



Order – Application to Waive Court Fees and Costs

UCS-FWO1(07/2023)

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_____ Court

County of _____

Present: Hon. _____

In the matter of:

Plaintiff/Petitioner (party bringing case) or **Subject of Proceeding**
-against-

Defendant/Respondent (opposing party; if none, leave blank)

Index/File Number:

The court has read the attached application to waive court fees and costs filed on ____/____/____
alleging that:

1. Applicant is unable to pay the costs, fees, and expenses to prosecute this case
2. There is no other person beneficially interested in the case
3. Applicant has a good cause of action or claim

and it is **ORDERED**, that the application is:

- GRANTED**, and the clerk of the court shall not charge the applicant for costs or fees in this case, including one certified copy of the judgment. Any recovery by judgment or settlement in favor of the applicant must be paid to the clerk of the court and await a court order for distribution.
- GRANTED**, solely to the extent of:
 - waiving the filing fees related to this case.
 - deferring the filing fee until ____/____/____ or an inventory of assets is filed under Uniform Rules for the Surrogate's Court 207.20.
- DENIED**, and all applicable filing fees must be paid by ____/____/____ (120 days from the date of this order) as required by section 1101 of the civil practice law rules. If not paid by such date, the case will be dismissed without further order of the court, and the clerk of the court shall close the file without further judicial action.

DECLINED at this time because case papers are missing or need correction. If the following papers are filed with the court by ____/____/____ (120 days from the date of this order), the court will reconsider the fee waiver application:

If the missing/corrected papers ARE NOT filed with the court by ____/____/____ (120 days from the date of this order), the fee waiver application will be denied, and all applicable filing fees must be paid by ____/____/____ (120 days from the date the fee waiver application is denied) as required by section 1101 of the civil practice law rules. If not paid by ____/____/____ (120 days from the date the fee waiver application is denied), the case will be dismissed without further order of the court, and the clerk of the court will close the file without further judicial action.

NOTE: The case cannot proceed unless the above missing/corrected papers are filed with the court. Therefore, the case will be stricken from the court’s calendar if the missing/corrected papers are not filed even if the filing fees are paid, and if the case is not restored within 1 year, it will be deemed abandoned and dismissed without costs under section 3404 of the civil practice law and rules.

Dated: ____/____/_____

Judge Signature