

# DEFERRAL OF FEES/COSTS IN PROBATE CASES

# 1

**To Defer Court Fees/Costs**  
(at the beginning of the case)

**SELF-SERVICE CENTER**

**REQUEST FOR DEFERRAL OF  
FEES AND COSTS**

This packet contains general information and/or court forms and instructions to obtain a deferral of court fees/costs. Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	PBW1t	Table of forms/instructions in this packet	1
2	PBW1k	Checklist for deferral of court fees and costs	1
3	PBW10h	Helpful Information--How to apply for a deferral of court fees and costs	4
4	PBW11f	<b><i>"Application for Deferral of Court Fees and Costs"</i></b>	5
5	PBW18f	<b><i>"Order Deferring/Waiving Court Fees and Costs"</i></b>	3
6	GNF21f	<b><i>"Affidavit in Support of Application for Deferral or Waiver of Service of Process Costs"</i></b>	2
7	GNF31f	<b><i>"Request and Order for Hearing"</i></b>	1

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## SELF-SERVICE CENTER

### DEFERRAL OF COURT FEES AND COSTS

#### CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You want to file court papers to have a guardian or conservator appointed, OR
- ✓ You want to file court papers to get court approval of a yearly or final accounting, OR
- ✓ You want to file court papers to transfer property of a person who died or you want to file court papers to probate the estate of a person who died, AND
- ✓ You or the estate do not have the money to pay the court fees to file or for the investigator or for the accountant
- ✓ You understand that effective February 1, 2009, *if your request for deferral is granted*, a charge of \$26 will be added to your deferred fees.

**If you are not sure that these forms and instructions apply to your situation, see a lawyer for help.**

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. The Self-Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self-Service Centers or on the Internet at:

[www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/LawyersAndMediators/](http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/LawyersAndMediators/)

## SELF-SERVICE CENTER

# HELPFUL INFORMATION ABOUT GUARDIANSHIP, CONSERVATORSHIP, PROBATE OF ESTATES and HOW TO APPLY FOR A DEFERRAL OF COURT FEES

**1. WHEN ARE COURT FEES OR COSTS CHARGED?** There are various fees and costs to file papers to pursue court cases for guardianship, conservatorship, and probate. Go online to <http://clerkofcourt.maricopa.gov/fees.asp> or the Self-Service Center for a list of current fees to see the current fees charged for the following types of actions:

**A. Guardianship and/or Conservatorship:**

- To file A PETITION FOR APPOINTMENT OF A PERMANENT GUARDIAN AND/OR CONSERVATOR, for a minor
- To file a PETITION FOR APPOINTMENT OF A PERMANENT GUARDIAN AND/OR CONSERVATOR for an adult PLUS the cost of the COURT INVESTIGATOR REGARDING THE PETITION TO APPOINT A GUARDIAN AND/OR CONSERVATOR for an adult
- To pay the cost of the COURT ACCOUNTANT REGARDING A PETITION FOR APPROVAL OF ANNUAL OR FINAL ACCOUNTING
- To file an OBJECTION TO ANY PETITION, if this is first time you filed court papers in this case

**B. Probate of Estates (with a will or without a will)**

- To file an APPLICATION FOR INFORMAL PROBATE OF AN ESTATE (whether there is a will or not)
- To file an AFFIDAVIT FOR SUCCESSOR TO REALTY
- To file a DEMAND FOR NOTICE to creditors

**C. To give legal notice of the case to anyone entitled to notice by law:**

- Costs vary, depending on where the person is located, or how many times the sheriff or process server tries to serve the person. There are fees for Publication too

**D. Other costs:**

- For the issuance by the Clerk of Court for a Summons or Subpoena;
- To get your fingerprints taken and to pay the costs for processing the completed fingerprint card;
- For service of process or costs of service by publication;
- To get a copy or a certified copy of any court order or judgment or paperwork;
- To file an appeal of a case to a higher court;
- To photocopy court papers for the record on appeal;
- To pay for court reporter or transcriber fees of court trials or hearings;

**2. WHO PAYS THE COURT FEES AND COSTS?**

**A. Guardianships and/or Conservatorships:**

- **For an adult:** Fees and costs related to the guardian and/or conservator are **paid by the estate of the adult** who is said to need the guardian and/or conservator. But, if you ask for, and are granted, a waiver or deferral, and the Judge denies the PETITION FOR APPOINTMENT, the Petitioner will be ordered to pay back to the court the fees and costs that were waived or deferred and remain unpaid.

