

Get relief from LFOs

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If you were convicted of a crime in Washington State, you can ask a judge to cancel (waive) non-restitution interest that has built up and reduce the Legal Financial Obligations (LFOs) that the judge imposed on you at sentencing.
(Forms and instructions)

1. Fast facts

Legal financial obligations (LFOs) are the costs, fees, fines, and victim restitution, plus 12% interest, that courts put on criminal defendants at the time of sentencing. Private collection agencies are authorized by law to add another 19% to 50%.

The court rules have changed to provide some relief from LFOs. You can read the rule at [General Rule 39](https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_39_00_00.pdf) (https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_39_00_00.pdf). The amount of relief you can get depends on the type of conviction, the types of LFOs assessed, and your financial resources. You must file a Petition and

follow a court process to get this relief.

Living With Conviction (<https://livingwithconviction.org/>) provides legal information (<https://livingwithconviction.org/lfo-help>) and help related to LFOs including the Justice in Motion (<https://livingwithconviction.org/lfo-help>) app that can help you complete the forms in this guide. Civil Survival (<https://civilsurvival.org/>) also has information about reducing LFOs (<https://civilsurvival.org/guides/reducing-legal-financial-obligations/>) and can help you get a free copy of your WA state criminal history report (<https://civilsurvival.org/request-criminal-history/>).

2. Before you file

Before you start the court process to ask for LFO relief, gather this information:

1. Identify your case number/s

Write down the case number (also called “cause” number) of every case in Washington in which you were convicted of a crime. You can often find these on your criminal history report. Civil Survival (<https://civilsurvival.org/>) can help you get a free copy of your WA state criminal history report (<https://civilsurvival.org/request-criminal-history/>).

You can also find your case numbers online, depending on the county and the court:

- For superior, district, and municipal courts in all counties except King and Pierce, check the Washington State Administrative Office of the Courts (<https://dw.courts.wa.gov/>). Do a **Person Search** for your name.

That database sometimes misses cases, so if you still can't find your case, try these other options:

- For King County Superior Court, do a name search at KC Script (<https://dja-prd-ecexap1.kingcounty.gov/?q=Home>)
- For King County District Court (<https://kcdc-efiling.kingcounty.gov/ecourt/>), register for free for e-filing and case access. It looks like just an e-filing option, but you can view documents here, too.
- For Pierce County Superior Court, Legal Information Network Exchange (LINX) (<https://linxonline.co.pierce.wa.us/linxweb/Search.cfm>)
- For Pierce County District Court, make a public record request (<https://www.piercecountywa.gov/827/Find-Case-Information-Public-Records-Req>)
- For Spokane Superior and District Courts, use the Spokane County Court Viewer (<https://cp.spokanecounty.org/courtdocumentviewer/default.aspx>)
- For all other counties, search by your name in the Washington Odyssey portal (<https://odysseyportal.courts.wa.gov/ODYPORTAL/>)

2. **Call the court clerk's office**

(https://www.courts.wa.gov/court_dir/?fa=court_dir.county) in the county court of your conviction.

- **Ask the clerk if their court decides Petitions for LFO relief without a hearing, or if you can or must schedule a hearing.** If

you need or want a hearing, ask the clerk:

- What day and time can I schedule a hearing?
- Which docket or calendar will the hearing be on?
- What courtroom will the hearing be in? (This may be assigned on the day of the hearing.)
- Is there an option to appear remotely? (Phone or video.)
- Do you have a local form I have to use to schedule a hearing?

If the clerk says you must use their local form, ask them where you can get that form. Otherwise, you can use the [Notice of Hearing](#) form we give you. Write in the hearing details you get from the clerk.

- **Ask the clerk if their court requires a “working” or “bench” copy of a Petition and proposed Order for LFO relief for the judge.** If yes, ask the clerk how to do that. Many courts have local rules about how and when to submit these copies, and how they should be labeled. Other courts don’t require them.
- **[Optional] Ask the clerk of the court of your conviction for a copy of the “Judgment & Sentence” (J&S) and your LFO Accounting Summary,** also known as “case financial history.” The J&S says how much you were originally sentenced to pay. It also will have your PCN/TCN or SID number on the first page or on the fingerprint page. The LFO Accounting Summary shows how much you were originally sentenced to pay, how much interest and fees have been added, how much you have paid, and how much you still owe.

