

# APPLICATION FOR DEFERRAL OF COURT FEES AND/OR COSTS

## PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED AND PRINTED THE AFFIDAVIT:

1. If you want to keep a copy of your forms, make one before submitting them to the Clerk of Superior Court.
2. You must sign the ***“Deferred Fee Application Information”*** in front of a notary or Deputy Clerk of the Court. By signing the Application, you are swearing and affirming under penalty of perjury that the contents of the Application are true and correct.
3. You must sign the ***“Application for Deferral of Court Fees and/or Costs and Consent to Entry of Judgment”*** form, in front of a notary or Deputy Clerk of the Court. By signing the Application, you are swearing and affirming under penalty of perjury that the contents of the Application are true and correct.
4. If you are requesting deferral or waiver of costs related to service of process, you must sign the ***“Affidavit Supporting Deferral or Waiver of Service Costs”*** form.
5. Submit the original ***“Deferred Fee Application Information”*** form, ***“Application for Deferral of Court Fees and/or Costs and Consent to Entry of Judgment”*** form, and if applicable, ***“Affidavit Supporting Deferral or Waiver of Service Costs”*** form, to the Clerk of Superior Court.
6. The Special Commissioner will usually make the decision whether to grant the Application based on the information in the application. Occasionally the application is sent to a Judge to determine if the application should be approved.
7. 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 decision, you can request a hearing in front of a Judge.

**APPLICANT**

Complete all  
information  
in this  
section.

Jose Ramon Portillo  
Plaintiff/Petitioner

CASE NUMBER: \_\_\_\_\_

Monica C Heras Holguin  
Defendant/Respondent

DATE: \_\_\_\_\_

**DEFERRED FEE APPLICATION INFORMATION**

**NAME:** Jose Ramon Portillo

**ADDRESS:** 10417 W Magnolia St

**CITY:** Tolleson **STATE:** AZ

**SSN:** \_\_\_\_\_ **ZIP CODE:** 85353

**PHONE(H):** ( 480 ) 662-8325 **PHONE (W):** ( 602 ) 242-1387

**DO YOU HAVE AN ATTORNEY?** ☐ YES ☒ NO **PHONE (Cell):** ( 480 ) 662-8325

(FOR COURT USE ONLY: Do Not Write in this Section (except for your signature, below)).

**FINANCIAL STATUS OF A DEFERRED FEE**

<b>FEE CODE #</b> _____	<b>TYPE</b> _____	<b>\$</b> _____
<b>FEE CODE #</b> _____	<b>TYPE</b> _____	<b>\$</b> _____
<b>FEE CODE #</b> _____	<b>TYPE</b> _____	<b>\$</b> _____

**TOTAL AMOUNT OF FEES THAT HAVE BEEN DEFERRED:** **\$** \_\_\_\_\_

**AMOUNT OF PARTIAL PAYMENT PAID AT TIME OF FILING:** **\$** \_\_\_\_\_

**BALANCE:** **\$** \_\_\_\_\_

**Special  
Commissioner**

Complete all  
information  
for each  
deferred fee  
in this section.

**Special  
Commissioner**

Complete this  
section if a  
payment plan  
is set up.

Cross out if  
deferred until  
further notice.

**BALANCE OF DEFERRED FEE(S) DUE ON** \_\_\_\_\_ **DAY OF** \_\_\_\_\_, **20** \_\_\_\_\_

**I (APPLICANT) SHALL MAKE** (☐ WEEKLY ☐ MONTHLY) **PAYMENTS OF \$** \_\_\_\_\_

**FINAL PAYMENT IS DUE ON OR BEFORE (BUT NO LATER THAN) THE DUE DATE ABOVE.**

**ANY BALANCE LEFT OUTSTANDING AFTER THE DUE DATE WILL BE SENT TO A COLLECTIONS AGENCY.**

**Applicant:**

**APPLICANT SIGNATURE:** \_\_\_\_\_

**Special  
Commissioner**

Check why  
deferred until  
further notice.