- **For a child:** Fees and costs related to the guardian and/or conservator are **paid by the guardian or conservator**. If the child's estate is sufficient, the guardian or conservator can file court papers later asking to be reimbursed for the amount of the costs and fees incurred.

**B. Probate of estates (with a will or without a will)**

- Fees and costs related to the APPLICATION FOR APPOINTMENT are **paid by the estate**, or you can pay as the applicant and later ask the court to order that you be repaid by the estate. But, if you ask for and are granted a waiver or deferral, and the Judge denies the APPLICATION FOR APPOINTMENT or denies the appointment to you, the Petitioner will be ordered to pay back to the court the fees and costs that were waived or that were deferred and remain unpaid.
- For a creditor or other person who files a DEMAND FOR NOTICE or otherwise objects to a court proceeding about the probate of an estate, fees and costs are paid BY THE PERSON WHO DEMANDS NOTICE or who is objecting.

**3. WHAT ABOUT A PARTY WHO CANNOT PAY COURT FEES OR COSTS?**

Sometimes, for very serious reasons, a party cannot pay court fees and costs at the time of filing court papers or asking for another court service. If this happens, the party can apply for a DEFERRAL or WAIVER of court costs and fees.

- A.** WAIVER means that the party does not have financial resources **to pay now**, and probably cannot do so in the future. Generally, waivers are only given at the end of a case. The only time you can get a waiver at the beginning of a case is if you are filing for an ORDER OF PROTECTION or an INJUNCTION AGAINST HARRASSMENT
- B.** DEFERRAL means that **although the party cannot pay now**, he or she can probably pay in the future. That is why the Court will most likely grant you a DEFERRAL rather than a WAIVER, because everyone needs to bear his or her fair share of the court fees and costs.

If at the end of your case, you meet the financial criteria and still cannot pay your court fees, you can ask the Court to waive or further defer your court fees and costs.

**4. COURT PAPERWORK FOR A DEFERRAL OR WAIVER OF COURT FEES AND COSTS:**

**A.** Application for Deferral of Court Fees and/or Costs and Consent to Judgment: **You must file the Application with the Clerk of the Court. You should know that the Application for DEFERRAL OF COURT FEES AND/OR COSTS includes a CONSENT TO ENTRY OF JUDGMENT. By signing this document, you agree that a judgment may be entered against you for all fees and/or costs that are deferred, but that remain unpaid after thirty (30) calendar days following the entry of final judgment**

At the conclusion of the case unless the Judge has already waived the fees/costs, you will receive a Notice indicating how much is owed and what steps you must take to avoid a judgment against you if you are still unable to pay. In filling out the Application, check the boxes that apply to your situation as follows

- **Paragraph 1:** Check the boxes that tell the Court what fees and/or costs you need deferred.
- **Paragraph 2:** Check the box that tells the court what your interest is in the case
- **Paragraph 3:** Read **Paragraph 3** to see if you receive any governmental assistance. If you do, check the box that applies to your situation and then go directly to the end of the last page and **date and sign the Application in front of the clerk or notary public**. If you do not receive governmental assistance, go to **Paragraph 4**.
- **Paragraph 4:** Check box A or box B and then fill out the Financial Questionnaire. If your

financial condition gets better, you must tell the court, so that even if you cannot pay now, you must pay later if you have the money to do so

**B. Affidavit in Support of Application for Deferral or Waiver of Service Costs:** A deferral or waiver of fees to pay the sheriff for personal service, or the newspaper for publication of service, **must be applied for separately**. To do so, fill out the form described in Section 4(A) above, and the additional court form called AFFIDAVIT IN SUPPORT OF APPLICATION FOR DEFERRAL OR WAIVER OF SERVICE COSTS. Here are some important points:

- **For service by the sheriff:** Did you try to ask the other party to voluntarily accept service? If not, you must have a very good reason for not doing so.
- **For publication of service:** Why are you publishing instead of using another method of service? This is important, not only to get fees waived or deferred, but because service by publication is only used as a last resort. **BE SURE TO READ THE SELF-SERVICE CENTER INSTRUCTIONS ON SERVICE BEFORE YOU SERVE BY PUBLICATION.** This could save you time, effort, and difficulty!

**C. Order for Deferral or Waiver:** Do not fill out this form except the caption that includes the name of the petitioner/plaintiff, name of the respondent/defendant. The Special Commissioner will fill out this form after he or she has reviewed your application. This form tells you whether your costs have been waived, deferred or denied.

