

**STATE OF WASHINGTON
SAN JUAN COUNTY**

Superior Court
Kathryn C. Loring, Judge
Jane Severin, Court Administrator
Telephone: (360) 370-7480

District Court
Carolyn M. Jewett, Judge
Mellissa Derksema, Court Administrator
Telephone: (360) 378-4017

**HOW TO ASK THE DISTRICT OR SUPERIOR COURT
TO REDUCE OR WAIVE YOUR LEGAL FINANCIAL OBLIGATIONS**

Please use this packet if you cannot afford to pay **legal financial obligations** (LFOs) imposed on you by the San Juan County District Court OR San Juan County Superior Court in a criminal case.

You must complete the Motion to Waive of Reduce LFOs and Financial Statement/Declaration form for each case you want the court to review and set up a meeting with the public defense screener to go through the income verification process. You must have proof of income and/or proof of any public assistance you receive at the time of your meeting with the public defense screener. Submit the completed motion(s) to the appropriate court(s).

If your license is suspended, you must use a different process through the Department of Licensing – You can find more information about reinstating your license through the Northwest Justice Project (<https://www.washingtonlawhelp.org/resource/my-driver-license-was-suspended-can-i-get-it>) or the Washington State Department of Licensing (<https://www.dol.wa.gov/driverslicense/suspended.html>).

A. First Steps:

- Contact the Superior and/or District Court for a list of open cases and the amount you still owe on each one. *Call the Clerk's Offices for the San Juan County District Court (360-378-4017) or Superior Court (360-378-2163).* The Court:
 - o must waive any non-restitution LFO interest that has accrued. (Some LFOs do not accrue interest.)
 - o may not waive or reduce restitution principal or the crime victim penalty
 - o may waive any restitution interest only after all restitution principal has been paid.
 - o may waive other costs or fees, depending on your specific situation.

- Set up an appointment with the Public Defense Screener **(360) 370-5471** to complete the income verification process (this includes any public assistance you may receive).
 - Have your appointment prior to submitting your completed motion to the court.
 - *You must provide proof of the public assistance that you receive when you talk with the Public Defender Screener. If you receive food stamps, have your card or your identification number ready when you talk with the Public Defender Screener.*
 - Provide any other follow-up information that the Public Defense Screener asks you provide.

B. Fill Out Your Motion and Declaration:

- The Motion and Declaration can be found at our website, <https://www.sanjuanco.com/947/Legal-Financial-Obligation-Forms>. You can also call the Superior Court Clerk's Office (360) 378-2163 or District Court Clerk's Office (360) 378-4017 to have the form mailed to you.
- You must submit a separate Motion and Declaration for **each case** you want the court to review.
- Fill out the top of the first page by checking the check box for the court, fill in the case number, and fill in your full legal name as the defendant.
- Fill out the "footer" in the bottom right corner of each page with your phone number and e-mail address, if you have one.
- Fill out the Motion section of the form by checking any of the boxes that apply to you. You may ask the court to:
 - Waive your LFOs.
 - Waive any interest charged on non-restitution LFOs.
 - Waive any interest charged on restitution when you have paid the amount of restitution ordered by the court.
 - Describe any other request that you are making, including if you are asking for a different payment plan.
- Sign and date the form under the motion section. Fill out the address line below the signature line. If submitting electronically, you may type your name after "/s/" on the signature line.

Fill out the Financial Statement/Declaration.

- Fill out the income and expenses table. The left-hand side of the table is for your household income information, and the right-hand side of the table is for your household expenses information. The following information is needed for this part of the form:
 - How many people who live in your household who are dependent on your financial support and their ages;
 - Employment status and your gross income (before taxes and withholdings) and net income (take home pay after taxes and withholdings);
 - Other household income (for example: public assistance, rent on any property you own, income from a trust that benefits you, spousal maintenance or child support, or investment income, etc). Mark the box if you receive food stamps;
 - The amount of any cash, checking or savings account you have;
 - A list of your typical monthly bills and expenses: rent/mortgage, food, utilities, transportation, ordered spousal maintenance paid, ordered child support paid, clothing, child care, education expenses, insurance, medical expenses and any other debts or expenses that you have.
- Below the table, mark the boxes for any public assistance you receive. ***You must provide proof of the public assistance that you receive when you talk with the Public Defender Screener. If you receive food stamps, have your card or your identification number ready when you talk with the Public Defender Screener.***
- In the last part of the form, you will have space to explain more about your circumstances, including
 - If you are unemployed, explain the efforts you have made to find a job;
 - Explain efforts you have made to pay your fines;
 - Explain any other hardships that have prevented you from paying your fines.
- Sign and date the last page of the form.
 - Sign and date the last page of the form. If submitting electronically, you may type your name after “/s/” on the signature line.

C. Submitting your Motion and Financial Declaration

- Keep a copy of each form you submit the court by using the print button at the bottom of the form or making a copy of the completed form.
- The form may be submitted to the court in any one of these ways: :
 - You can click the **Email to District Court** or **Email to Superior Court** button at the bottom of the form.
 - You can scan and email the completed form to either court – send it to the Superior Court Clerk efileSJCClerk@sanjuanco.com, or send it to the District Court Clerk dstct@sanjuanco.com.
 - You can print and mail it to either court, using the mailing addresses below:

San Juan County District Court
P.O. Box 127
Friday Harbor, WA 98250

San Juan County Clerk of the Superior Court
350 Court St.
No. 7
Friday Harbor, WA 98250

D. Getting the Judge’s decision or “Order.”

- If you filed your motion by email, the Clerk will send a copy of the Judge’s order to your email. If you filed by mail, the Clerk will mail a copy of the Judge’s order to you.
- The order will say what costs or fees were forgiven or remitted. The order will also say what amounts remain owing as your obligation.
- If you asked for a new monthly payment amount, the order will also include the new amount or a new payment plan.

Final Checklist for Your Motion to Reduce or Waive LFOs

- Call the San Juan County Superior Court (360) 378-2163 or District Court Clerk's Office (360) 378-4017 for a list of open cases and the amount you still owe on each one.
- Locate paystubs, W-2, tax return, food stamp card, and/or proof of other public benefit.
- Schedule an appointment with the Public Defender Screener (360) 370-5471 to verify your income and/or public benefits.
- Provide the Public Defender Screener with all the information they need about your income and/or public benefits.
- Fill out and sign Motion to Reduce or Waive Legal Financial Obligations.
- File with the Clerk of the San Juan County Superior Court or District Court: Motion to Reduce or Waive Legal Financial Obligations and Financial Statement/Declaration.
- Look for a copy of the Court's Order by mail or e-mail.