(FOR COURT USE ONLY: Do Not Write in this Section (except for your signature, below)).  
**ASSISTANCE RECEIVED/ INCOME INFORMATION**

<input type="checkbox"/> TANF (TEMPORARY ASSISTANCE TO NEEDY FAMILIES)	<input type="checkbox"/> SSI
<input type="checkbox"/> FOOD STAMPS	<input type="checkbox"/> GENERAL ASSISTANCE
<input type="checkbox"/> COMMUNITY LEGAL SERVICE	<input type="checkbox"/> < 150%

**Applicant:**

**APPLICANT SIGNATURE:** \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA  
IN MARICOPA COUNTY**

**Jose Ramon Portillo,**

Petitioner / Party A

\_\_\_\_\_  
Date of Birth

**Monica C Heras Holguin**

Respondent / Party B

\_\_\_\_\_  
Date of Birth

**Case No.**

**ATLAS No.**

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

STATE OF ARIZONA )

ss.

County of Maricopa )

NOTICE: A Fee Deferral is only a temporary postponement of the payment of the fees due. You may be required to make payments depending on your income. A Fee Waiver is usually permanent unless your financial circumstances change during the pendency of this court action.

I am requesting a deferral or waiver of all fees including: filing a case, issuance of a summons or subpoena, the cost of attendance at an educational program required by A.R.S. § 25-352, one certified copy of a temporary order in a family law case, one certified copy of the court's final order, preparation of the record on appeal, court reporter's fees of reporters or transcribers, service of process costs, and/or service by publication costs. (I have completed the separate Supplemental Information form if I am asking for service of process costs, or service by publication costs.) I understand that if I request deferral or waiver because I am a participant in a government assistance program, I am required to provide proof at the time of filing. The document(s) submitted must show my name as the recipient of the benefit and the name of the agency awarding the benefit.

Petitioner, Jose Ramon Portillo, states and alleges under oath that:

1. Petitioner's income is insufficient or 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. Petitioner's gross income as computed on a monthly basis is 150% or less of the current federal poverty level. (Note: Gross monthly income includes Petitioner's share of community property income if available to Petitioner.)
2. Petitioner supports the following person(s):

<b>Name</b>	<b>Relationship</b>
Jose Ramon Portillo	Son
Tiffany Briseida Portillo	Daughter
Monica Yamilet Portillo	Daughter

3. Petitioner has the following assets:

<b>Asset</b>	<b>Estimated Value</b>
Cash and Bank Accounts	500.00
Credit Union Accounts	0.00
Other Liquid Assets	0.00
<b>Total assets</b>	<b>500.00</b>

<b>Source</b>	<b>Amount</b>
Employer	2,000.00
Caliber	
Employed since	
Other:	0.00
Spouse's Monthly Gross Income	0.00
<b>Total monthly income</b>	<b>2,000.00</b>

4. Petitioner's monthly expenses and debts are:

<b>Expense</b>	<b>Payment</b>	<b>Balance</b>
Rent/Mortgage payment	675.00	0.00
Car Payment	0.00	0.00
Credit Card Payments:	120.00	200.00
Other payments & debts: other court payments	250.00	5,000.00
Household	200.00	
Utilities/Telephone/Cable	350.00	
Medical/Dental/Drugs	0.00	
Health Insurance	0.00	
Nursing Care	0.00	
Laundry	0.00	
Child Support	0.00	
Child Care	0.00	
Spousal Maintenance	0.00	
Car Insurance	180.00	
Transportation	160.00	
Other expenses:	0.00	
<b>Total monthly payments</b>	<b>1,935.00</b>	

**IMPORTANT**

This "Application for Deferral or Waiver of Court Fees or Costs" includes a "Consent to Entry of Judgment." By signing this Consent, you agree a judgment may be entered against you for all fees and costs that are deferred but remain unpaid thirty (30) calendar days after entry of final judgment. At the conclusion of the case you will receive a Notice of Court Fees and Costs Due indicating how much is owed and what steps you must take to avoid a judgment against you if you are still participating in a qualifying program. You may be ordered to repay any amounts that were waived if the court finds you were not eligible for the fee deferral or waiver. If your case is dismissed for any reason, the fees and costs are still due.

