

Approved, SCAO

Original - Court  
1st copy - Applicant  
2nd copy - Other party

3rd copy - Friend of the court  
(when applicable)  
JIS CODE: OSF

STATE OF MICHIGAN  
JUDICIAL DISTRICT  
JUDICIAL CIRCUIT  
COUNTY PROBATE

## FEE WAIVER REQUEST

CASE NO.

Court address

Court telephone no.

Plaintiff's/Petitioner's name

v

Defendant's/Respondent's name

Plaintiff's/Petitioner's attorney and bar no.

Defendant's/Respondent's attorney and bar no.

☐ Probate In the matter of \_\_\_\_\_

**Instructions:** Complete the form and file it with the clerk. After you receive a decision on your request, you must serve your request and the decision on the other party.

I request a waiver of my filing fees for the following reason: (Check 1, 2, or 3)

☐ 1. I receive the following type(s) of public assistance because of indigence:

- ☐ Food Assistance Program through the State of Michigan (also known as FAP or SNAP)
- ☐ Medicaid (including Healthy Michigan, CHIP, and ESO)
- ☐ Family Independence Program through the State of Michigan (also known as FIP or TANF)
- ☐ Women, Infants, and Children benefits (WIC)
- ☐ Supplemental Security Income through the federal government (SSI)
- ☐ Other means-tested public assistance: \_\_\_\_\_

My public assistance case number(s) (if any) is \_\_\_\_\_

Write "none" if no case number. Do not write your SSN.

☐ 2. I am represented by a legal services program or I receive assistance from a law school clinic because of indigence. The name of the legal services program or law school clinic is \_\_\_\_\_.

☐ 3. I am unable to pay the fees and I did not check item 1 or 2.

My gross household income is \$ \_\_\_\_\_ every \_\_\_\_\_.

The number of people in my household is \_\_\_\_\_. Week/Two weeks/Month/Year

My source of income is \_\_\_\_\_.

List assets and their worth, such as bank accounts. If you need more space, attach a separate sheet.

List obligations and how much you pay, such as rent or other debts. If you need more space, attach a separate sheet.

I declare under the penalties of perjury that this request has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

☐ **FOR CLERK USE ONLY:** Payment of filing fees is waived.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of court clerk

**ORDER**

**IT IS ORDERED:**

- ☐ 1. Payment of filing fees is waived because:
- ☐ a. Your gross household income is under 125% of the federal poverty guidelines.
  - ☐ b. Your gross household income is above 125% of the federal poverty guidelines, but payment of the fees would constitute a financial hardship for you.
  - ☐ c. Other:

If you become able to pay the fees before this case is resolved, you must notify the court.

- ☐ 2. The fee waiver request is denied because:
- ☐ a. Your gross household income is above 125% of the federal poverty guidelines and payment of the fees would not constitute a financial hardship for you.
  - ☐ b. Other:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Bar no.

## **INSTRUCTIONS FOR FORM MC 20, WAIVER/SUSPENSION OF FEES AND COSTS (AFFIDAVIT AND ORDER)**

### **»»CAN I FILE MY LEGAL PAPERS WITH THE COURT FREE OF CHARGE?**

When you file a legal paper with the court or are ordered to case evaluation, you are often required to pay certain fees. If you cannot afford these fees, you can ask the court to "waive" or "suspend" them using this form.

### **»» FILING AN AFFIDAVIT**

#### **1. Complete Form MC 20**

After you prepare the legal papers you want to file with the court, complete form MC 20.

If you are receiving public assistance, check the box in front of item 1a or 1b. If you receive MDHHS benefits, check box 1a regarding MDHHS benefits and write your case number. If you receive another form of public assistance, check box 1b regarding other public assistance. Write what public assistance you receive and your case number if you have one.

If you are not receiving public assistance, check the box in front of item 1c. Check all the boxes that apply to you. If you are not employed, check that box. Write in all the requested information about your assets and obligations. An asset is something you own, such as money, a car, a house, or other property. An obligation is something you owe, such as rent, a loan payment, utilities, court-ordered child support, etc.

Do not sign the form until you are in front of a notary public or the clerk of the court.

#### **2. Sign the Affidavit Under Oath**

After form MC 20 is completed, sign it under oath in front of a notary public or a clerk of the court. You must bring your photo identification with you when you sign the affidavit. There may be a fee to have your affidavit signed in front of a notary public.

#### **3. Make Copies**

After you have signed the affidavit under oath, make a copy of the completed form for your records. If your court case is a domestic relations case, such as divorce, paternity, separate maintenance, etc., make another copy of the completed form for the friend of the court office. If you are at the court when you sign the affidavit, you can ask the clerk of the court to make copies for you. There may be a cost to make the copies.

#### **4. File Form MC 20**

Take or mail the original and all copies of this form to the clerk of the court along with any other legal papers you want to file. If your court case is a domestic relations case, such as divorce, paternity, separate maintenance, etc., include the friend of the court copy you made in step 4. If you mail the form, include a postage-paid envelope with your return address.

### **»»GETTING A SIGNED ORDER**

When you file your affidavit with the court, the clerk of the court will give it to the judge. The judge will make a decision about your request. The clerk of the court will keep the original and return a signed copy to you. The clerk of the court will send a copy to the friend of the court if you filed that copy.

You are responsible for sending a copy of the signed order to the other parties involved in the case.