MADERA COUNTY SUPERIOR COURT STATE OF CALIFORNIA

<u>Fee Waiver Packet -</u> <u>Guardianship/Conservatorship</u>

Use this packet if you are filing papers that require a filing fee in a **Probate guardianship or conservatorship** case and you are unable to pay the fees. You can go to www.courts.ca.gov/7646.htm to look up the Statewide Civil Court Fee Schedule

This packet includes the following forms: FW-001-INFO Information Sheet on Waiver of Superior Court Fees and Costs, FW-001-GC Request to Waive Court Fees (Ward or Conservatee) and FW-003-GC Order on Court Fee Waiver (Ward or Conservatee).

There are 3 ways to qualify:

If the ward/conservatee is low-income or cannot afford the fees, you can ask for a fee waiver.

- If the ward/conservatee receives one of the following public benefits: Medi-Cal, Food Stamps (CalFresh), Cal-Works, General Assistance/General Relief, SSI, SSP, Tribal TANF, IHHS or CAPI;
- If the ward/conservatee's income, before taxes, is less than the amounts listed on Form FW-001-GC in item 8b; *OR*
- If the court finds that the ward/conservatee does not have enough income to pay for both the household's basic needs AND the court fees

How to ask for a fee waiver:

- 1. Read the *Information Sheet on Waiver of Superior Court Fees and Costs* (Form FW-001-INFO).
- 2. Fill out the Request to Waive Court Fees (Ward or Conservatee) (Form FW-001-GC) AND the top section of Order on Court Fee Waiver (Ward or Conservatee) (Form FW-003-GC).
- 3. Sign your request for a fee waiver under penalty of perjury. This tells the judge you understand that you must tell the truth, and that your answers must be accurate and complete.
- 4. Make 1 copies of your completed forms, FW-001-GC and FW-003-GC.
- 5. Turn in your fee waiver forms to the clerk. The clerk will tell you how long it will take to process your request for fee waiver.

If you have any questions you can ask the court's family law facilitator/<u>self-help center</u> (located on the 1st Floor) to review your paperwork.

Note: Fee waivers expire 60 days after your case is finished, either by a judgment, a dismissal, or in some other way. They can also end if the court finds that you are no longer eligible for the fee waiver.

Revised 03/15/2021

INFORMATION SHEET ON WAIVER OF SUPERIOR COURT FEES AND COSTS

If you have been sued or if you wish to sue someone, if you are filing or have received a family law petition, or if you are asking the court to appoint a guardian for a minor or a conservator for an adult or are an appointed guardian or conservator, and if you (or your ward or conservatee) cannot afford to pay court fees and costs, you may not have to pay them in order to go to court. If you (or your ward or conservatee) are getting public benefits, are a low-income person, or do not have enough income to pay for your (or his or her) household's basic needs *and* your court fees, you may ask the court to waive all or part of those fees.

- 1. To make a request to the court to waive your fees in superior court, complete the *Request to Waive Court Fees* (form FW-001) or, if you are petitioning for the appointment of a guardian or conservator or are an appointed guardian or conservator, complete the *Request to Waive Court Fees* (*Ward or Conservatee*) (form FW-001-GC). If you qualify, the court will waive all or part of its fees for the following:
 - Filing papers in superior court (other than for an appeal in a case with a value of over \$25,000)
 - Making and certifying copies
 - Sheriff's fee to give notice
 - Court fees for telephone hearing
- Giving notice and certificates
- Sending papers to another court department
- Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.833 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835
- 2. You may ask the court to waive other court fees during your case in superior court as well. To do that, complete a Request to Waive Additional Court Fees (Superior Court) (form FW-002) or Request to Waive Additional Court Fees (Superior Court) (Ward or Conservatee) (form FW-002-GC). The court will consider waiving fees for items such as the following, or other court services you need for your case:
 - Jury fees and expenses
 - Fees for court-appointed experts
 - Other necessary court fees

- Fees for a peace officer to testify in court
- Court-appointed interpreter fees for a witness
- 3. If you want the Appellate Division of Superior Court or the Court of Appeal to review an order or judgment against you and you want the court fees waived, ask for and follow the instructions on *Information Sheet on Waiver of Appellate Court Fees, Supreme Court, Court of Appeal, Appellate Division* (form APP-015/FW-015-INFO).

IMPORTANT INFORMATION!

