ☐ Waive all court fees and costs. (2) ☐ Waive some court fees and costs.
(3) ☐ Let the (proposed) guardian or conservator, on behalf of the (proposed) ward or conservatee, make payments over time.

*(Do not include income of guardian or conservator living in the household in 8b or 8c or count him or her in family size in 8b, unless he or she is a parent of the ward or the spouse or registered domestic partner of the conservatee.)

Guardians or petitioners for their appointment must complete items 9 and 10.

9 Ward's Estate: ☐ Person only, no estate. ☐ Inventory or petition estimated value:

Source (e.g., gift, inheritance, settlement, judgment, insurance): Est. collection date:

10 Ward's Parents' Information:

- a. Name of ward's father: ☐ Deceased (date of death):
Street or mailing address:
City: State: Zip:
Phone:
- b. Name of ward's mother: ☐ Deceased (date of death):
Street or mailing address:
City: State: Zip:
Phone:
- c. Ward's parents are (check all that apply): ☐ married ☐ living together ☐ separated ☐ divorced
Support order for ward? ☐ No ☐ Yes Payable to (name):
Payor (name):
Court: Case Number:
Date of order (if multiple, date of latest): Monthly amount:

Name of (Proposed) Ward or Conservatee: _____

Case Number: _____

Conservators or petitioners for their appointment must complete items 11–13.

11 Conservatee's Estate: ☐ Person only, no estate.

☐ Inventory or petition estimated value: _____

Est. collection date: _____

12 Conservatee's Spouse's or Registered Domestic Partner's Information:

Name of conservatee's spouse or registered domestic partner: _____ ☐ Spouse ☐ Partner

Date of marriage or partnership: _____ ☐ Deceased (*date of death*): _____

Street or mailing address: _____ Phone: _____

City: _____ State: _____ Zip: _____

Name of employer (*if none, so state*): _____

Employer's address: _____ State: _____ Zip: _____

The conservatee's spouse or partner ☐ is ☐ is not managing, or following appointment of a conservator is planning to manage, some or all of the couple's community property outside the conservatorship estate.

If you selected "is" above: The income, money, and property shown on page 4 ☐ includes ☐ does not include the income and property managed, or expected to be managed, by the spouse/partner outside the estate.

☐ Divorced (*date of final judgment or decree*): _____

Court: _____

Case Number: _____ Support order for conservatee? ☐ No ☐ Yes

Date of support order (*if multiple, date of latest*): _____ Monthly amount: _____

13 The Conservatee and Trusts:

The conservatee:

a. ☐ is ☐ is not a trustor or settlor of a trust.

b. ☐ is ☐ is not a beneficiary of a trust.

If you selected "Is" to complete any of the above statements, identify and provide, in an attachment to this *Request*, the current address and telephone number of the current trustee(s) of each trust, describe the general terms of and value of each trust and the nature and value of the conservatee's interest in each trust, and the amount(s) and frequency of any distributions to or for the benefit of the conservatee prior to your appointment as conservator of which you are aware. (*You may use Judicial Council form MC-025 for this purpose.*)

All applicants who checked item 8b or item 8c on page 2 must continue to and follow the instructions for completion of items 14–16 or items 14–18 on page 4, before signing below.

The information I have provided on this form and all attachments about the (proposed) ward or conservatee is true and correct to the best of my information and belief. The information I have provided on this form and all attachments concerning myself is true and correct. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Print your name here

Sign here

Name of (Proposed) Ward or Conservatee:

Case Number:

If you checked 8a on page 2, do not fill out below. If you checked 8b, you **must** answer questions 14–16. If you checked 8c, you **must** answer questions 14–18. If you need more space, attach form MC-025 or attach a sheet of paper, and write "Financial Information" and the ward's or conservatee's name and case number at the top.

- 14 ☐ Check here if the ward's or conservatee's income changes a lot from month to month. If it does, complete the form based on his or her average income for the past 12 months.