**D. Request for Hearing:** DO NOT FILL OUT THIS FORM. Take this form to the Court with you when you make your request to have your costs waived or deferred. Use this form only if your application for deferral/waiver has been denied and you want a hearing to tell the Judge why your costs should be deferred or waived.

## 5. HOW DO I APPLY FOR A DEFERRAL?

**A.** Complete the court paperwork for the APPLICATION FOR DEFERRAL OF COURT FEES AND/OR COSTS and CONSENT TO ENTRY OF JUDGEMENT along with the court papers you want to file for whatever court proceeding you are involved with. **Do not sign** the Application until you get to the Filing Counter if you are hand-delivering the Application to the Probate Registrar. You can sign the Application at the Court, when you go to the Filing Counter and avoid the cost of paying a Notary Public. If you are mailing your Application to the Clerk of the Court, you will need to **sign the Application in front of a Notary Public** before you mail your application.

**B.** Take the Application and all the other court papers you need to file to the filing counter of the Clerk of Court at the court location where you filed the papers. Information on how to know whether to file in the Downtown court location or the Southeast Court Facility in Mesa or the Northwest Court Facility in Surprise is contained on the instruction sheets that go with the court papers for the court process you are filing on.

**NOTE:** It is always a good idea to come in **person to apply** for a DEFERRAL OR WAIVER, unless you have a medical or other good reason to why you cannot appear in person. However, you can mail the application to the Probate Registrar, 125 West Jefferson, Phoenix, Arizona 85003. The Special Commissioner will review your application, determine if you qualify for a deferral or waiver, and notify you about whether you qualify for a deferral or waiver.

**C.** Give the **original** Application and sign it in front of the Probate Registrar. The Special Commissioner (or sometimes a Judge) will usually decide whether to grant the Application or not, depending on the information given in the Application.

- D.** If the Application is granted, file the court papers for the court process you are involved with. If the Application is denied, pay the fee or costs. If you do not agree with the Court's decision, you can request a hearing in front of a Judge. Use the form REQUEST FOR HEARING AND ORDER in your packet.
- E.** If the Deferral or Waiver is for Personal Service by the sheriff, take the papers that need to be served, along **with a copy** of the ORDER OF DEFERRAL OR WAIVER, to the sheriff. Instructions on how to do this are contained on the help sheet that is in the packet on service of process.
- F.** If the Deferral or Waiver is for Publication, follow the instructions contained on the help sheet that is in the packet on service of process.
- G. REMINDER.** If you still cannot pay the fees and costs at the end of the case, and believe you should receive a waiver or further deferral (payment schedule), you must file a Supplemental Application at the end of the case, or a Consent Judgment will be entered against you. You will receive instructions on how to do this at the end of the case.
- 6. OTHER HELP.** If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys." Also, the Self-Service Center has a list of lawyers who will help you help yourself. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is. Visit the Self-Service Center at the Court or on the Internet at: [www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/LawyersAndMediators/](http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/LawyersAndMediators/) to get the names of some of the lawyers on this list.

**ALL FORMS REFERRED TO IN THESE INSTRUCTIONS  
ARE AVAILABLE AT THE SELF-SERVICE CENTER.**

Name of Person Filing Document: \_\_\_\_\_  
 Your Address: \_\_\_\_\_  
 Your City, State, and Zip Code: \_\_\_\_\_  
 Your Telephone Number: \_\_\_\_\_  
 Attorney Bar Number (if applicable): \_\_\_\_\_  
 Representing  Self or  Attorney for \_\_\_\_\_

FOR CLERK'S USE ONLY

**SUPERIOR COURT OF ARIZONA  
 MARICOPA COUNTY**

\_\_\_\_\_  
 Name of Petitioner/Plaintiff.