- You are signing your request under penalty of perjury. Answer truthfully, accurately, and completely.
- The court may ask you for information and evidence. You may be ordered to go to court to answer questions about your ability, or the ability of your ward or conservatee, to pay court fees and costs and to provide proof of eligibility. Any initial fee waiver you or your ward or conservatee are granted may be ended if you do not go to court when asked. You or your ward's or conservatee's estate may be ordered to repay amounts that were waived if the court finds you were not eligible for the fee waiver.
- **Public benefits programs listed on the application form.** In item 5 on the *Request to Waive Court Fees* (item 8 of the *Request to Waive Court Fees* (Ward or Conservatee)), there is a list of programs from which you (or your ward or conservatee) may be receiving benefits, listed by the abbreviations they are commonly known by. The full names of those programs can be found in Government Code section 68632(a), and are also listed here:
 - Medi-Cal
 - Food Stamps—California Food Assistance Program, CalFresh Program, or SNAP
 - SSP—State Supplemental Payment
 - Supp. Sec. Inc.—Supplemental Security Income (not Social Security)
 - County Relief/Gen. Assist.—County Relief, General Relief (GR), or General Assistance (GA)



- IHSS—In Home Supportive Services
- CalWORKS—California Work Opportunity and Responsibility to Kids Act
- Tribal TANF—Tribal Temporary Assistance for Needy Families
- CAPI—Cash Assistance Program for Aged, Blind, or Disabled Legal Immigrants
- If you receive a fee waiver, you must tell the court if there is a change in your finances, or the finances of your ward or conservatee. You must tell the court within five days if those finances improve or if you, or your ward or conservatee, become able to pay court fees or costs during this case. (File Notice to Court of Improved Financial Situation or Settlement (form FW-010) or Notice to Court of Improved Financial Situation or Settlement (Ward or Conservatee) (form FW-010-GC) with the court.) You may be ordered to repay any amounts that were waived after your eligibility, or the eligibility of your ward or conservatee, came to an end.
- If you receive a judgment or support order in a family law matter: You may be ordered to pay all or part of your waived fees and costs if the court finds your circumstances have changed so that you can afford to pay. You will have the opportunity to ask the court for a hearing if the court makes such a decision.
- If you win your case in the trial court: In most circumstances the other side will be ordered to pay your waived fees and costs to the court. The court will not enter a satisfaction of judgment until the court is paid. (This does not apply in unlawful detainer cases. Special rules apply in family law cases and in guardianships and conservatorships. (Gov. Code, § 68637(d), (e); and Cal. Rules of Court, rule 7.5.)
- If you settle your civil case for \$10,000 or more: Any trial court-waived fees and costs must first be paid to the court out of the settlement. The court will have a lien on the settlement in the amount of the waived fees and costs. The court may refuse to dismiss the case until the lien is satisfied. A request to dismiss the case (use form CIV-110) must have a declaration under penalty of perjury that the waived fees and costs have been paid. Special rules apply to family law cases.
- The court can collect fees and costs due to the court. If waived fees and costs are ordered paid to the trial court, or if you fail to make the payments over time, the court can start collection proceedings and add a \$25 fee plus any additional costs of collection to the other fees and costs owed to the court.
- The fee waiver ends. The fee waiver expires 60 days after the judgment, dismissal, or other final disposition of the case or earlier if a court finds that you or your ward or conservatee are not eligible for a fee waiver. If the case is a guardianship or conservatorship proceeding, see California Rules of Court, rule 7.5(k) for information on the final disposition of that matter.
- If you are in jail or state prison: Prisoners may be required to pay the full cost of the filing fee in the trial court but may be allowed to do so over time. See Government Code section 68635.



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

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 conservate 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.

CONFIDENTIAL

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of Madera 200 South G Street Madera, CA 93637

Civil Division

Fill in case number and name:
Case Number:
Case Name:
to appoint a quardian or conservator):

	ardian or conservator, or	•	••	· ·
	:			
	State:			
2) Your Lawyer (if you he	ave one): Name:			
Firm or Affiliation:			State Bar No.:	
Address:			Phone:	
City:	State:	Zip:	E-mail:	
		F		7.
Name:Street or mailing address	ee's Information (file o		Age and dat	e of birth (ward only):
Name: Street or mailing address City:		Zip:	Age and dat	e of birth (ward only):
Name:Street or mailing address City:Phone: Ward's or Conservate	state: State: ee's Lawyer, if any: Na	Zip:	Age and dat	e of birth (ward only):
Name:	State:State:State:	Zip:	Age and dat State Bar No.:	e of birth (ward only):
Name: Street or mailing address City: Phone: Ward's or Conservate Firm or Affiliation: Address:	state:State:ee's Lawyer, if any: Na	Zip:	Age and dat State Bar No.: Phone:	e of birth (ward only):
Name: Street or mailing address City: Phone: Ward's or Conservate Firm or Affiliation: Address:	State:State:State:	Zip:	Age and dat State Bar No.: Phone:	e of birth (ward only):
Name:	state:State:ee's Lawyer, if any: Na	Zip: ame: Zip: employed, so sta	Age and dat State Bar No.: Phone: E-mail:	e of birth (ward only):