15 Ward's or Conservatee's Gross Monthly Income

- a. List the source and amount of **any** income the ward or conservatee gets each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____
(5) _____ \$ _____

b. Total monthly income: \$ _____

16 Ward's or Conservatee's Household's Income

- a. List the income of all other persons living in the ward's or conservatee's home who depend in whole or in part on him or her for support, or on whom he or she depends in whole or in part for support.

| Name | Age | Relationship | Gross Monthly Income |
|------------|-------|--------------|----------------------|
| (1) _____ | _____ | _____ | \$ _____ |
| (2) _____ | _____ | _____ | \$ _____ |
| (3) _____ | _____ | _____ | \$ _____ |
| (4) _____ | _____ | _____ | \$ _____ |
| (5) _____ | _____ | _____ | \$ _____ |
| (6) _____ | _____ | _____ | \$ _____ |
| (7) _____ | _____ | _____ | \$ _____ |
| (8) _____ | _____ | _____ | \$ _____ |
| (9) _____ | _____ | _____ | \$ _____ |
| (10) _____ | _____ | _____ | \$ _____ |

b. Total monthly income of persons above: \$ _____

Total monthly income and household income (15b plus 16b): \$ _____

To list any other facts you want the court to know, such as the (proposed) ward's or conservatee's unusual medical expenses, etc, attach form MC-025 or attach a sheet of paper and write "Financial Information" and the (proposed) ward's or conservatee's name and case number at the top.

Check here if you attach another page. ☐

Important! If the ward's or conservatee's financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010-GC.

Do not include income of guardian or conservator living in the household in item 16, his or her money and property in item 17, or his or her deductions and expenses in item 18 unless he or she is a parent of the ward or the spouse or registered domestic partner of the conservatee.

17 Ward's or Conservatee's Household's Money and Property

a. Cash \$ _____

b. All financial accounts (list bank name and amount):

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

c. Cars, boats, and other vehicles

| Make / Year | Fair Market Value | How Much You Still Owe |
|-------------|-------------------|------------------------|
| (1) _____ | \$ _____ | \$ _____ |
| (2) _____ | \$ _____ | \$ _____ |
| (3) _____ | \$ _____ | \$ _____ |

d. Real estate

| Address | Fair Market Value | How Much You Still Owe |
|-----------|-------------------|------------------------|
| (1) _____ | \$ _____ | \$ _____ |
| (2) _____ | \$ _____ | \$ _____ |

e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):

| Describe | Fair Market Value | How Much You Still Owe |
|-----------|-------------------|------------------------|
| (1) _____ | \$ _____ | \$ _____ |
| (2) _____ | \$ _____ | \$ _____ |

18 Ward's or Conservatee's Household's Monthly Deductions and Expenses

a. List any payroll deductions and the monthly amount below:

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____

b. Rent or house payment and maintenance \$ _____

c. Food and household supplies \$ _____

d. Utilities and telephone \$ _____

e. Clothing \$ _____

f. Laundry and cleaning \$ _____

g. Medical and dental expenses \$ _____

h. Insurance (life, health, accident, etc.) \$ _____

i. School, child care \$ _____

j. Child, spousal support (another marriage) \$ _____

k. Transportation, gas, auto repair and insurance \$ _____

l. Installment payments (list each below):

Paid to:

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

m. Wages/earnings withheld by court order \$ _____

n. Any other monthly expenses (list each below).

Paid to:

| | How Much? |
|-----------|-----------|
| (1) _____ | \$ _____ |
| (2) _____ | \$ _____ |
| (3) _____ | \$ _____ |

Total monthly expenses (add 18a – 18n above): \$ _____

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THE JUDICIAL
COUNCIL

INFORMATION SHEET ON WAIVER OF APPELLATE COURT FEES— SUPREME COURT, COURT OF APPEAL, APPELLATE DIVISION

If you file an appeal, a petition for a writ, or a petition for review in a civil case, such as a family law case or a case in which you sued someone or someone sued you, you must generally pay a filing fee to the court. If you are a party other than the party who filed the appeal or the petition, you must also generally pay a fee when you file your first document in a case in the Court of Appeal or Supreme Court. You and the other parties in the case may also have to pay other court fees in these proceedings, such as fees to prepare or get a copy of a clerk's transcript in an appeal. However, if you cannot afford to pay these court fees and costs, you may ask the court to issue an order saying you do not have to pay these fees (this is called "waiving" these fees).

