



# The Effect of Filing Fees on the Access to Justice

By Adelina Herrarte and Melanie Zelikovsky

Access to justice has a price tag. Being a *pro se* litigant is a recognized barrier to justice. When litigants file their claims without the benefit of legal counsel, they fail at virtually every stage of civil litigation and overwhelmingly fail to obtain meaningful access to justice.<sup>1</sup> But for individuals and families who are unable to retain an attorney for a civil case or choose to represent themselves, court costs and filing fees can be an added barrier. In New Jersey, litigants must pay the court a fee when filing legal papers. That can mean that those who struggle to afford basic needs are less inclined to avail themselves of their legal rights because the fees to be heard are cost-prohibitive. In a divorce case, for exam-

ple, a plaintiff must pay a \$300 fee to file a complaint and a defendant must pay \$175 to respond via an answer.<sup>2</sup> The money collected from fees is used to operate and maintain the court system. Because a litigant is using the court system to resolve a legal problem, they are expected to pay for part of these costs. On the surface, that seems reasonable. But when they serve as a barrier to justice, the disparity between those who have access and those who do not is stark. In fact, fees are among the top obstacles to accessing the civil justice system, which also includes technology and language barriers.<sup>3</sup> Courts that have taken steps to increase access to justice are missing a vital point when they charge defendants hundreds of dollars to respond to a complaint. For litigants experiencing poverty, this erodes

their ability to participate in the court system and impedes their access to justice and may lead to defaults when viable defenses exist. Along with New Jersey, 14 states charge fees to answer a complaint in addition to fees for filing other documents, like motions.<sup>4</sup>

New Jersey is scored at 46 out of 100 by the National Center for Access to Justice.<sup>5</sup> This is partly because even though New Jersey makes fee waivers available, the required documentation process can be time consuming, invasive, and overly burdensome. It can be difficult to access the required records for the New Jersey fee waiver application. Even if a litigant can compile the documents for their fee waiver application, there is no guarantee it will be granted. This poses considerable difficulty for litigants experiencing poverty and increases their costs to access justice.

This article provides a breakdown of New Jersey filing fees and compares selected state and international courts. No domestic or international model for fee waivers provides a streamlined, unintrusive process for *pro se* litigants. In fact, comparable jurisdictions also put a price tag on justice. This presents an opportunity for New Jersey to lead by example and consider, by way of example, suggestions by the American Bar Association that could enhance equity and access.

### The Waiver Process

For states that offer fee waivers, the process lacks uniformity and drastically varies by county and judicial district.<sup>6</sup> In some cases, the court requires documents not previously listed or required on the court's webpage, meaning that litigants who go to the courthouse with all the listed forms and paperwork are sometimes denied due to administrative oversights.<sup>7</sup>

It is also difficult for *pro se* defendants to obtain filing information. Filing fees are not easy to find on court websites and can be tucked away in attached files called "fee schedules."<sup>8</sup> For those filing by mail, finding the court's mailing address

presents another hurdle: a small number of states include the court's mailing address on summonses. Like the fee amounts, the mailing address is also often not readily listed online.<sup>9</sup> If all else fails, a litigant can call the court, but may not always receive accurate information—or information that corroborates what is online, if it is there at all.<sup>10</sup>

Cost, lack of uniformity or easy access, and overall difficulty, are prohibitive and create a devastating cycle where *pro se* litigants experiencing poverty are understandably frustrated with the complexity of the courts' processes, or simply choose not to participate. Statutes and court rules are difficult to access and decipher, forms can be difficult to interpret from legalese into plain language, and this combined with the litany of other obstacles that litigants experiencing poverty face, is more of a deterrent to justice than an incentive to pursue it.<sup>11</sup> This "distrust and fear of the system," as journalist Jessica Folker puts it, manifests as a belief that justice is available only for those who can foot the bill.<sup>12</sup>

