



**LEGAL AID**  
**SOCIETY OF HAWAI'I**



# **REQUESTING A FEE WAIVER**

## **IN FAMILY COURT**

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**Aloha United Way**

In Family Court, most legal pleadings require paying a court filing fee. In some circumstances, you can have the fee waived, which means the court excuses you from paying. This brochure explains how to request a fee waiver in Family Court.

This brochure refers to the form you need to complete to get a fee waiver. It is called the “Ex Parte Motion and Affidavit to Waive Filing Fees and Surcharges Under Hawaii Revised Statutes Chapter 607” or “Ex Parte Motion to Waive Filing Fees Under Hawaii Revised Statutes Chapter 607 and Declaration” and surcharges depending on where you live.

**WHAT YOU NEED TO DO TO REQUEST A FEE WAIVER:**

1. Pick up the fee waiver form from the Family Court in your area. Specify which type of case you are requesting the fee waiver for:

- **Divorce**
- **Adoption**
- **Paternity**
- **Registering an out-of state order**
- **Guardianship**

**OAHU:**

Kapolei

4675 Kapolei Parkway, First Floor  
(808) 954-8310

Honolulu

777 Punchbowl Street, First Floor  
(Across from Restaurant Row)  
539-4200

**MAUI:**

2145 Main Street, Hoapili Hale  
(808) 244-2969

**BIG ISLAND:**

Hilo

777 Kilauea Avenue, Hale Kaulike  
(808) 961-7400

Kona

Keakealani Building  
79-1020 Haukapila Street, Kealakekua  
(808) 322-8750; *OR*  
Family Court, Lender’s Document Building  
77-6399 Nalani St., Kailua Kona  
(808) 443-2150

**KAUA`I:**

3970 Ka`ana Street, Lihu`e  
(808) 482-2330

1. Fill out the form as completely as possible. The fee waiver form asks for information about your current income, your dependents, your assets, and your debts. List all sources of income, including: employment, welfare, food stamps, unemployment benefits, social security, child support, retirement/pension, or any other form of income. Be as accurate as possible because you must sign the form under penalty of perjury.

***If you are on OAHU, the BIG ISLAND, or KAUA`I sign the fee waiver and skip to step 3.***

***If you are on MAUI, go to step 2 and DO NOT SIGN THE FORM YET.***

2. After completing the form, sign it in front of a Notary Public. Legal Aid offices offer free notarizations, but you need to call ahead and make sure that a Notary Public is available when you go. Be sure to bring picture identification with you. If you don't go to Legal Aid, most large banks can notarize for a fee (about \$5). If you have an account at the bank, they may notarize your document(s) free of charge.
3. Make 2 copies of the Ex Parte Motion. You should have 3 total (1 original and 2 copies).
4. Leave a note on your form telling the clerk to call you if the fee waiver request is approved. Take fee waiver with completed Family Court actions to Judicial Services (Legal Documents). The clerk date-stamp/certifies all documents and return the copies to you. If you don't hear from them within a few days, call and ask about the status of your request.
5. File the Ex Parte Motion (regardless if approved or not) and other date stamped/certified Family Court actions with the appropriate filing clerks in your area.
6. **If the judge does not approve your waiver**, you will have to pay the fee.  
**If the judge approves the waiver**, this means that you do not have to pay your court fee.

We hope that you found the information in this brochure helpful. If you have any questions about this brochure, or how to complete your Family Court Fee Waiver Form, please contact Legal Aid's Intake Hotline, Monday to Friday, between 9:00-11:30 a.m. or 1:00-3:30 p.m. at one of the numbers listed below:

**For More Information Or Assistance  
Call The Legal Aid Office In Your  
Community:**

<b>O`AHU</b> 536-4302	<b>KAUA`I</b> 245-7580
<b>BIG ISLAND</b> Hilo 934-0678 Kona 329-8331	<b>LANA`I</b> 565-6089
<b>MAUI</b> 242-0724	<b>MOLOKA`I</b> 553-3251

**On the web at <http://www.legalaidhawaii.org>**

**\*REMEMBER: This pamphlet is meant to give you general information and not to give you specific legal advice about your case. The law often changes. Each case is different.**