3. Calculate your income and gather financial proof

If you're asking for LFO relief because you're not able to pay, you must figure out if your yearly income is above or below 125% of the federal poverty guidelines, after taxes, based on how many people live in your home. These guidelines change every year.

Even if your income is above 125% of the poverty guidelines, you can still ask for relief based on inability to pay. Gather the proof of your financial situation. This can be:

- Paperwork that shows that you live on public assistance, disability or limited income. Like a Social Security Disability notice.
- A letter from a social service provider or shelter attesting to your homeless status.
- A letter from your doctor or social worker that states that you have an acute, chronic, or serious mental illness.
- Evidence of any other compelling circumstance or manifest hardship that makes you unable to pay your LFOs.

Example 1: You make more than 125% of the federal poverty guidelines but you have large medical bills due to cancer treatment costs. Provide copies of your income proof and the medical bills.

Example 2: You work full-time but minimum wage is not enough to pay for your basic needs and also pay your monthly LFO costs because your rent is so high. Provide

copies of your income proof and lease.

4. Consider payment plans, community service and if your income is “protected income”

- If you want to ask for a payment plan for any remaining LFOs, consider how much you can realistically afford to pay each month.
- Think about whether you would like to do community service instead of paying some of your LFOs. This is also called “community restitution.” Not all counties have this option. If you ask to do community restitution towards some of your LFOs, and your county has this program, the court will credit you with at least minimum wage for every hour worked. Remember that there are hidden costs to community service, including the cost of transportation to the community service site and possibly childcare.
- Decide whether you can ask for LFO collection to stop because your only source of income is “protected income”. Protected income includes Social Security benefits, child support payments, and VA benefits.

3. Step-by-step

Step-by-step

After you’ve gathered the information in [Before you file](#), follow these steps:

1. **Fill out the forms in this guide.** You can fill them out online through Living with Conviction's Justice in Motion (<https://livingwithconviction.org/lfo-help>) app, or print them to fill out by hand. If you aren't scheduling a hearing, you can skip the Notice of Hearing form.
2. **Print and make copies.** You need one copy of each completed form for the clerk (these are the "originals"), one for yourself, one for the prosecutor, and one for the judge if the clerk says that working copies are required in your county.

Organize the copies in sets, so there's one set for each person who needs a copy. Put each set of papers into an envelope addressed to each party, with your return address. You'll use these sets for service.

3. **Serve the prosecutor.** Mail or hand deliver the set of copies you made for the prosecutor. If your case is in Superior or District Court, the prosecutor will be the county prosecuting attorney's office. If your case is in municipal court, the prosecutor will be the city attorney's office. Put the date you served the prosecutor on your Petition form (section 7).
4. **File the originals with the Court Clerk.** Give the clerk the originals of all your forms for filing except you should ask the clerk what to do with the original proposed Order. Follow the clerk's instructions.

Ask the clerk to stamp your copies to show the date you filed the originals. Take the stamped copies back from the clerk. The clerk keeps

the original.

- **If you're not asking for a hearing**, ask the clerk when and how you will hear about the judge's decision.
- **If you are asking for a hearing**, ask the clerk for details to complete the Notice of Hearing form if you haven't already. **Send a copy of the completed Notice of Hearing to the Prosecutor if you haven't already.** In some counties, the court itself will schedule the hearing and send notice to all parties.

5. **Deliver or mail working copies to the judge if local rules require it.**

Ask the clerk where to deliver the judge's working copies. (*Skip this step if local rules don't require it.*)

6. **Check for a response by mail or email.** The clerk's office may send you information about your hearing. The prosecutor may send you a response to your Petition.

7. **Go to the hearing, if there is one.**

If your hearing is online, follow these [tips for phone and video hearings](#).

Show up (or log in) early on the day of your hearing. If in person, allow plenty of time to go through security and find the right courtroom. Before the hearing starts, tell the courtroom staff that you are there. You may have to sit through several other cases first. Wait until the judge

calls your case or name. Answer any questions the judge asks. The judge may agree with you and sign your order that same day.