1. Who can get their court fees waived? The court will waive your court fees and costs if:

- **You are getting public assistance**, such as Medi-Cal; Food Stamps; Supplemental Security Income (not Social Security); State Supplemental Payment; County Relief/General Assistance; In-Home Supportive Services; CalWORKS; Tribal Temporary Assistance for Needy Families; Cash Assistance Program for Aged, Blind, and Disabled; Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program); or unemployment compensation.
- **You have a low income level.** Under the law you are considered a low-income person if the gross monthly income (before deductions for taxes) of your household is less than the amount listed below:

| Family Size | Family Income | Family Size | Family Income | Family Size | Family Income |
|-------------|---------------|-------------|---------------|-------------|---------------|
| 1 | \$2,430.00 | 3 | \$4,143.34 | 5 | \$5,856.67 |
| 2 | \$3,286.67 | 4 | \$5,000.00 | 6 | \$6,713.34 |

If more than 6 people at home, add \$856.67 for each extra person.

- **You do not have enough income to pay for your household's basic needs and your court fees.**

2. What fees and costs will the court waive? If you qualify for a fee waiver, the Supreme Court, Court of Appeal, or Appellate Division will waive the filing fee for the notice of appeal, a petition for a writ, a petition for review, or the first document filed by a party other than the party who filed the appeal or petition, and any court fee for participating in oral argument by telephone. The trial court will also waive costs related to the clerk's transcript on appeal, the fee for the court to hold in trust the deposit for a reporter's transcript on appeal under rule 8.130(b) or rule 8.834(b) of the California Rules of Court, and the fees for making a transcript or copy of an official electronic recording under rule 8.835. If you are the appellant (the person who is appealing the trial court decision), the fees waived include the deposit required under Government Code section 68926.1 and the costs for preparing and certifying the clerk's transcript and sending the original to the reviewing court and one copy to you. If you are the respondent (a party other than the appellant in a case that is being appealed), the fees waived include the costs for sending you a copy of the clerk's transcript. You can also ask the trial court to waive other necessary court fees and costs.

The court **cannot** waive the fees for preparing a reporter's transcript in a civil case. A special fund, called the Transcript Reimbursement Fund, may help pay for the transcript. (See www.courtreportersboard.ca.gov/consumers/index.shtml#trf and Business and Professions Code sections 8030.2 and following for more information about this fund.) If you are unable to pay the cost of a reporter's transcript, a record of the oral proceedings can be prepared in other ways, by preparing an agreed statement or, in some circumstances, a statement on appeal or settled statement.

3. How do I ask the court to waive my fees?

- **Appeal in Limited Civil Case (civil case in which the amount of money claimed is \$25,000 or less).** In a limited civil case, if the trial court already issued an order waiving your court fees *and that fee waiver has not ended* (fee waivers automatically end 60 days after the judgment), the fees and costs identified in item 2 above are already waived; just give the court a copy of your current fee waiver. If you do not already have an order waiving your fees or you had a fee waiver but it has ended, you must complete and file a *Request to Waive Court Fees* (form FW-001). If you are the appellant (the party who is appealing), you should check both boxes in item 4 on FW-001 and file the completed form with your notice of appeal. If you are the respondent (a party other than the appellant in a case that is being appealed), the completed form should be filed in the court when the fees you are requesting to be waived, such as the fee for the clerk's transcript or telephonic oral argument, are due.