ame o	f (Pro	oposed) Wa	ard or Conserv	atee:			Case Number:	
) WI	hat c	ourt's fee	s or costs are	vou askin	g to be waive	d?		
X	Sup Sup:	erior Court reme Court,	(See Information	n <i>Sheet on W</i> ll, or Appell:	Vaiver of Superi ate Division of	or Court Fe	es and Costs (fo art (See Informa	orm FW-001-INFO).) ation Sheet on Waiver of
	Che	ck here if yo	ou asked the cou s request is reas	rt to waive	court fees for th	is case in the	e last six months s form and chec	s. k here):
) Wł	ny ar	e you aski	ng the court t	o waive th	e ward's or c	onservate	e's court fees	?
a.		domestic pa	rtner, receive (c	heck all tha	t apply):			e's spouse or registered
		County	Relief/General	Assistance	CAPI (0	Cash Assista	nce Program foi	SNAP (Food Stamp Medi-Cal Aged, Blind, and Disal Cobenefits listed above):
b.								tions for taxes) is less the page 4 of this form.)*
		Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people
		1	\$1,341.67	3	\$2,287.50	5	\$3,233.34	at home, add \$472.92
		2	\$1,814.59	4	\$2,760.42	6	\$3,706.25	for each extra person.
Do n e in	(3) ot inc 8b. ur	paym clude incom	ents over time. e of guardian or	conservator	r living in the h	ousehold in 8	8b or 8c or cour	or conservatee, make that him or her in family of the conservatee.)
		Guardia	ns or petition	ers for the	ir appointmer	nt must co	mplete items	9 and 10.
Wa	ard's	Estate:	Person only	, no estate.	Inventory	or petition e	stimated value:	
So	urce (e.g., gift, in	heritance, settle	ment, judgm	ent, insurance)		Est. collection	date:
) Wa	ard's	Parents'	Information:					
/						 De	ceased (date of	death):
								·
	City	:		_ State:	Zip: _			
	Phor	ne:					<u></u>	
b.								death):
	City	:		_State:	Zip: _		<u></u>	
	Phor	ne:						
c.	Supp	port order fo	or ward?	o Yes I	Payable to (nam	e):		arated divorced
	•	, ,						
								mount:
	Dale	ν or oract (ij	типріє, аше в	y iaiesi):			wionuny ai	mount

Name of (Proposed) Ward or Conservatee:	Case Numb	er:
Conservators or petitioners for their appointment n	nust complete i	tems 11–13.
11) Conservatee's Estate: Person only, no estate.		
	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: D		-
Street or mailing address:		
City: State: Zip:		
Name of employer (if none, so state):		
Employer's address:	State:	Zip:
The conservatee's spouse or partner is is is not managing, or		
planning to manage, some or all of the couple's community property	outside the conser	vatorship estate.
If you selected "is" above: The income, money, and property shown of		•
the income and property managed, or expected to be managed, by the	· · ·	
Divorced (date of final judgment or decree):		
Court:		
Case Number: Support order for conser	vatee? No C	¬ Vec
Date of support order (if multiple, date of latest):		
	Wolten	y umount.
13) The Conservatee and Trusts:		
The conservatee:		
a. a is is not a trustor or settlor of a trust.		
b. is is is not a beneficiary of a trust.		
If you selected "Is" to complete any of the above statements, identify the current address and telephone number of the current trustee(s) of a value of each trust and the nature and value of the conservatee's interfrequency of any distributions to or for the benefit of the conservatee which you are aware. (You may use Judicial Council form MC-025 for	each trust, describ est in each trust, a prior to your appo	e the general terms of and nd the amount(s) and intment as conservator of
All applicants who checked item 8b or item 8c on page 2	2 must continue	to and follow the
instructions for completion of items 14–16 or items 14-18		
mondono ioi compionon oi nomo i i io di nomo i i io	on page 1, both	0.0 0.gg 20.0
The information I have provided on this form and all attachments abtrue and correct to the best of my information and belief. The informattachments concerning myself is true and correct. I declare under pof California that the foregoing is true and correct.	nation I have prov	vided on this form and all
Date:		
Print your name here		

