

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_  
Licensed Fiduciary Number: \_\_\_\_\_  
Representing  Self, without a Lawyer, or  Attorney for  Petitioner  Respondent

FOR CLERK'S USE ONLY

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the matter of:

Case Number PB \_\_\_\_\_

### ORDER

\_\_\_\_\_  
Name of protected (or deceased)  
person

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

**NOTE: ONLY FILL OUT THE ABOVE INFORMATION. THE COURT WILL FILL OUT THE REST OF THE FORM.**

**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/or 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 DEFERRAL** of fees and/or costs at the court's discretion (A.R.S. § 12-302(L)).  
**OR**
5.  **IS ELIGIBLE FOR A WAIVER** of fees and/or costs because the applicant is permanently unable to pay (A.R.S. § 12-302(D)).  
**OR**

6.  **IS ELIGIBLE FOR A WAIVER** of fees and/or costs at the court's discretion (A.R.S. § 12-302(L)).

**OR**

7.  **IS NOT ELIGIBLE FOR A WAIVER** of fees and/or costs.

**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 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.**

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/or costs.
- Court investigator fees and/or costs.

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

- NO PAYMENTS 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 in this case.
- 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/or costs.
- Court investigator fees and/or 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. **NOTICE REGARDING CONSENT JUDGMENT.** Unless any of the following applies, a consent judgment may 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. A supplemental application for waiver or further deferral remains pending;
- D. 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:
  - 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.

If an appeal is taken, a consent judgment for deferred fees and 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 costs and for entry of a consent judgment continue to apply.

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

**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

**I CERTIFY** that I mailed/delivered/provided a copy of this document to:

Applicant  at the above address  in court

Applicant's attorney  at the above address  in court

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

**By:** \_\_\_\_\_  
Clerk of Superior Court