Case Number: \_\_\_\_\_

**APPLICATION FOR DEFERRAL  
 OF COURT FEES AND/OR COSTS  
 AND  
 CONSENT TO ENTRY OF JUDGMENT**

\_\_\_\_\_  
 Name of Respondent/Defendant

**STATE OF ARIZONA**            )  
**COUNTY OF \_\_\_\_\_**    ) <sup>ss</sup>

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

**1. 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 summonses and subpoenas, fees for obtaining one certified copy of a temporary order in a domestic relations case, a final order, judgment or decree in all civil proceedings, child support payment history and fees for attending the Domestic Relations Education on Children's Issues Program, pursuant to A.R.S. § 25-355.
- 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.
- Court accountant fees and costs
- Court investigator fees and costs

**2. My interest in this case is (check on box):**

- Petitioner for Appointment of a Guardian/Conservator for an Adult or a Minor
- Petitioner for Appointment of a Personal Representative for the Estate
- Creditor filing a Demand for Notice
- Other (describe): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**3. The basis for the deferral request is that I or the Estate/Ward/Protected Person receive governmental assistance from the state/federal program(s) checked below:**

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

**IF YOU CHECKED ONE OF THE BOXES ABOVE, go directly to the end of the last page and date and sign the Application in front of the clerk or a notary public. You do not need to complete other parts of this form.**

**OR**

**4. The basis for the deferral request is:**

- A.  My or the Estate/Ward/Protected Person's 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. **You must fill out the Financial Questionnaire below.**

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. (To see if you qualify, a table showing 150% of the poverty levels by family size is attached.) Gross monthly income includes your share of community property income if available to you.
2. If your income exceeds 150% of the poverty level, but you have proof of extraordinary expenses, including medical expenses, costs of care for elderly or disabled family members or other expenses that the court finds are extraordinary and that reduce your gross monthly income to at or below 150% of the poverty level.

**OR**

**IF NONE OF THE ABOVE REASONS APPLY, you still may request a deferral of court fees and/or costs for good cause shown. If granted, the court either will postpone payment until the conclusion of the case or establish a schedule for you to make payments.**

- B.  I or the Estate/Ward/Protected Person 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**You must fill out the following Financial Questionnaire.**

## FINANCIAL QUESTIONNAIRE

**SUPPORT RESPONSIBILITIES:** List the individuals who you support (including paying child support and/or spousal maintenance):

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:

Employer name: \_\_\_\_\_  
 Employer address: \_\_\_\_\_  
 Employed since (month/year): \_\_\_\_\_  
 Monthly gross income: \$ \_\_\_\_\_  
 Other current monthly income, including spousal maintenance, 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:** Equity is defined as market value minus any liens or loans. List only those assets available to you and accessible without financial penalty.

	<b>ESTIMATED VALUE</b>
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	\$ _____
<b>TOTAL ASSETS:</b>	<b>\$ _____</b>

**EXTRAORDINARY EXPENSES:** Other facts that support this application are: (For example, describe and provide proof of unusual medical needs, financial hardship, costs of care of elderly or disabled family members)

<b>DESCRIPTION</b>	<b>AMOUNT</b>
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL EXTRAORDINARY EXPENSES</b>	<b>\$ _____</b>

**CONSENT TO JUDGMENT:** By signing this Application, you agree that a judgment may be entered against you for all fees and/or costs not taxed to another party that are deferred, but that remain unpaid after thirty (30) calendar days following the entry of final judgment. Judgment automatically will be entered against you unless any one of the following applies:

- A. Fees and costs are taxed to another party;
- B. You make a supplemental application for waiver or further deferral of fees and/or costs and a decision by the court is pending;
- C. The court orders that the fees and costs be waived or further deferred; or
- D. Within twenty days of the date the court denies the supplemental application, you either:
  - 1. Pay the fees and/or costs; or,
  - 2. Request a hearing on the court's order denying waiver or further deferral. If you request a hearing, the court can not 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.

Case No. \_\_\_\_\_

At the end of your case, you will receive a notice reminding you that you may submit a supplemental application for further deferral or waiver if you believe you still cannot afford to pay your court fees and/or costs. The court will decide at that time whether or not you must pay.

**ACKNOWLEDGMENT AND SIGNATURE UNDER OATH:**

Today's Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Your Name: \_\_\_\_\_

SUBSCRIBED AND SWORN or affirmed and acknowledged before me on (date) \_\_\_\_\_  
by \_\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Judicial Officer, Clerk or Notary Public

**SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY**

FOR CLERK'S USE ONLY

\_\_\_\_\_  
Name of Petitioner/Plaintiff

Case Number: \_\_\_\_\_

\_\_\_\_\_  
Name of Respondent/Defendant

**ORDER**

- DEFERRING COURT FEES AND/OR COSTS (ODC)**
- ORDER WAIVING COURT FEES AND/OR COSTS (OWC)**
- ORDER DENYING DEFERRAL/ WAIVER OF COURT FEES AND COSTS (ODD) AND CONSENT TO ENTRY OF JUDGMENT**

