

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

**SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY**

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

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

**APPLICATION FOR DEFERRAL OF COURT  
FEES AND/OR COSTS FOR PERSONS  
RECEIVING PUBLIC ASSISTANCE  
AND  
CONSENT TO ENTRY OF JUDGMENT**

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

**IMPORTANT**

This Application for deferral of court fees and/or costs includes a Consent to Entry of Judgment. By signing this Consent, 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 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. Additional details about this process are discussed in Statement 5 of this Application.

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 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 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.

2. **The basis for the deferral request is that I receive governmental assistance from the state/federal program(s) checked below:**

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

**IF YOU DO NOT RECEIVE ASSISTANCE FROM ANY OF THE ABOVE PROGRAMS, ask the court for the application for deferral containing the financial questionnaire.**

3. **CONSENT TO JUDGMENT:** By signing this Application, 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. 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 file a supplemental application for waiver or further deferral of fees and/or costs and a decision by the court is pending;
- C. You file a supplemental application and 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.

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



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 \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY**

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

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

**AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR DEFERRAL OR  
WAIVER OF SERVICE OF PROCESS  
COSTS**

\_\_\_\_\_  
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 under the penalty of prosecution for perjury if it is determined that I did not tell the truth.

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

1.     ?     **Fees for service of process by a sheriff, marshal, constable or local 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): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - ?     There is an enforceable Order of Protection or Injunction Against Harassment between the parties.

2. ? **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**

_____	_____
_____	_____
_____	_____

**ACKNOWLEDGMENT AND SIGNATURE UNDER OATH**

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

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

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

by \_\_\_\_\_.

My Commission Expires:

Clerk or Notary Public: \_\_\_\_\_

**INFORMATION FOR SERVICE BY LAW ENFORCEMENT**

**You must answer this if you want a sheriff, marshal, constable or local law enforcement agency to serve papers on the other party:**

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

**SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY**

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

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

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

**ORDER**

- DEFERRING COURT FEES AND/OR COSTS (ODF)**
- 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, child support payment history report or fees for attending 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
- 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.

**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(l).

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