- **Writ Proceeding in Limited Civil Case (civil case in which the amount of money claimed is \$25,000 or less).** If you want the Superior Court to waive the fees in a writ proceeding in a limited civil case, you must complete a *Request to Waive Court Fees* (form FW-001). In item 4 on FW-001, check the second box. The completed form should be filed with your petition for a writ.
- **If You Are a Guardian or Conservator.** If you are a guardian or conservator or a petitioner for the appointment of a guardian or conservator, special rules apply to your request for a fee waiver on an appeal from an order in the guardianship or conservatorship proceeding or in a civil action in which you are a party acting on behalf of your ward or conservatee. Complete and submit a *Request to Waive Court Fees (Ward or Conservatee)* (form FW-001-GC) to request a fee waiver. See California Rules of Court, rule 7.5.
- **Appeal in Other Civil Cases.** If you want the court to waive fees and costs in an appeal in a civil case other than a limited civil case, such as a family law case or an unlimited civil case (a civil case in which the amount of money claimed is more than \$25,000), you must complete a *Request to Waive Court Fees* (form FW-001). In item 4 on FW-001, check the second box to ask the Court of Appeal to waive the fee for filing the notice of appeal or, if you are a respondent (a party other than the one who filed the appeal), the fee for the first document you file in the Court of Appeal. Check both boxes if you also want the trial court to waive your costs for the clerk's transcript (if the trial court already issued an order waiving your fees *and that fee waiver has not ended*, you do not need to check the first box; the fees and costs identified in item 2 above are already waived, just give the court a copy of your current fee waiver). If you are the appellant, the completed form should be submitted with your notice of appeal (if you check both boxes in item 4, the court may ask for two signed copies of this form). If you are the respondent, the completed form should be submitted at the time the fee you are asking the court to waive is due. For example, file the form in the trial court with your request for a copy of the clerk's transcript if you are asking the court to waive the transcript fee or file the form in the Court of Appeal with the first document you file in that court if you are asking the court to waive the fee for filing that document. To request waiver of a court fee for telephonic oral argument, you should file the completed form in the Court of Appeal when the fee for telephonic oral argument is due.
- **Writ Proceeding in Other Civil Cases.** If you want the Supreme Court or Court of Appeal to waive the fees and costs in a writ proceeding in a civil case other than a limited civil case, such as a family law case or an unlimited civil case (a civil case in which the amount of money claimed is more than \$25,000), you must complete a *Request to Waive Court Fees* (form FW-001). If you are the petitioner (the party filing the petition), the completed form should be submitted with your petition for a writ in the Supreme Court or Court of Appeal clerk's office. If you are a party other than the petitioner, the completed form should be filed with the first document you file in the Supreme Court or Court of Appeal.
- **Petition for Review.** If you want to request that the Supreme Court waive the fees in a petition for review proceeding, you must complete a *Request to Waive Court Fees* (form FW-001) or a *Request to Waive Court Fees (Ward or Conservatee)* (form FW-001-GC). If you are the petitioner, you should submit the completed form with your petition for review. If you are a party other than the petitioner, the completed form should be filed with the first document you file in the Supreme Court.

IMPORTANT INFORMATION!

- **Fill out your request completely and truthfully.** When you sign your request for a fee waiver, you are declaring under penalty of perjury that the information you have provided is true and correct.
- **The court may ask you for information and evidence.** You may be ordered to go to court to answer questions about your ability to pay court fees and costs and to provide proof of eligibility. Any initial fee waiver you are granted may be ended if you do not go to court when asked. You may be ordered to repay amounts that were waived if the court finds you were not eligible for the fee waiver.
- **If you receive a fee waiver, you must tell the court if there is a change in your finances.** You must tell the court immediately if your finances improve or if you become able to pay court fees or costs during this case (file form FW-010 with the court). You may be ordered to repay any amounts that were waived after your eligibility ended. If the trial court waived your fees and costs and you settle your case for \$10,000 or more, the trial court will have a lien on the settlement in the amount of the waived fees.
- **The fee waiver ends.** The fee waiver expires 60 days after the judgment, dismissal, or other final disposition of the case or when the court finds that you are not eligible for a fee waiver.

| | |
|---|--|
| <p>ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.:</p> <p>NAME:</p> <p>FIRM NAME:</p> <p>STREET ADDRESS:</p> <p>CITY: STATE: ZIP CODE:</p> <p>TELEPHONE NO.: FAX NO.:</p> <p>EMAIL ADDRESS:</p> <p>ATTORNEY FOR (name):</p> | <p><i>FOR COURT USE ONLY</i></p> <p>DRAFT</p> <p>Not approved by</p> <p>the Judicial Council</p> <p>JV-132.v2.013023.cz</p> |
| <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p> | |
| <p>CHILDREN'S NAMES:</p> | |
| <p>FINANCIAL DECLARATION—JUVENILE DEPENDENCY</p> | <p>CASE NUMBER:</p> |

1. Personal Information:

| | | | |
|--|--------|---------------------------------------|-------------------------|
| Name: | | Social Security Number: | |
| Other names used: | | | |
| I.D. or Driver's License Number: | | Date of Birth: | Age: |
| Relationship to Child: <input type="checkbox"/> Parent <input type="checkbox"/> Other Responsible Person (<i>specify</i>): | | | |
| Street or Mailing Address: | | | |
| City: | State: | Zip: | Phone: Alternate Phone: |
| Marital Status: | | | |
| <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Domestic partner <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed | | | |
| Name of Spouse/Partner: | | Number of dependents living with you: | |
| Names and ages of dependents: | | | |
| | | | |