**THE COURT FINDS** that the applicant (print name): \_\_\_\_\_:

- 1.  **IS NOT ELIGIBLE FOR A DEFERRAL** of fees and/or costs.  
**OR**
- 2.  **IS ELIGIBLE FOR A DEFERRAL** based on financial eligibility for a deferral of fees and costs. As required by state law, the applicant has signed a consent to entry of judgment.  
**OR**
- 3.  **IS ELIGIBLE FOR DEFERRAL** of fees and/or costs on good cause shown.  
**OR**
- 4.  **IS ELIGIBLE FOR WAIVER** of fees and/or costs at the courts discretion (A.R.S. § 12-302(M)).

**IT IS ORDERED:**

- 1.  **DEFERRAL DENIED** for the following reason(s):
  - The application is incomplete because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - You are encouraged to submit a complete application before a consent judgment is entered against you.**
  - The applicant does not meet the financial criteria for fee deferral because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**A deferral MUST BE granted if the applicant is receiving public assistance benefits or has an income that is insufficient or barely sufficient to meet the daily essentials of life and that includes no allotment that could be budgeted to pay the fees and/or costs necessary to gain access to the court or if the applicant demonstrates other good cause.**

- This is a class action.
- The applicant is an incarcerated felon and this is not a domestic relations action.

2.  **DEFERRAL GRANTED** for the following fees and/or costs in this court:

- Any or all filing fees, fees for the issuance of summonses and subpoenas, 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
- Fees for service by publication
- 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.
- Court accountant fees and costs.
- Court investigator fees and costs.

**IF A DEFERRAL IS GRANTED, PLEASE CHECK ONE OF THE FOLLOWING BOXES.**

**NO PAYMENTS WILL BE DUE UNTIL FURTHER NOTICE** (Only applies to Finding #2 or #3).

**SCHEDULE OF PAYMENTS** (Only applies to Finding #3).  
The applicant shall pay \$ \_\_\_\_\_ each \_\_\_\_\_ (week, month, etc.) until paid in full, beginning \_\_\_\_\_.

3.  **WAIVER GRANTED** for all fees and/or costs of this case that may be waived under A.R.S. § 12-302(I).

4. **RIGHT TO JUDICIAL REVIEW.** If the application is denied or a payment schedule set by a special commissioner, you may request the decision be reviewed by a judge or judicial officer. The request must be made within twenty (20) days of the day the order was mailed or delivered to you. If a schedule of payments has been established, payments shall be suspended until a decision is made after the judicial review. The judicial review shall be held as soon as possible.

5.  **CONSENT TO ENTRY OF JUDGMENT.** In accordance with state law and procedures adopted by the Arizona Supreme Court, a consent judgment shall be entered against the applicant for all fees and costs that are deferred and not taxed to another party, but that remain unpaid after thirty (30) calendar days following the entry of final judgment unless any one of the following applies:

- A. Fees and costs are taxed to another party;
  - B. A supplemental application for waiver or further deferral remains pending;
  - C. The court orders that the fees and costs be waived or further deferred;
- or

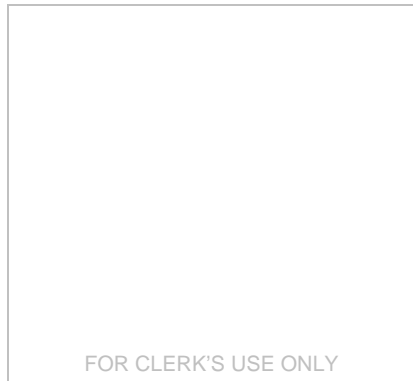
D. Within twenty days of the date the court denies the supplemental application, the applicant:

1. Pays the fees; or,
2. Requests a hearing on the court's order denying waiver or further deferral. If the applicant requests a hearing, the court shall not 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.

**6. DUTY TO REPORT CHANGE IN FINANCIAL CIRCUMSTANCES.** An applicant who is granted a deferral shall promptly notify the court of the change in financial circumstances during the pendency of the case that would affect the applicant's ability to pay court fees and costs. Any time the applicant appears before the court on this case, the court may inquire as to the applicant's financial circumstances.