If the judge doesn't issue an order the day of the hearing, once the hearing is over ask the judge's clerk about when and how you will get the final order. It will usually be mailed to you within **10 days**.

8. **Get a copy of the signed order.** The clerk's office should mail you a copy of the signed order. If you have not received it in **10 days**, call the clerk's office to follow up. The judge might not have ruled on your Petition yet. If the judge has issued an order already, ask for a date-stamped copy of the judge's order (also called "conformed" copy). Keep this copy in your important papers.

4. Forms

Fill out your forms online! Use Living With Conviction's Justice in Motion (<https://livingwithconviction.org/lfo-help>) app to complete the forms to cancel or reduce your LFOs. Like WA Forms Online, Justice in Motion asks questions and uses your answers to complete your court forms. You'll receive completed forms and instructions that are ready for your use.

Form attached:

Petition re: Legal Financial Obligations (PT) (CR 08.0800)

Form attached:

Order re: Legal Financial Obligations (ORWILFO) (CR 08.0810)

Form attached:

Notice of Hearing (general civil) (NJP General 008)

Tips for filling out the Petition re: Legal Financial Obligations, CR 08.0800

Instructions for this form are built into the form itself.

Fill out the **petition** form to explain what you want the judge to do and why they should do it.

Tips for filling out the Order re: Legal Financial Obligations, CR 08.0810

Instructions for this form are built into the form itself.

Fill out the **order** form the way you want the judge to sign it. This is a **proposed order** you'll ask the judge to sign at the hearing. If you're not sure about something in the order, leave it blank for the judge to complete.

Tips for filling out the Notice of Hearing (NJP General 008)

Fill out the **Notice of Hearing** with details from the court clerk. You can try to get that information over the phone, or in-person when you file your papers.

When choosing a date, leave yourself enough time to have the other party served.

Many counties require you to use their own form. Ask the clerk if they use a special Notice of Hearing form. If not, use ours.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our [Get legal help](#) page.

Court of Washington, County/City of _____
Tribunal de Washington, Condado/Ciudad de _____

Plaintiff.
Acusador.

vs.
vs.

Defendant.
Acusado.

DOB: _____
Fecha de nacimiento: _____

No. _____
Núm. _____

Petition re: Legal Financial Obligations
Solicitud referente a: Obligaciones
financieras legales
(PT)
(PT)

Petition re: Legal Financial Obligations
Solicitud referente a: Obligaciones financieras legales

Use this form to ask the court to waive or reduce the amount you owe, or to remove your Legal Financial Obligations (LFOs) from collections. Please fill out any sections that might apply to your case. After you fill out this form, you should also fill out a proposed order for the judge to sign. That form is called "Order re: Legal Financial Obligations." You must fill out a separate copy of both forms for each case you have.

Use este formulario para solicitar que el tribunal dispense o reduzca el monto que usted adeuda, o que elimine sus obligaciones financieras legales (LFO) del proceso de cobranza. Rellene todas las secciones que podrían aplicarse a su caso. Después de rellenar este formulario, también deben rellenar una orden propuesta para que el juez la firme. Ese formulario se denomina "Orden referente a: Obligaciones financieras legales". Debe rellenar una copia separada de ambos formularios por cada caso que tenga.

The undersigned requests that the sentencing court grant an order that will:
El abajo firmante solicita que el tribunal que sentencia conceda una orden que:

1. Jurisdiction
Jurisdicción

[] I declare, to the best of my knowledge, that more than 10 years have passed since I completed the jail or prison sentence (total confinement) imposed *in this case*. I ask the court to review whether it has jurisdiction to collect remaining LFOs, restitution,

and interest. RCW 3.66.120; RCW 6.17.020(4); RCW 9.94A.753(4); RCW9.94A.760(5); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).
Declaro, en la medida de mi conocimiento, que han pasado más de 10 años desde que cumplí la sentencia de cárcel o prisión (reclusión total) impuesta en este caso. Solicito que el tribunal revise si tiene jurisdicción para cobrar el resto de las LFO, la restitución y los intereses. RCW 3.66.120; RCW 6.17.020(4); RCW 9.94A.753(4); RCW9.94A.760(5); State v. Gossage, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).