### New Jersey's Court Fees

Court fees and waiver requirements are outlined in the New Jersey Court Rules. A 2017 New Jersey Supreme Court Directive established a standard process and criteria for fee waivers based on indigence.<sup>13</sup> Court fees may be waived "by reason of poverty," defined as a household income not exceeding 150% of the federal poverty level based on the number of members of the household, and not more than \$2,500 in liquid assets. To permit fee waivers, the Directive relaxes and supplements rules pertaining to "Proceedings by Indigents"<sup>14</sup> and "Appeals by Indigent Persons."<sup>15</sup> Rule 1:13-2(a) deals specifically with fee waivers for indigent litigants and lays out that it is within the court's discretion to approve or deny a fee waiver application.<sup>16</sup> Rule 2:7-1, which deals with relief from filing fees, states that the court "shall briefly state its reasons" for deny-

ing a fee waiver application, though in practice that reason is not always given.<sup>17</sup> Litigants then have 20 days to appeal.<sup>18</sup>

The directive also requires litigants seeking waiver to complete a fee waiver packet,<sup>19</sup> which asks for detailed financial information. The packet, available online, is relatively easy to fill out, provided the litigant has (i) access to a computer or smartphone that allows them to digitally fill out the form, (ii) a printer, (iii) funds, or (iv) time to mail or submit in person their packet. A further barrier for New Jersey litigants is completion of the required attachments: two months of documentation of any benefits (including unemployment, disability, Social Security, child support, alimony, or any other income) and six months of bank



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The fee waiver process is critical to a litigant's ability to continue or start an action, as the court clerk is prohibited from filing the case unless the required fee is included or waived. New Jersey courts do not have enough judges to adjudicate the considerable backlog of cases much less to approve or deny fee waivers.

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statements for all bank accounts.<sup>20</sup> In addition, the packet asks litigants for their total monthly income and assets, and employer information.<sup>21</sup> The required information is intrusive and the requirement to share this information with the courts opens up the possibility for misuse. It is unclear how long such information is stored, how it is stored or protected, and what happens to that data afterward.

The fee waiver process is critical to a litigant's ability to continue or start an action, as the court clerk is prohibited from filing the case unless the required fee is included or waived.<sup>22</sup> New Jersey courts do not have enough judges to adjudicate the considerable backlog of cases much less to approve or deny fee waivers. By the end of 2021, New Jersey had a 93,624-case backlog, an increase of 17% percent from 2020.<sup>23</sup> From May 2021 to May 2022, the statewide civil case backlog included an additional 30,000

cases.<sup>24</sup> Over 46,000 of the backlogged cases are held up in Landlord-Tenant court, where the most common action is for nonpayment of rent, deeply affecting litigants already struggling with poverty.<sup>25</sup> In 2021, the New Jersey Senate confirmed 25 Superior Court judges from 2022 and seven who were nominated in 2021. Even with 32 new judges, courts are still slogging through a backlog.<sup>26</sup> This is not helped by the fact that an unknown number of fee waiver requests are denied without the reasoning required by Rule 2:7-1.<sup>27</sup>

The filing fee schedule is listed online in the "Attorneys—Rules of Court" section of the court's website, which is not where a layperson would necessarily go to look.<sup>28</sup> Complaints and answers are key to understanding the implication of fees because they are not only the first contact a litigant might have with the court on their specific matter, but can also be their first major roadblock. To file a complaint in Superior Court, Law Division, Civil Part the fee is \$250.<sup>29</sup> An answer in the same division costs \$175.<sup>30</sup>

Based on the 2019 U.S. Census, 9.2% of New Jerseyans, 800,000 people, live in poverty according to the federal standard (though some argue that with appropriate updates to the formula, that number is closer to 3 million).<sup>31</sup> New Jersey has the third highest cost of living in the country, yet in 2019 the annual rent for a two-bedroom apartment wiped out nearly 85% of a poverty-level family's annual wage.<sup>32</sup> Based on this outdated standard, that same family would have about \$273 per month to meet all other expenses: food, health care, taxes, and transportation, to name the major ones. To make matters worse, wages are not rising commensurate with inflation.<sup>33</sup> Therefore, it is not surprising that reliance on credit may be prevalent to meet daily living expenses. New Jersey has the sixth highest average household credit card debt with the average household owing \$8,956.<sup>34</sup> So, for 800,000 (or 3 million,

depending on who is counting) New Jerseyans, they could be faced with choosing between eating, going to work, caring for their family, going into more debt and filing or answering a complaint. Even if those litigants need the court to adjudicate their matter, it may make more financial sense either to not sue or not to answer.<sup>35</sup> The resulting default judgment for litigants who choose not to answer may also pose further problems and barriers for them later.

