

COURT FILE NUMBER _____

COURT

- ☐ Court of Appeal of Alberta
☐ Court of King's Bench of Alberta
☐ Alberta Court of Justice

LOCATION /
JUDICIAL CENTRE _____

APPLICANT _____

DOCUMENT

Application for Fee Waiver and Statement of Finances

CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

Name: _____
 Address: _____

 Phone: (Home) _____
 (Work) _____
 File No.: _____

For Court use only:

- Has a recognized legal clinic confirmed the applicant qualifies for the fee waiver? ☐ Yes, or ☐ No
- Is the applicant subject to a vexatious litigant order that is binding on this court? ☐ Yes, or ☐ No
- Is the applicant an individual and a party to the action for which they are seeking to waive fees (e.g., not on behalf of a corporation or estate)? ☐ Yes, or ☐ No
- Are other parties to the action with similar status to the applicant able to pay? ☐ Yes, or ☐ No

Senior Judicial Clerk Review:

(signature)

(printed name)

Application for Fee Waiver:

☐ Granted and valid until:

_____,
 (date - which is six months from date of granting)

or

☐ Denied: _____
 (reasons)

Supervisor/Manager Review (if requested):

(signature)

(printed name)

☐ I confirm that the senior judicial clerk's findings as set out above are correct,

or

☐ Application for Fee Waiver granted, and valid until:

 (date - which is six months from date of granting)

 (reasons for change)

The following information is needed to determine whether you are eligible for a waiver of certain fees payable to court officials. Please note that this Statement of Finances must be completed in full and proof of income provided.

Failure to provide complete or accurate information will result in your request for waiver of filing fees being rejected.

I, _____, declare that:

1. I am not representing a business or an estate in the action or proceeding.
2. There are no other parties joined with me in the action or proceeding who are able to pay the applicable court fees.
3. I am (*check applicable box*):

☐ married	☐ living in an adult interdependent relationship
☐ single	☐ living common law
4. The number of people in my household, including me, my spouse or adult interdependent (common law) partner, dependent children, and any other family members is: (*specify the number of persons living in the same dwelling and related by blood, marriage, common-law or adult interdependent relationship, or adoption. Note: The number of persons residing in the household includes you. A child residing with you for at least 50% of the time is counted as a member of your household.*)

☐ 1	☐ 2	☐ 3	☐ 4	☐ 5	☐ 6	☐ 7+
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5. Listed below is an accurate statement of finances for my household, which includes all income received in my household during approximately **the past three months**, from _____ to _____.

Gross Income from All Sources for Three Month Period <i>(Before income taxes, and other mandatory deductions)</i>	
Description	Amount
Employment	\$
Employment Insurance	\$
Workers Compensation / Disability Pension	\$
Income Support (Social Assistance)	\$
Maintenance	\$
Income from children (if any)	\$
Rental Income	\$
Investment Income	\$
Other (<i>specify</i>): _____	\$
_____	\$
Gross income of spouse / common law partner / adult interdependent partner living with me	\$
TOTAL GROSS INCOME for Three Month Period	\$
Average Gross Monthly Family Income	\$

6. Below is additional financial information I believe is relevant:

I solemnly declare that the above information is correct. I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath.

WARNING: A false declaration constitutes a criminal offence and is punishable by law.

Signature of Declarant

Declared before me at _____, Alberta,
this _____ day of _____, 20_____.

Commissioner for Oaths in and for Alberta

You **must** bring proof of your household income, including the following items:

- ☐ 1. Proof of your income, including either:
 - ☐ A copy of your income tax return or notice of assessment/reassessment for the most recent taxation year, or pay stubs or income statements for the last 3 months from all of your sources of income; OR
 - ☐ If you are not employed, proof of the source and amount of your income for the last 3 months; OR
 - ☐ If you currently receive government financial assistance, proof of current receipt of benefits such as:
 - ☐ Employment Insurance (EI) from the Government of Canada; or
 - ☐ Canada Pension Plan Disability Benefit, or Guaranteed Income Supplement (GIS) from the Government of Canada; or
 - ☐ Income Support Benefits, Alberta Works, or Assured Income for the Severely Handicapped from the Government of Alberta, or your current Alberta Health Benefits Card.
- ☐ 2. Copies of your spouse's / common law partner's / adult interdependent partner's pay stubs or income statements for the last 3 months from all of their sources of income;
- ☐ 3. Any other documents necessary to establish your financial situation.

Note: Please advise the clerk if you are unable to produce the applicable documents.

The Court Clerk or Registrar (or their designate) will review your request and determine if your gross family income is below the income threshold set out in the Ministerial Order establishing the guidelines for an applicant to be granted a waiver of certain fees payable to court officials

The personal information collected on this form will be used for the purpose of determining if you qualify for a waiver of court filing fees. This collection of personal information is in compliance with section 4(c) of the Protection of Privacy Act. If you have any questions about the collection of personal information please contact the Executive Director, Business and Resolution Services at 780-427-4992 or write to: Executive Director, Business and Resolution Services, Court and Justice Services, Alberta Justice, 10th Floor, 10025 102A Avenue NW, Edmonton, AB T5J 2Z2.

Income Thresholds

Number of Persons in Family Residing in Household (including applicant)	Gross Family Income	
	\$ Monthly	\$ Annually
1	2,932	35,188
2	3,651	43,807
3	4,488	53,857
4	5,449	65,388
5	6,180	74,163
6	6,970	83,643
7+	7,760	93,124

The term “Gross Family Income” means all monies received by the family before income taxes or deductions.

“Family” includes all persons living in the same dwelling and related by blood, marriage, common-law or adult interdependent relationship, or adoption. In the case of common-law and adult interdependent relationships, common law spouses, adult interdependent partners and their dependents are considered family. In the case of a minor, unless the young person lives independently, it is the income of the minor’s parents or guardians which determines eligibility.

Review Process

A Senior Judicial Clerk can only grant a fee waiver if the applicant qualifies to apply for a fee waiver and their Gross Family Income falls within the Income Threshold set out above. If the applicant disagrees with the Senior Judicial Clerk’s findings, the applicant may ask that the findings be reviewed by a Supervisor/Manager. However, the Supervisor/Manager is governed by the same guidelines as the Senior Judicial Clerk.