Name of (Durance I) Word on Comments					
Name of (Proposed) Ward or Conservatee:			Case N	lumber:	
If you checked 8a on page 2, do not fill out below. If you checked 8c, you must answer questions 14–18. If you need more space, a "Financial Information" and the ward's or conservatee's name and	attacl	n forr	n MC-025 or a	attach a sheet of páp	
from month to month. If it does, complete the form based on his or her average income for the past 12 months. 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 jobrelated expenses, gambling or lottery winnings, etc. (1) \$	a. b. c.	Cass All fi (1) (2) (3) Cars (1) (2) (3) Rea (1) (2)	inancial accounts s, boats, and othe Make / Year I estate Address	(list bank name and amount vehicles Fair Market Value Fair Market Value	\$
 a. List the income of all other persons living in the ward's or conservatee' 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 	's °	bone	ds, etc.): Describe	Fair Market Value	How Much You Still Owe
(4)\$		(2) ard's		s Household's Monthly	\$
(5)	b. c. d.	(1) (2) (3) (4) Ren Food Utilit	t or house payme d and household ties and telephone	ent and maintenance supplies	\$ \$ \$ \$ \$
household income (15b plus 16b): \$	e. f. g.	Med	ndry and cleaning lical and dental ex	rpenses	\$ \$ \$
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.		School Children Children F (1) (2) (3) Wag	nsportation, gas, a allment payments Paid to: ges/earnings withl	rt (another marriage) auto repair and insurance (list each below):	\$ \$ \$
Do not include income of guardian or conservator living	_ n .	-	other monthly exponential of the contract of t	penses (list each below).	How Much?

Rev. March 15, 2021

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.

(1)

(2)

(3) _

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

FW-003-GC Order on Court Fee Waiver (Superior Court) (Ward or Conservatee)	Clerk stamps date here when form is filed.
(Superior Court) (Ward or Conservatee)	Gielk stamps date here when form is med.
(Proposed) guardian or conservator who asked the court to waive court fees for (proposed) ward or conservatee:	
Name:	
Street or mailing address:	
City:State:Zip:	
Telephone:	
2 Lawyer, if person in 1 has one:	
Name: State Bar No:	
Firm or Affiliation:	
Street or mailing address:	Fill in court name and street address:
City:State:Zip:	Superior Court of California, County of
E-mail: Telephone:	Madera 200 South G Street
(3) (Proposed) ward or conservatee:	Madera, CA 93637
Name:	Civil Division
Street or mailing address:	
City: State: Zip:	
Telephone:	
(4) Lawyer for (proposed) ward or conservatee, if any:	Fill in case number and name: Case Number:
Name: State Bar No:	Case Number.
Firm or Affiliation:	
Street or mailing address:	Case Name:
City: State: Zip:	
E-mail: Telephone:	
(5) A request to waive court fees was filed on (date):	
The court made a previous fee waiver order in this case on (date):	
Read this form carefully. All checked boxes 🗵	are court orders.
Notice: The court may order you to answer questions about the ward's or conse	rvatee's finances after granting a waiver
and may later order payment of the waived fees from his or her estate. If this hap	opens and the fees are not paid, the court
can also charge collection fees. The court may also direct you to make efforts to from persons who owe a duty to support the ward or conservatee. If there is a ch	ange in the ward's or conservatee's
financial circumstances during this case that increases his or her ability to pay for court within five days. (Use form FW-010-GC.)	ees and costs, you must notify the trial
If this case is an action against another party and you win the case on behalf of t	he ward or conservatee, the trial court
may order the other side to pay some or all of the waived fees. If you settle the r	natter for \$10,000 or more, the trial court
will have a lien on the settlement in the amount of the waived fees. The trial couls paid.	art may not dismiss the case until the lien
The court may also have a lien against the ward's or conservatee's estate that m	ust be paid before the estate is
distributed, the guardianship or conservatorship proceeding is concluded, and yo	
conservator.	
(6) After reviewing your:	quest to Waive Additional Court Fees
the court makes the following orders:	
a. The court grants your request concerning the ward's or conserva	atee's court fees and costs, as follows:
(1) Fee Waiver. The court grants your request and waives the	fees and costs listed below.
(Cal. Rules of Court, rules 3.55 and 8.818.) You do not have	ve to pay the court fees for the following:
	for phone hearing
 Sheriff's fee to give notice Sending p 	papers to another court department