- [] I declare, to the best of my knowledge, that I did not receive a jail or prison sentence (total confinement) *in this case*. I ask the court to review whether it has jurisdiction to collect remaining LFOs, restitution, and interest. RCW 3.66.120; RCW 6.17.020(4); 9.94A.760(5); RCW 9.94A.753(4); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).

Declaro, en la medida de mi conocimiento, que no recibí una sentencia de cárcel o prisión (reclusión total) en este caso. Solicito que el tribunal revise si tiene jurisdicción para cobrar el resto de las LFO, la restitución y los intereses. RCW 3.66.120; RCW 6.17.020(4); 9.94A.760(5); RCW 9.94A.753(4); State v. Gossage, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).

- [] I declare, to the best of my knowledge, that fewer than 10 years have passed since I completed the jail or prison sentence (total confinement) imposed *in this case*. I ask the court to review whether it has jurisdiction to collect remaining LFOs, restitution, and interest. RCW 3.66.120; RCW 6.17.020(4); RCW9.94A.760(5); RCW 9.94A.753(4); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).
Declaro, en la medida de mi conocimiento, que han pasado menos de 10 años desde que cumplí la sentencia de cárcel o prisión (reclusión total) impuesta en este caso. Solicito que el tribunal revise si tiene jurisdicción para cobrar el resto de las LFO, la restitución y los intereses. RCW 3.66.120; RCW 6.17.020(4); RCW9.94A.760(5); RCW 9.94A.753(4); State v. Gossage, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).

2. Reduce or Waive LFOs

Reducir o dispensar las LFO

A. LFO Relief Available Regardless of Ability to Pay (Check all that apply)

Dispensa de las LFO disponible sin importar la capacidad de pago (marque todas las opciones que correspondan)

- [] **Collection.** I request that the court remove my unpaid LFOs from collection and waive all collection fees. RCW 19.16.500(1)(b); RCW 36.18.190; GR 39.

Cobranza. Solicito que el tribunal elimine mis LFO no pagadas del proceso de cobranza y dispense todas las tarifas por cobranza. RCW 19.16.500(1)(b); RCW 36.18.190; GR 39.

- [] **LFO Interest.** I request that the court waive all unpaid interest on my LFOs that are not restitution. RCW 10.82.090(3)(a).

Intereses sobre las LFO. Solicito que el tribunal dispense todos los intereses no pagados sobre mis LFO que no constituyan restitución. RCW 10.82.090(3)(a).

- [] **DNA Fee.** I request that the court waive the DNA fee. RCW 43.43.7541(2).

Tarifa por ADN. Solicito que el tribunal dispense la tarifa por ADN. RCW 43.43.7541(2).

- [] **Restitution Interest After Payment of Original Amount Owed (Principal Balance).** I have paid the original amount owed (principal balance) of my

restitution in full. All that remains of my restitution obligation is the added (accrued) interest. I ask that the court waive or reduce the remaining interest on my restitution. RCW 10.82.090(3)(b).

Intereses sobre la restitución después del pago del monto adeudado original (saldo del capital). He pagado en su totalidad el monto adeudado original (saldo del capital) de mi restitución. Todo lo que queda de mi obligación de restitución son los intereses añadidos (devengados). Solicito que el tribunal dispense o reduzca los intereses restantes de mi restitución. RCW 10.82.090(3)(b).

B. LFO Relief Due to Inability to Pay (Indigence)

Dispensa de las LFO debido a incapacidad de pago (indigencia)

- ☐ **Waiver or Reduction of LFOs.** I request that all unpaid optional (discretionary) LFOs be waived or reduced. RCW 7.68.035(5); RCW 9.94A.6333(3)(f); RCW 10.01.160(4) (limited to costs); RCW 10.01.180(5).

Dispensa o reducción de las LFO. Solicito que se dispensen o reduzcan todas las LFO opcionales (discrecionales) no pagadas. RCW 7.68.035(5); RCW 9.94A.6333(3)(f); RCW 10.01.160(4) (limitado a los costos); RCW 10.01.180(5).

- ☐ **Restitution Owed to an Insurer or State Agency.** I request that the court waive or reduce restitution and added (accrued) interest owed to an insurer or a state agency (other than the Department of Labor and Industries). RCW 3.66.120; RCW 9.94A.750, .753; RCW 9.92.060, 760; RCW 9.95.210.

