

**APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE  
FOR INDIVIDUALS WHO CANNOT PAY THE FILING FEE  
IN FULL OR IN INSTALLMENTS**

The court fee for filing a case under Chapter 7 of the Bankruptcy Code is \$299.

If you cannot afford to pay the full fee at the time of filing, you may apply to pay the fee in installments. A form Application to Pay the Filing Fee in Installments must be completed. This form is available from the clerk’s office. If your application to pay in installments is approved, you will be permitted to file your petition, completing payment of the fee as stated in the order entered granting the application to pay the filing fee in installments.

If you cannot afford to pay the fee either in full at the time of filing or in installments, then you may request a waiver of the filing fee by completing this application and filing it with the Clerk of Court. A judge will decide whether you have to pay the fee. By law, the judge may waive the fee **only** if your income is less than 150 percent of the official poverty line applicable to your family size **and** you are unable to pay the fee in installments. 150 percent of the poverty guidelines are listed below.

**Required information.** Complete all items in the application, and attach requested schedules. Then sign the application on the last page. If you and your spouse are filing a joint bankruptcy petition, you both must provide information as requested and both sign the application.

**150 Percent of the Poverty Guidelines (2008)**

<u>Family Size</u>	<u>Annual Income Must be Less Than</u>
1	15,600.00
2	21,000.00
3	26,400.00
4	31,800.00
5	37,200.00
6	42,600.00
7	48,000.00
8	53,400.00
For each additional person add	5,400.00

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If you cannot afford to pay the full fee at the time of filing, you may apply to pay the fee in installments. A form, which is available from the bankruptcy clerk's office, must be completed to make that application. If your application to pay in installments is approved, you will be permitted to file your petition, generally completing payment of the fee over the course of four to six months.

If you cannot afford to pay the fee either in full at the time of filing or in installments, you may request a waiver of the filing fee by completing this application and filing it with the Clerk of Court. A judge will decide whether you have to pay the fee. By law, the judge may waive the fee only if your income is less than 150 percent of the official poverty line applicable to your family size and you are unable to pay the fee in installments. You may obtain information about the poverty guidelines at [www.azb.uscourts.gov](http://www.azb.uscourts.gov) or in the bankruptcy clerk's office.

**Required information.** Complete all items in the application, and attach requested schedules. Then sign the application on the last page. If you and your spouse are filing a joint bankruptcy petition, you both must provide information as requested and sign the application.

Note:

- ▶ Failure to provide all the information requested in the application may result in denial of the fee waiver.
- ▶ If the application is granted, the waiver will apply only to the fee for the filing of the petition and will not apply to any other filing fee that may become due during the pendency of the case. Further, the order granting the waiver is subject to being vacated at a later time if developments in the administration of the bankruptcy case demonstrate that the waiver was unwarranted.
- ▶ If the application is denied, the debtor will be required to pay the fee in full or in installments according to deadlines set by the court. Failure to pay timely may result in dismissal of the bankruptcy case. In addition, the debtor may not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with the case until the filing fee is paid in full.
- ▶ If the matter is scheduled for a hearing, the debtor will be required to appear before the court. Failure to appear at the hearing may be deemed the debtor's consent to entry of an order denying the application.

Name of Debtor(s):	Case No. (if known):
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**Part A. Family Size and Income**

1. Including yourself, your spouse, and dependents you have listed or will list on Schedule I (Current Income of Individual Debtor(s)), how many people are in your family? (Do not include your spouse if you are separated AND are not filing a joint petition).	
2. Restate the following information that you provided, or will provide, on Line 16 of Schedule I. Attach a completed copy of Schedule I, if it is available.	
Total Combined Monthly Income (Line 16 of Schedule I):	\$
3. State the monthly net income, if any, of dependents included in Question 1 above. Do not include any income already reported in Item 2. If none, enter \$0.	\$
4. Add the "Total Combined Monthly Income" reported in Question 2 to your dependents' monthly net income from Question 3.	\$
5. Do you expect the amount in Question 4 to increase or decrease by more than 10% during the next 6 months? Yes No If yes, explain.	

**Part B. Monthly Expenses**

6. EITHER (a) attach a completed copy of Schedule J (Schedule of Monthly Expenses), and state your total monthly expenses reported on Line 18 of that Schedule, OR (b) if you have not yet completed Schedule J, provide an estimate of your total monthly expenses.	\$
7. Do you expect the amount in Question 6 to increase or decrease by more than 10% during the next 6 months? Yes No If yes, explain.	

**Part C. Real and Personal Property**

EITHER (1) attach completed copies of Schedules A (Real Property) and Schedule B (Personal Property),  
OR (2) if you have not yet completed those schedules, answer the following questions.

8. State the amount of cash you have on hand:	\$
9. State below any money you have in savings, checking, or other accounts in a bank or other financial institution.	
Bank or Other Financial Institution	Type of Account (savings, checking, CD)
	Amount
	\$
	\$
	\$
	\$

10. State below the assets owned by you. **Do not list ordinary household furnishings and clothing.**

Home	Address:	Value: \$	Amount owed on mortgages and liens: \$
Other real estate	Address:	Value: \$	Amount owed on mortgages and liens: \$
Motor vehicle	Model/Year:	Value: \$	Amount owed: \$
Motor vehicle	Model/Year:	Value: \$	Amount owed: \$
Other	Description:	Value: \$	Amount owed: \$

11. State below any person, business, organization, or governmental unit that owes you money and the amount that is owed.

Name of Person, Business, or Organization that Owes You Money	Amount owed
	\$
	\$
	\$

**Part D. Additional Information**

12. Have you paid an **attorney** any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?

Yes      No

If yes, how much have you paid?

\$

13. Have you promised to pay or do you anticipate paying an **attorney** in connection with your bankruptcy case?

Yes      No

If yes, how much have you promised to pay or do you anticipate paying?

\$

14. Have you paid **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?

Yes      No

If yes, how much have you paid?

\$

15. Have you promised to pay or do you anticipate paying **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?

Yes      No

If yes, how much have you promised to pay or do you anticipate paying?

\$

16. Has anyone paid an attorney or other person or service in connection with this case, on your behalf?

Yes      No

If yes, explain.

17. Have you previously filed for bankruptcy relief during the past 8 years?			Yes	No
Case Number (if known)	Year filed	Location of filing	Did you obtain a discharge? (if known)	
			Yes	No
			Yes	No
			Don't know	Don't know

18. Please provide any other information that helps to explain why you are unable to pay the filing fee in installments.

19. I (we) declare under penalty of perjury that I (we) cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct.

Executed on: \_\_\_\_\_ /s/ \_\_\_\_\_  
 Date Signature of Debtor

\_\_\_\_\_ /s/ \_\_\_\_\_  
 Date Signature of Joint Debtor

**DECLARATION AND SIGNATURE OF BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section.

\_\_\_\_\_  
 Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
 Social Security No.  
 (Required by 11 U.S.C. § 110)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and Social Security number of the officer, principal, responsible person, or partner who signs the document.*

\_\_\_\_\_  
 Address

/s/ \_\_\_\_\_  
 Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
 Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.*

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*