2. I receive (*check all that apply*): ☐ Medi-Cal ☐ SNAP (food stamps) ☐ SSI ☐ SSP
- ☐ County Relief/General Assistance ☐ CalWORKS or Tribal TANF (*Temporary Assistance for Needy Families*)
- ☐ IHSS (*In-Home Supportive Services*) ☐ CAPI (*Cash Assistance Program for Aged, Blind, and Disabled*)
- ☐ California Special Supplemental Nutrition Program for Women, Infants, and Children (*WIC Program*)
- ☐ Unemployment compensation

3. ☐ My gross monthly household income (*before deductions for taxes*) is less than the amount listed below:

| Family Size | Family Income | Family Size | Family Income | Family Size | Family Income | If more than 6 people at home, add \$535.42 for each extra person. |
|-------------|---------------|-------------|---------------|-------------|---------------|--|
| 1 | \$1,518.75 | 3 | \$2,589.59 | 5 | \$3,660.42 | |
| 2 | \$2,054.17 | 4 | \$3,125.00 | 6 | \$4,195.84 | |

4. ☐ I have been reunified with my child(ren) under a court order (attached).

5. ☐ I am receiving court-ordered reunification services.

| | |
|----------------------------|--------------|
| CHILDREN'S NAMES: | CASE NUMBER: |
| RESPONSIBLE PERSON'S NAME: | |

6. Employment:

| Your Employment | | | | Your Spouse/Partner's Employment | | | |
|--|--------------|-----------------|----------------|---|--------------|-----------------|----------------|
| Employer: | | | | Employer: | | | |
| Address: | | | | Address: | | | |
| City and Zip Code: | | Phone: | | City and Zip Code: | | Phone: | |
| Type of Job: | | | | Type of Job: | | | |
| How long employed: | Working now? | Monthly salary: | Take home pay: | How long employed: | Working now? | Monthly salary: | Take home pay: |
| If not now employed, who was your last employer? (Name, Address, City, and Zip Code): | | | | If not now employed, who was this person's last employer? (Name, Address, City, and Zip Code): | | | |
| Phone number of last employer: | | | | Phone number of last employer: | | | |

7. Other Monthly Income and Assets:

| Other Income | Assets: What Do You Own? |
|---------------------------------|---|
| Unemployment \$ | Cash \$ |
| Disability \$ | Real Property/Equity \$ |
| Social Security \$ | Cars and Other Vehicles \$ |
| Workers' Compensation \$ | Life Insurance \$ |
| Child Support Payments \$ | Bank Accounts (<i>list below</i>)..... \$ |
| Foster Care Payments \$ | Stocks and Bonds \$ |
| Other Income \$ | Business Interest \$ |
| Total \$ | Other Assets \$ |
| | Total \$ |
| | Name and branch of bank: |
| | Account numbers: |

| | |
|----------------------------|--------------|
| CHILDREN'S NAMES: | CASE NUMBER: |
| RESPONSIBLE PERSON'S NAME: | |

8. Expenses:

| Monthly Household Expenses | Reunification Plan: Monthly Cost of Required Services |
|---|---|
| Rent or Mortgage Payment \$ | Parenting Classes \$ |
| Car Payment \$ | Substance Abuse Treatment \$ |
| Gas and Car Insurance \$ | Therapy/Counseling \$ |
| Public Transportation \$ | Medical Care/Medications \$ |
| Utilities (<i>Gas, Electric, Phone, Water, etc.</i>).... \$ | Domestic Violence Counseling \$ |
| Food \$ | Batterers' Intervention \$ |
| Clothing and Laundry \$ | Victim Support \$ |
| Child Care \$ | Regional Center Programs \$ |
| Child Support Payments \$ | Transportation \$ |
| Medical Payments \$ | In-Home Services \$ |
| Other Necessary Monthly Expenses \$ | Other \$ |
| Total \$ | Total \$ |

9. Loan/Expense Payments (*other than mortgage or car loan*):

| Name of lender and type of loan/expense | Monthly payment | Balance owed |
|---|-----------------|--------------|
| | \$ | \$ |
| | \$ | \$ |
| | \$ | \$ |
| | \$ | \$ |

I declare under penalty of perjury under the laws of the State of California that the above information is true and correct.