### Comparing New Jersey

According to the National Center for Access to Justice, the situation for court fees and fee waivers generally is—in a word—"bleak."<sup>36</sup> New Jersey is not alone.

Other states with fee waiver applications for civil court also require extensive financial information; it is not enough for litigants to certify that they are below or at the federal poverty line. For example, Alaska, California, Florida, Idaho, New York, and Texas require the following for their fee waiver applications: detailed accounts of monthly income and/or benefits, expenses and deductions, assets, debts, employer information, and household information.<sup>37</sup> This is a titanic and invasive process for any litigant, let alone someone struggling with poverty. For a litigant experiencing poverty, the time required to fill out, compile, and turn in a fee waiver application can take valuable time away from work or caretaking. It is also of note that for disabled litigants experiencing poverty, these same challenges increase exponentially. Furthermore, depending on the state, either a judge, judicial officer, or clerk will approve or deny a fee waiver application.<sup>38</sup> The states compared here also do not clearly require the court official reviewing fee waiver applications to provide a reason, so in this respect New Jersey is ahead of the curve though that reason is not always provided.

Even internationally, fee waiver applications for a litigant experiencing pover-

ty are at the discretion of the court: fee waiver information webpages from Ontario, British Columbia, and England and Wales all hinge on the word “may.”<sup>39</sup> *The court may approve a request* depending on several factors listed. These factors are similar across the board; income, assets, debts, financial assistance, household size still reign supreme across the pond and to the north as determining factors for fee waivers.

## Conclusion

Change is needed because a person’s access to the court system can be dictated by whether they have the funds to pay. A municipality or county’s need for revenue may be a critical factor, yet a 2019 report on New Jersey Municipal Courts outlined the need to decouple sentencing practices from the municipality’s need for revenue. The report proposed aiming for judicial independence of the Municipal Court while making administration more efficient. It suggested amending N.J.S.A. 22A:2-7(a) to provide waivers for docketing fees where defendants default on financial obligations after failing to appear at “ability to pay” hearings.<sup>40</sup>

The American Bar Association’s *Ten Guidelines on Court Fines and Fees* provides some insights, particularly for civil court fees. The *Guidelines* partially depend on courts being more transparent about the actual costs of services provided. For example, the first suggestion is that amounts imposed should never exceed the actual cost of the service provided or the individual’s ability to pay, and that no rule should limit a judge’s ability to waive or reduce a fee.<sup>41</sup> Next, the ABA suggests mandatory ability-to-pay hearings before imposing sanctions on litigants for nonpayment of fines or fees.<sup>42</sup> The *Guidelines* call for a consistent ability-to-pay standard that is clear and should require consideration of financial and extenuating factors that bear on a litigant’s ability to pay—specifically

whether payment would manifest a hardship to the person.<sup>43</sup> The ninth guideline calls on courts to make information about fees and fines publicly available and more transparent, including financial and demographic data, which is often difficult to find without in-depth research.<sup>44</sup>

The lack of a national or state model for the fee waiver application process and court fee schedules means there is room for New Jersey not only to make its system more equitable, but also to be a national leader. The need for such reform is clear as is research on the issue, which the ABA acknowledges in their *Guidelines*.<sup>45</sup> For meaningful, impactful filing fee and fee waiver reform, data is needed, for instance, how many fee waivers are denied without the required reasoning and how many litigants default because of denied fee waiver applications. More collaboration between practitioners and court officials may be the place to start. One possible change New Jersey Courts can make, for example, would be to permanently remove the fee required to answer a complaint or broaden the current fee waiver structure by adding a sliding fee waiver based on income. Additionally, the New Jersey Courts can offer litigants the option to pay a filing fee in installments by submitting payment for at least 25% of the full filing fee at the time of filing and subsequent installments on a monthly schedule. For instance, the United States Bankruptcy Court for the District of New Jersey requires litigants to make the final payment within 120 days after their bankruptcy petition is filed.<sup>46</sup> These options would extend financial protections already offered to qualifying indigent defendants to others who are still experiencing poverty but may have more income. Fee waivers and payment plans will not eliminate all the barriers to justice. Many will still struggle to take time off from work, travel to a hearing and pay for public transportation or parking if