f (Pro	opose	d) Ward or Conservatee:	Case Number:
(1)		 Reporter's fee for attendance at hearing or trial, if you r Assessment for court investigations under Probate Code Preparing, certifying, copying, and sending the clerk's t Holding in trust the deposit for a reporter's transcript or Making a transcript or copy of an official electronic rec 	request that the court provide an official reporte section 1513, 1826, or 1851 transcript on appeal appeal under rule 8.130 or 8.834 tording under rule 8.835
(2)		☐ Jury fees and expenses ☐ Fees ☐ Fees for court-appointed experts ☐ Co	-
	The		
(1)			
(2)		The court denies your request because the information you or conservatee is not eligible for the fee waiver for the reas Below On Attachment 6b(2)	•
		The court has enclosed a blank <i>Request for Hearing About Conservatee</i>)(Superior Court) (form FW-006-GC). You ha order (see date of service on next page) to:	
		 Pay the fees and costs in full or the amount listed in c be Ask for a hearing in order to show the court more inform hearing.) 	
(1)		date on page 3. The hearing will be about questions regardi	
(2)		Bring the items of proof to support your request, if reasona Below On Attachment 6c(2)	bly available, that are listed:
	(1) (2) (1) (1)	(1) The (Warryout (1)	 (1) • Reporter's fee for attendance at hearing or trial, if your end assessment for court investigations under Probate Code • Preparing, certifying, copying, and sending the clerk's tending in trust the deposit for a reporter's transcript or Making a transcript or copy of an official electronic rector Making a transcript or copy of an official electronic rectors. (2) ■ Additional Fee Waiver. The court grants your request and costs that are checked below. (Cal. Rules of Court, rule 3.5 items. □ Jury fees and expenses □ Fees for court-appointed experts □ Court (specify): □ The court denies your fee waiver request, as follows: Warning! If you miss the deadline below, the court cannot process you filed with your original request. If the papers were a notice of appear of this order (see date of service on next page) to: • Pay the ward's or conservatee's fees and costs, or • File a new revised request that includes the items listed □ Below □ On Attachment 6b(2) (2) □ The court denies your request because the information you or conservatee is not eligible for the fee waiver for the reas □ Below □ On Attachment 6b(2) The court has enclosed a blank Request for Hearing About Conservatee)(Superior Court) (form FW-006-GC). You ha order (see date of service on next page) to: • Pay the fees and costs in full or the amount listed in c b • Ask for a hearing in order to show the court more informhearing.) (1) □ The court needs more information to decide whether to gradate on page 3. The hearing will be about questions regarding below □ On Attachment 6c(1)

Name of (Proposed) Ward or Conservatee:	Case Number:
Warning! If item c is checked, and you do not go to court on your he request to waive court fees, and you will have 10 days to pay the warniss that deadline, the court cannot process the court papers you fill were a notice of appeal, the appeal may be dismissed.	rd's or conservatee's fees. If you
NOTE TO GUARDIAN or CONSERVATOR: If there are unpaid court waiver, your case—including the guardianship or conservatorship proceeds might not go forward. After a denial, you may choose to advance the court proceeds. If you or another person is appointed as guardian or conservator, reimbursed for such advances from the assets of the guardianship or conservation of administration. You might also have the right to reimbursement for advance obligation to support the ward or conservatee from assets not part of his or spouse or registered domestic partner of the conservatee who is managing to conservatorship estate, or the trustee of a trust of which the conservatee is a	ng if the waiver is requested in that matter—costs yourself to ensure that the case you would have an opportunity to be vatorship estate, if any, as allowable expenses inced court costs from persons with an her estate, such as a parent of the ward, the the couple's community property outside the
Hearing Date: Time:	e and address of court if different from above:
Request for Accommodations. Assistive listening systems, of language interpreter services are available if you ask at least 5 office for Request for Accommodation, Form MC-410. (Civil of the control of	computer-assisted real-time captioning, or sign days before your hearing. Contact the clerk's
Clerk's Certificate of Ser	vice
I certify that I am not involved in this case and (check one): I handed a copy of this Order to the party and attorney, if any, listed in this order was mailed first class, postage paid, to the party and attorney from (city): A certificate of mailing is attached.	ney, if any, at the addresses listed in \bigcirc and \bigcirc
Date: Clerk, by	, Deputy
Name	, 1

This is a Court Order.

Name: