

REQUEST FOR
WAIVER OF
FEEES/COSTS

IMPORTANT

**THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE
ADVICE OF A PRIVATE ATTORNEY**

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding custody, visitation, child support and definitions of terms.

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**GENERAL INFORMATION ABOUT FILING A REQUEST FOR WAIVER OF FEES
AND COSTS**

The forms must be typewritten or legibly handwritten in black ink.

There is no fee to file this document.

There are facilities for copying your documents at the Court Clerk's office at the charge of **\$.25 per page**. Therefore, it is recommended that you make any copies of the documents you may want, or need, prior to going to the Court Clerk's office. You will need **two** copies of each document to be filed unless told otherwise. If exhibits are attached to the original document, a copy of the exhibits must be attached to each copy.

Location of the Court Clerk's Office

The Court Clerk's Office for **Churchill County** is located at 73 N. Maine Street, Suite B, Fallon, NV, 89406, on the second floor. The phone number is (775) 423-6088.

If you are mailing the documents to the Court Clerk's office for filing, OR if you have submitted an Order of Decree for the Judge to sign, **it is strongly suggested that you provide a self-addressed, stamped envelope when you file your documents. A copy of the file-stamped documents will then be mailed to you.**

FILLING OUT THE DOCUMENTS

1. **For All Documents:** Fill in the spaces on lines 9 through 13, **exactly** as they appear in your other documents. This is the "heading" of the document and it is always the same. If you are the Plaintiff in the original document, you will remain the Plaintiff; if you are listed as the Defendant in the original document, you will remain the Defendant. The Case No. and Dept. No. are always the same.
2. The Request: Complete all information considering all sources of income. You must show the Court you are financially unable to pay the fees and costs. If a party to an action cannot afford filing fees and costs and some service fees, the law allows the Court to waive some of the fees and costs involved in a legal action. This is, and should be, an honest statement of your financial status and why you believe you cannot afford access to the legal system without paying the filing fees and costs.
3. Waiver of fees and costs is NOT automatic. A party must file a formal Request for Waiver of Fees and Costs. The judge reviews the Request and makes a decision as to whether to grant or deny the Request.
4. The Court might consider the following in evaluation the Request:

- a. The amount of your income or if you have no income at all.
 - b. The source of your income, such as employment, disability, retirement, unemployment or through some form of public assistance. Whether or not you are employed or unemployed makes no difference to the Court. It is your overall financial picture that is taken into consideration.
 - c. Your major necessary expenses, such as food, rent, clothing and utilities.
 - d. If you receive housing benefits
 - e. If you receive foods stamps or WIC.
 - f. If there are other members of your household that are employed, that must be stated, as well as what they financially contribute to the household. If you are living with, or being supported by, member of your family, that factor must be stated.
5. The Request for Submission: In order to submit a Motion, Request, Objection, Petition, or other original document to the Court for consideration, a Request for Submission must be filed. The Court may not review the file unless this document is filed.
6. The Order: Complete all information, but do not fill in the date or sign the document. Submit the original order and two copies to the Court Clerk, who will submit the Order to the Judge. If the Order is signed, a file-stamped copy will be mailed to you.
7. After Order Filed: **IMPORTANT: At this point, none of your documents have been legally “filed.” It is up to YOU to keep track of your documents. Check on the status of your documents with the Court Clerk three (3) days after delivering the documents, unless told otherwise.**
8. **If your request has been granted:** No filing fee will be charged by the Court Clerk to file in the documents, and no costs or fees will be charged by the Churchill County Sheriff’s Office to serve the documents. You must show the Sheriff’s Office a copy of the Order. HOWEVER, certain fees and costs cannot be waived by Court Order, including:
 - a. Out of State service.
 - b. Newspaper publication fees and costs
 - c. Costs for certified mail.
9. **If your request has been denied:** You must pay all fees and costs, including filing fees and costs for service by the Sheriff’s Office.

If you need guidance in filling out the forms or in the procedure of the case, seek the advice of a private attorney.

NOTE: YOU MAY NOT USE THESE FORMS IF YOU ARE PRESENTLY REPRESENTED BY AN ATTORNEY IN THIS MATTER.