

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

FOR CLERK'S USE ONLY

In the matter of:

Case Number PB _____

Name of protected (or deceased) person

ORDER

- DEFERRING COURT FEES AND/OR COSTS (ODC)**
- WAIVING COURT FEES AND/OR COSTS (OWC)**
- DENYING DEFERRAL/WAIVER (ODD) OF COURT FEES AND COSTS 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 of the following: All filing fees, fees for the issuance of summonses and subpoenas, fees for obtaining one certified copy of letters of temporary or permanent appointment or of any temporary or final order, judgment or decree in any civil proceeding.
- 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(H).

- Any or all of the following: All filing fees, fees for the issuance of summonses and subpoenas, fees for obtaining one certified copy of letters of temporary or permanent appointment or of any temporary or final order, judgment or decree in any civil proceeding.
- 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.

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