DATED: \_\_\_\_\_

\_\_\_\_\_  
 Judicial Officer or  Special Commissioner



Name of Person Filing Document: \_\_\_\_\_  
 Your Address: \_\_\_\_\_  
 Your City, State, and Zip Code: \_\_\_\_\_  
 Your Telephone Number: \_\_\_\_\_  
 Attorney Bar Number (if applicable): \_\_\_\_\_  
 Representing  Self (Without an Attorney) OR  
 Attorney for  Petitioner OR  Respondent

FOR CLERK'S USE ONLY

**SUPERIOR COURT OF ARIZONA  
 IN MARICOPA COUNTY**

\_\_\_\_\_  
 Name of Petitioner/Plaintiff

Case Number: \_\_\_\_\_

**AFFIDAVIT SUPPORTING DEFERRAL OR  
 WAIVER OF SERVICE COSTS**

\_\_\_\_\_  
 Name of Respondent/Defendant

STATE OF ARIZONA                    )  
 COUNTY OF MARICOPA            ) <sup>ss</sup>

**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 have requested a deferral or waiver of the following fees in my case:**

- Fees for service of process by a sheriff, marshal, constable, or law enforcement agency:** In support of my request, I state that (check and complete any that apply):
  - I have attempted to obtain voluntary acceptance of service of process without success on the person to be served.
  - It would be useless or dangerous for me to try to obtain voluntary acceptance of service by the person to be served because (explain):  
 \_\_\_\_\_  
 \_\_\_\_\_
  - An enforceable injunction against harassment or order of protection has been granted to me against the person to be served.

**Fees for publication:** In support of my request, I state that I have attempted to locate the person to be served but I have been unable to locate that person **(check and complete any that apply):**

This is what I did to try to find the other party (explain):  
\_\_\_\_\_  
\_\_\_\_\_

I have contacted the person(s) listed below to try to find the location of the other party.

NAME	ADDRESS
_____	_____
_____	_____
_____	_____

**SIGNATURE UNDER PENALTY OF PERJURY**

Today's Date: \_\_\_\_\_

Signature: \_\_\_\_\_

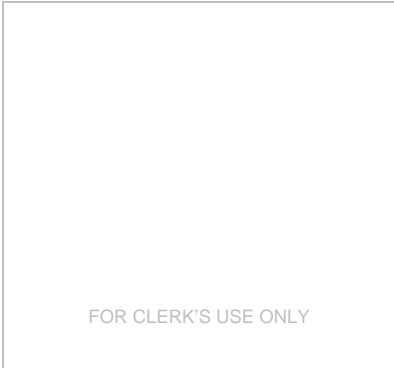
Print Your Name: \_\_\_\_\_

**INFORMATION FOR SERVICE**

**You must provide the following information:**

To the best of my knowledge, as of (date) \_\_\_\_\_, the last known address of the person to be served was: \_\_\_\_\_.

(Street Address, City and State)



FOR CLERK'S USE ONLY

Name of Person Filing Document: \_\_\_\_\_  
Your Address: \_\_\_\_\_  
Your City, State, and Zip Code: \_\_\_\_\_  
Your Telephone Number: \_\_\_\_\_  
Attorney Bar Number (if applicable): \_\_\_\_\_  
Representing  Self (Without an Attorney) OR  
Attorney for  Petitioner OR  Respondent

**SUPERIOR COURT OF ARIZONA  
IN MARICOPA COUNTY**

\_\_\_\_\_  
Name of Petitioner/Plaintiff

Case Number: \_\_\_\_\_

**REQUEST AND ORDER  
FOR HEARING**

\_\_\_\_\_  
Name of Respondent/Defendant.

**NOTICE:** To ensure that the Consent Judgment is not entered, you must mail or hand-deliver a copy of this document to the Clerk of the Court, Collections Department, 201 West Jefferson, 1st Floor, Phoenix, Arizona 85003.

**Check at least one of the following:**

- I request a hearing on the denial of my supplemental application for waiver or further deferral.
- I do not agree with the amount of unpaid fees and costs on the itemized statement provided by the court. I request a hearing on the calculation of the unpaid fees and/or costs.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print your name: \_\_\_\_\_

**THE COURT COMPLETES THE FOLLOWING SECTION**  
IT IS ORDERED scheduling a hearing on the above matter.  
Hearing Date: \_\_\_\_\_ Hearing Time: \_\_\_\_\_  
Hearing Location: \_\_\_\_\_  
Hearing Officer: \_\_\_\_\_  
Dated: \_\_\_\_\_  
 Judicial Officer OR  Special Commissioner  
Mailed/hand-delivered to applicant on \_\_\_\_\_, by \_\_\_\_\_