Date:

| | | |
|----------------------|---|--------------------------|
| | ▶ | |
| (TYPE OR PRINT NAME) | | (SIGNATURE OF DECLARANT) |

FOR FINANCIAL EVALUATION OFFICER USE ONLY

| | | | | | | | | | |
|---|----|---|----|--|---|--|----------------------|--|---|
| TOTAL INCOME | \$ | COST OF LEGAL SERVICES | \$ | | | | | | |
| TOTAL EXPENSES | \$ | MONTHLY PAYMENT | \$ | | | | | | |
| NET DISPOSABLE INCOME | \$ | TOTAL COST ASSESSED | \$ | | | | | | |
| <p>The above-named responsible person is presumed unable to pay reimbursement for the cost of legal services in this proceeding and is eligible for a waiver of liability because</p> <p><input type="checkbox"/> he or she receives qualifying public benefits</p> <p><input type="checkbox"/> his or her household income falls below 125% of the current federal poverty guidelines</p> <p><input type="checkbox"/> he or she has been reunified with the child(ren) under a court order and payment of reimbursement would harm his or her ability to support the child(ren).</p> | | | | | | | | | |
| <p>Date:</p> <table style="width:100%; border: none;"> <tr> <td style="width:50%; text-align: center; border-bottom: 1px solid black; height: 40px;"></td> <td style="width:10%; text-align: center; vertical-align: middle;">▶</td> <td style="width:40%; text-align: center; border-bottom: 1px solid black; height: 40px;"></td> </tr> <tr> <td style="text-align: center;">(TYPE OR PRINT NAME)</td> <td></td> <td style="text-align: center;">(SIGNATURE OF FINANCIAL EVALUATION OFFICER)</td> </tr> </table> | | | | | ▶ | | (TYPE OR PRINT NAME) | | (SIGNATURE OF FINANCIAL EVALUATION OFFICER) |
| | ▶ | | | | | | | | |
| (TYPE OR PRINT NAME) | | (SIGNATURE OF FINANCIAL EVALUATION OFFICER) | | | | | | | |

Computation Sheet for Fee Waiver Forms

| Number in Family | 2023 Federal Poverty Guidelines (A) | 200% of Poverty Guidelines (B) (B = A x 200%) | 2023 California Monthly Income (C) (C = B / 12)* |
|----------------------------------|--|--|---|
| 1 | \$14,580.00 | \$29,160.00 | \$2,430.00 |
| 2 | 19,720.00 | 39,440.00 | 3,286.67 |
| 3 | 24,860.00 | 49,720.00 | 4,143.34 |
| 4 | 30,000.00 | 60,000.00 | 5,000.00 |
| 5 | 35,140.00 | 70,280.00 | 5,856.67 |
| 6 | 40,280.00 | 80,560.00 | 6,713.34 |
| For each additional person, add: | 5,140.00 | 10,280.00 | 856.67 |

* These amounts have been rounded up to the nearest whole cent. Language on the forms reflects this slight excess by stating that the household income is “less than” the amounts in the chart.

Computation Sheet for Juvenile Form

| Number in Family | 2023 Federal Poverty Guidelines (A) | 125% of Poverty Guidelines (B) (B = A x 125%) | 2023 California Monthly Income (C) (C = B / 12)* |
|----------------------------------|--|--|---|
| 1 | \$14,580.00 | \$18,225.00 | \$1,518.75 |
| 2 | 19,720.00 | 24,650.00 | 2,054.17 |
| 3 | 24,860.00 | 31,075.00 | 2,589.59 |
| 4 | 30,000.00 | 37,500.00 | 3,125.00 |
| 5 | 35,140.00 | 43,925.00 | 3,660.42 |
| 6 | 40,280.00 | 50,350.00 | 4,195.84 |
| For each additional person, add: | 5,140.00 | 6,425.00 | 535.42 |

* These amounts have been rounded up to the nearest whole cent. Language on the forms reflects this slight excess by stating that the household income is “less than” the amounts in the chart.