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

#### OATH OR AFFIRMATION

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

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Date

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Signature

(notary seal)

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Deputy Clerk or Notary Public

**SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY**

**Jose Ramon Portillo**

Petitioner/Plaintiff,

and

**Monica C Heras Holguin**

Respondent/Defendant

**Case No.**

**ORDER REGARDING DEFERRAL  
OR WAIVER OF COURT FEES AND  
COSTS AND NOTICE REGARDING  
CONSENT JUDGMENT**

**THE COURT FINDS** that the applicant **Jose Ramon Portillo**:

1. ☐ **IS NOT ELIGIBLE FOR A DEFERRAL** of fees and/or costs.  
OR
2. ☐ **IS ELIGIBLE FOR A DEFERRAL** of fees and costs based on financial eligibility. As required by state law, the applicant has signed a consent to entry of judgment.  
OR
3. ☐ **IS ELIGIBLE FOR A DEFERRAL** of fees and/or costs at the court's discretion (A.R.S. § 12-302(L)).  
OR
4. ☐ **IS ELIGIBLE FOR A DEFERRAL** of fees and costs based on good cause shown. As required by state law, the applicant has signed a consent to entry of judgment.  
OR
5. ☐ **IS ELIGIBLE FOR WAIVER** of fees and costs because the applicant is permanently unable to pay.  
OR
6. ☐ **IS ELIGIBLE FOR WAIVER** of fees and costs at the court's discretion (A.R.S. § 12-302(L)).  
OR
7. ☐ **IS NOT ELIGIBLE FOR WAIVER** of fees and costs.

**IT IS ORDERED:**

1. ☐ **DEFERRAL IS DENIED** for the following reason(s):

☐ The application is incomplete because:

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**You are encouraged to submit a complete application.**

☐ The applicant does not meet the financial criteria for deferral because:

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**A deferral MUST BE granted if the applicant is receiving public assistance benefits from the Temporary Assistance to Needy Families (TANF) program or Food Stamps; presents documentation they are currently receiving services from a non-profit legal services organization; 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 costs necessary to gain access to the court; or, if the applicant demonstrates other good cause.**

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

- ☐ Any or all filing fees; fees for the issuance of a summons and subpoena; or the cost of attendance at an educational program required by A.R.S. § 25-352, 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 law enforcement agency.
- ☐ Fees for service by publication.
- ☐ Filing fees and photocopy fees for the preparation of the record on appeal.
- ☐ Court reporter or transcriber fees if employed by the court for the preparation of the transcript.

**IF A DEFERRAL IS GRANTED:**

☐ **NO PAYMENT WILL BE DUE UNTIL FURTHER NOTICE**

☐ **SCHEDULE OF PAYMENTS**

The applicant shall pay \$ \_\_\_\_\_ each \_\_\_\_\_ (week, month, etc,) until paid in full, beginning \_\_\_\_\_, \_\_\_\_\_

3. ☐ **WAIVER IS DENIED** for all fees and/or costs of this case.

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

- ☐ Any or all filing fees; fees for the issuance of a summons and subpoena; or the cost of attendance at an educational program required by A.R.S. § 25-352, 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 law enforcement agency.
- ☐ Fees for service by publication.
- ☐ Filing fees and photocopy fees for the preparation of the record on appeal.
- ☐ Court reporter or transcriber fees if employed by the court for the preparation of the transcript.

5. **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 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 reasonably possible.

6. **NOTICE REGARDING CONSENT JUDGMENT.** Unless any one of the following applies, a consent judgment shall be entered against the applicant for all fees and costs that are deferred and remain unpaid thirty (30) days after entry of final judgment.

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

If an appeal is taken, a consent judgment for deferred fees and/or costs that remain unpaid in the lower court shall not be entered until thirty (30) days after the appeals process is concluded. The procedures for notice of court fees and/or costs and for entry of a consent judgment continue to apply.

If a consent judgment is signed and the applicant pays the fees and/or costs in full, the court is required to comply with the provisions of A.R.S. 33-964(C).

7. **DUTY TO REPORT CHANGE IN FINANCIAL CIRCUMSTANCES.** An applicant who is granted a deferral or waiver 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/or 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