they have a car, access technology for a virtual hearing, or secure child care. However, waiving or reducing the fees or breaking them up into smaller payments could alleviate some barriers and promote fairness. Because there is no nationwide model, New Jersey has an opportunity to become a national leader in an effort to make justice accessible to its residents experiencing poverty. ■

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## Endnotes

1. Quintanilla, Victor D., and Rachel A. and Allen, and Edward R. Hirt, *The Signaling Effect of Pro Se Status*, Law & Social Inquiry, Journal of the American Bar Foundation, Vol. 42, Issue 4, 1091-1121, Fall 2017.
2. N.J. Ct. R.1:43 - Filing and Other Fees Established Pursuant to N.J.S.A. 2B:1-7, <https://www.njcourts.gov/attorneys/rules-of-court/filing-and-other-fees-established-pursuant-njsa-2b1-7>, (last viewed on November 23, 2022)
3. Jessica Folker, *Technology, Language and Fees Among Barriers to Civil Justice System*, Report Says, Law Week Colorado, (Mar. 31, 2022), <https://www.lawweekcolorado.com/article/technology-language-and-fees-among-barriers-to-civil-justice-system-report-says/>, (last viewed on November 23, 2022).
4. George Simons, *Civil Court Fees Block Justice Even in Well-Intentioned States*, Bloomberg Law, (Feb. 23, 2022, 4:00 AM), <https://news.bloomberglaw.com/us-law-week/civil-court-fees-block-justice-even-in-well-intentioned-states>, (last viewed on November 23, 2022).
5. National Center for Access to Justice, *Fines and Fees in American Courts*, <https://ncaj.org/fines-and-fees-american-courts>, (last viewed on November 23, 2022).
6. Jessica Folker, *Technology, Language and Fees Among Barriers to Civil Justice*

- System, Report Says*, Law Week Colorado, (Mar. 31, 2022), <https://www.lawweekcolorado.com/article/technology-language-and-fees-among-barriers-to-civil-justice-system-report-says/>, (last viewed on November 23, 2022); George Simons, *Civil Court Fees Block Justice Even in Well-Intentioned States*, Bloomberg Law, (Feb. 23, 2022, 4:00 AM), <https://news.bloomberglaw.com/us-law-week/civil-court-fees-block-justice-even-in-well-intentioned-states>, (last viewed on November 23, 2022).
7. Jessica Folker, *Technology, Language and Fees Among Barriers to Civil Justice System, Report Says*, Law Week Colorado, (Mar. 31, 2022), <https://www.lawweekcolorado.com/article/technology-language-and-fees-among-barriers-to-civil-justice-system-report-says/>, (last viewed on November 23, 2022).
  8. George Simons, *Civil Court Fees Block Justice Even in Well-Intentioned States*, Bloomberg Law, (Feb. 23, 2022, 4:00 AM), <https://news.bloomberglaw.com/us-law-week/civil-court-fees-block-justice-even-in-well-intentioned-states>, (last viewed on November 23, 2022).
  9. George Simons, *Civil Court Fees Block Justice Even in Well-Intentioned States*, Bloomberg Law, (Feb. 23, 2022, 4:00 AM), <https://news.bloomberglaw.com/us-law-week/civil-court-fees-block-justice-even-in-well-intentioned-states>, (last viewed on November 23, 2022).
  10. George Simons, *Civil Court Fees Block Justice Even in Well-Intentioned States*, Bloomberg Law, (Feb. 23, 2022, 4:00 AM), <https://news.bloomberglaw.com/us-law-week/civil-court-fees-block-justice-even-in-well-intentioned-states>, (last viewed on November 23, 2022).
  11. Jessica Folker, *Technology, Language and Fees Among Barriers to Civil Justice System, Report Says*, Law Week Colorado, (Mar. 31, 2022), <https://www.lawweekcolorado.com/article/technology-language-and-fees-among-barriers-to-civil-justice-system-report-says/>, (last viewed on November 23, 2022).
  12. Jessica Folker, *Technology, Language and Fees Among Barriers to Civil Justice System, Report Says*, Law Week Colorado, (Mar. 31, 2022), <https://www.lawweekcolorado.com/article/technology-language-and-fees-among-barriers-to-civil-justice-system-report-says/>, (last viewed on November 23, 2022).
  13. Glenn A. Grant, J.A.D., Admin. Office of the Cts. *Fee Waivers Based on Indigence—Supreme Court Order; Fee Waiver Application Form For All Courts*, (Apr. 7, 2017) (Updated Apr. 20, 2017), [https://www.njcourts.gov/sites/default/files/administrative-directives/dir\\_03\\_17.pdf](https://www.njcourts.gov/sites/default/files/administrative-directives/dir_03_17.pdf), (last viewed on November 23, 2022).
  14. N.J. Ct. R.1:13-2 (“Proceedings by Indigents”).
  15. N.J. Ct. R.2:7 (“Appeals by Indigent Persons”).
  16. N.J. Ct. R.1:13-2(a)
  17. N.J. Ct. R.2:7-1; National Center for Access to Justice, *Fines and Fees in American Courts*, <https://ncaj.org/fines-and-fees-american-courts>, (last viewed on November 23, 2022).
  18. N.J. Ct. R.2:7-1.
  19. Glenn A. Grant, J.A.D., Admin. Office of the Cts. *Fee Waivers Based on Indigence—Supreme Court Order; Fee Waiver Application Form For All Courts*, (Apr. 7, 2017) (Updated Apr. 20, 2017), [https://www.njcourts.gov/sites/default/files/administrative-directives/dir\\_03\\_17.pdf](https://www.njcourts.gov/sites/default/files/administrative-directives/dir_03_17.pdf), (last viewed on November 23, 2022).
  20. Glenn A. Grant, J.A.D., Admin. Office of the Cts. *Fee Waivers Based on Indigence—Supreme Court Order; Fee Waiver Application Form For All Courts*, p. 6, (Apr. 7, 2017) (Updated Apr. 20, 2017), [https://www.njcourts.gov/sites/default/files/administrative-directives/dir\\_03\\_17.pdf](https://www.njcourts.gov/sites/default/files/administrative-directives/dir_03_17.pdf), (last viewed on November 23, 2022).
  21. Glenn A. Grant, J.A.D., Admin. Office of the Cts. *Fee Waivers Based on Indigence—Supreme Court Order; Fee Waiver Application Form For All Courts*, p. 7, (Apr. 7, 2017) (Updated Apr. 20, 2017), [https://www.njcourts.gov/sites/default/files/administrative-directives/dir\\_03\\_17.pdf](https://www.njcourts.gov/sites/default/files/administrative-directives/dir_03_17.pdf), (last viewed on November 23, 2022).
  22. N.J. Ct. R.1:5-6.
  23. Katie Sobko, *How a ‘catastrophic’ shortage of judges is disrupting the lives of thousands in NJ*, Trenton Bureau, northjersey.com, (Jul. 11, 2022, 4:20 AM), <https://www.northjersey.com/story/news/new-jersey/2022/07/11/nj-judge-shortage-causing-backlog-from-county-to-state-supreme-court/65368082007/>, (last viewed on November 23, 2022).
  24. Admin. Office of the Ct.’s Quantitative Rsch. Unit, *New Jersey Judiciary: Civil Statistics*, 1 (May 2022), <https://www.njcourts.gov/public/assets/stats/gray2205.pdf?c=Wsd>.
  25. Nikita Biryukov, *N.J. court chief warns lawmakers about judicial vacancies*, NewJerseyMonitor.com, (Apr. 12, 2022, 6:41 AM), <https://newjerseymonitor.com/briefs/n-j-court-chief-warns-lawmakers-about-judicial-vacancies/>, (last viewed on November 23, 2022).
  26. Katie Sobko, *How a ‘catastrophic’ shortage of judges is disrupting the lives of thousands in NJ*, Trenton Bureau, northjersey.com, (Jul. 11, 2022, 4:20 AM), <https://www.northjersey.com/story/news/new-jersey/2022/07/11/nj-judge-shortage-causing-backlog-from-county-to-state-supreme-court/65368082007/>.
  27. National Center for Access to Justice, *Fines and Fees in American Courts*, <https://ncaj.org/fines-and-fees->

- american-courts, (last viewed on November 23, 2022); N.J. Ct. R.2:7-1.
28. Same as EN1.
29. N.J.S.A. 22A:2-6.
30. N.J.S.A. 22A:2-6.
31. Maia de la Calle, *Perspectives on Poverty in New Jersey, 2008-2020*, Rutgers New Jersey State Policy Lab, 2022, <https://policylab.rutgers.edu/perspectives-on-poverty-in-new-jersey-2008-2020/>, (last viewed on November 23, 2022).
32. Kayla Canne, *Study says more than 3 million live in 'true poverty' in NJ. Most go uncounted*, app.com, (Jul. 11, 2021, 5:01 AM) (Updated Apr. 6, 2022, 5:26 PM), <https://www.app.com/story/news/local/new-jersey/2021/07/11/nj-poverty-research-institute-cost-living-indicators/7888545002/>, (last viewed on November 23, 2022).
33. Williams, Grace L., *Wallet Hub: Inflation Is This Year's Nightmare On Main Street*, Forbes.com, (Updated October 31, 2022, 12 pm EDT), <https://www.forbes.com/sites/gracellwilliams/2022/10/31/wallet-hub-inflation-is-this-years-nightmare-on-main-street/?sh=1dbdad3299f>, (last viewed on November 23, 2022).
34. Ermey, Ryan, *The 10 states with the highest average credit card debt—and they aren't New York or California*, cnbc.com, (Updated Sept. 19, 2022, 9:00 AM EDT), <https://www.cnn.com/2022/09/19/states-with-highest-average-credit-card-debt.html>, (last viewed on November 23, 2022).
35. Kayla Canne, *Study says more than 3 million live in 'true poverty' in NJ. Most go uncounted*, app.com, (Jul. 11, 2021, 5:01 AM) (Updated Apr. 6, 2022, 5:26 PM), <https://www.app.com/story/news/local/new-jersey/2021/07/11/nj-poverty-research-institute-cost-living-indicators/7888545002/>, (last viewed on November 23, 2022).
36. National Center for Access to Justice, *Fines and Fees in American Courts*, <https://ncaj.org/fines-and-fees-american-courts>, (last viewed on November 23, 2022).
37. *TF-920 Request for Exemption from Payment of Fees*, State of Alaska, <https://public.courts.alaska.gov/web/forms/docs/tf-920.pdf>, (last viewed on November 23, 2022); California Courts, *Self-Help Guide: Ask for a Fee Waiver if you can't afford filing fees*, Judicial Branch of California, <https://selfhelp.courts.ca.gov/fee-waiver>, (last viewed on November 23, 2022); *Application for Determination of Civil Indigent Status*, Eighth Judicial Circuit, State of Florida, [https://www.flcourts.org/content/download/403010/file/indigent\\_application.pdf](https://www.flcourts.org/content/download/403010/file/indigent_application.pdf); (last viewed on November 23, 2022) Requesting a Waiver of Filing and Service Fees, State of Idaho, [https://courtsselfhelp.idaho.gov/docs/forms/CAO\\_FW\\_Instr\\_1.pdf](https://courtsselfhelp.idaho.gov/docs/forms/CAO_FW_Instr_1.pdf), (last viewed on November 23, 2022); *Fee Waiver (Poor Person's Relief)*, NYCourts.gov, State of New York <https://nycourts.gov/courthelp/goingtocourt/feeWaiver.shtml>; Affidavit of Inability to Pay Court Costs, State of Texas, <https://www.txcourts.gov/media/1437658/statement-final-version.pdf>, (last viewed on November 23, 2022).
38. George Simons, *Civil Court Fees Block Justice Even in Well-Intentioned States*, Bloomberg Law, (Feb. 23, 2022, 4:00 AM), <https://news.bloomberglaw.com/us-law-week/civil-court-fees-block-justice-even-in-well-intentioned-states>, (last viewed on November 23, 2022); New Jersey fee waivers are decided by a judge. In California and Alaska, they are decided by a judge, judicial officer, or clerk. Florida fee waivers are exclusively evaluated by clerks, though it is possible to request a hearing with a judge as an appeal to a denial. New York specifically notes that different judges have different requirements, so New York fee waivers are based entirely on judicial discretion. And in Texas, it is unclear from the forms available who evaluates fee waiver applications.
39. British Columbia Courts, *Applications to Waive Fees*, [https://www.bccourts.ca/supreme\\_court/self-represented\\_litigants/Supreme%20Court%20Document%20Packages/Order%20to%20Waive%20Fees%20Package.docx#:~:text=APPLICATIONS%20TO%20WAIVE%20FEES&text=The%20court%20must%20find%20that,and%20Supreme%20Court%20Family%20Rules](https://www.bccourts.ca/supreme_court/self-represented_litigants/Supreme%20Court%20Document%20Packages/Order%20to%20Waive%20Fees%20Package.docx#:~:text=APPLICATIONS%20TO%20WAIVE%20FEES&text=The%20court%20must%20find%20that,and%20Supreme%20Court%20Family%20Rules), (last viewed on November 23, 2022); King's Printer for Ontario, 2012-2022, *Have your court fees waived*, Ontario.ca, <https://www.ontario.ca/page/have-your-court-fees-waived>, (last viewed on November 23, 2022); *Get help paying court and tribunal fees*, Gov.UK, <https://www.gov.uk/get-help-with-court-fees>, (last viewed on November 23, 2022).
40. Administrative Office of the Courts, *Report of the Supreme Court Working Group on the Municipal Courts*, New Jersey Courts, ii, 42-45, (Jul. 8 2019), <https://www.njcourts.gov/sites/default/files/supremecrtrwrkgrp rpt.pdf>, (last viewed on November 23, 2022).
41. American Bar Association, *Ten Guidelines on Court Fines and Fees*, p. 1, (Aug. 2018), [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls\\_sclaid\\_ind\\_10\\_guidelines\\_court\\_fines.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_ind_10_guidelines_court_fines.pdf), (last viewed on November 23, 2022).
42. American Bar Association, *Ten Guidelines on Court Fines and Fees*, p. 4, (Aug. 2018), [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_d](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_d)

efendants/ls\_sclaid\_ind\_10\_guidelines\_court\_fines.pdf, (last viewed on November 23, 2022).

43. American Bar Association, *Ten Guidelines on Court Fines and Fees*, p. 6, (Aug. 2018), [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls\\_sclaid\\_ind\\_10\\_guidelines\\_court\\_fines.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_ind_10_guidelines_court_fines.pdf), (last viewed on November 23, 2022).

44. American Bar Association, *Ten*

*Guidelines on Court Fines and Fees*, p. 8, (Aug. 2018), [https://www.americanbar.org/content/dam/aba/administrative/legal\\_aid\\_indigent\\_defendants/ls\\_sclaid\\_ind\\_10\\_guidelines\\_court\\_fines.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_ind_10_guidelines_court_fines.pdf), (last viewed on November 23, 2022).

45. *See Generally*, American Bar Association, *Ten Guidelines on Court Fines and Fees*, (Aug. 2018), [https://www.americanbar.org/content/dam/aba/administrative/legal\\_ai](https://www.americanbar.org/content/dam/aba/administrative/legal_ai)

d\_indigent\_defendants/ls\_sclaid\_ind\_10\_guidelines\_court\_fines.pdf, (last viewed on November 23, 2022).

46. United States Bankruptcy Court District of New Jersey, *Determine How You Will Pay Your Filing Fee*, <https://www.njb.uscourts.gov/content/determine-how-you-will-pay-your-filing-fee>, (last viewed on November 23, 2022).

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