Restitución adeudada a una compañía de seguros o agencia estatal. Solicito que el tribunal dispense o reduzca la restitución y los intereses añadidos (devengados) que se adeudan a una compañía de seguros o una agencia estatal (excepto por el Departamento de Labor e Industrias). RCW 3.66.120; RCW 9.94A.750, .753; RCW 9.92.060, 760; RCW 9.95.210.

- ☐ **Restitution Interest After Release from Total Confinement.** I declare that I have been released from jail or prison (total confinement). I ask that restitution interest that accrued during my confinement be reduced or waived. RCW 10.82.090.

Intereses sobre la restitución después de la liberación de una reclusión total. Declaro que fui liberado de la cárcel o prisión (reclusión total). Solicito que los intereses sobre la restitución que se devengaron durante mi reclusión se reduzcan o dispensen. RCW 10.82.090.

- ☐ Date I entered jail or prison in this case: _____
Fecha en la que ingresé a la cárcel o prisión por este caso:

- ☐ Date I was released from jail or prison in this case: _____
Fecha en la que se me liberó de la cárcel o prisión por este caso:

- ☐ **Appellate and Other Costs.** I request the court waive appellate and other costs. My failure to pay was not willful and the payment of the costs imposes a manifest hardship on me or my family. RCW 10.73.160(4); 10.01.160(4).

Apelación y otros costos. Solicito que el tribunal dispense los costos de apelación y otros costos. Mi incumplimiento de pago no fue deliberado y el pago de los costos impone una dificultad excesiva para mí o para mi familia. RCW 10.73.160(4); 10.01.160(4).

3. Declaration of Inability to Pay (Indigence)

Declaración de incapacidad de pago (indigencia)

I declare that I have not had enough money to pay all my LFOs and, because of this, my failure to pay them has not been willful. I declare that I am indigent (do not have the ability to pay) because:

Declaro que no he tenido dinero suficiente para pagar todas mis LFO y que, por ese motivo, mi incumplimiento de pagarlas no ha sido deliberado. Declaro que soy indigente (no tengo capacidad de pago) porque:

[] I am receiving one of the following types of public assistance (RCW 10.01.160(3)(a)): *Recibo uno de los siguientes tipos de asistencia pública (RCW 10.01.160(3)(a)):*

[] Food stamps or food stamp benefits transferred electronically (EBT); *Estampillas para alimentos o beneficios de estampillas de alimentos transferidos de forma electrónica (EBT);*

[] Medicaid (for example, Apple Health); *Medicaid (por ejemplo, Apple Health);*

[] Supplemental Security Income (SSI); *Ingreso Suplementario de Seguridad (SSI);*

[] Temporary Assistance for Needy Families (TANF); *Asistencia Temporal para Familias Necesitadas (TANF);*

[] Aged, Blind, or Disabled assistance benefits (ABD); *Beneficios de asistencia para Adultos Mayores, Ciegos o Discapacitados (ABD);*

[] Pregnant women assistance benefits; *Beneficios de asistencia para mujeres embarazadas;*

[] Poverty-related veterans' benefits; *Beneficios para veteranos relacionados con la pobreza;*

[] Refugee resettlement benefits; or *Beneficios de asentamiento para refugiados; o*

[] Medical care services under RCW 74.09.035. *Servicios de atención médica conforme a RCW 74.09.035.*

[] I am homeless. RCW 10.01.160(3)(b). *Me encuentro en situación de calle (sin hogar). RCW 10.01.160(3)(b).*

[] I have an acute, chronic, or serious mental illness. RCW 10.01.160(3)(b). *Padezco una enfermedad mental aguda, crónica o grave. RCW 10.01.160(3)(b).*

[] I am receiving an annual income, after taxes, of 125% or less of the current federally established poverty level. RCW 10.01.160(3)(a). You can find the income limits (federally established poverty level) at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>; 125% of the federal poverty level can be found here: <https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=82>. *Recibo ingresos anuales, después de impuestos, que equivalen al 125% del nivel de pobreza establecido a nivel federal o menos. RCW 10.01.160(3)(a). Puede consultar los límites de ingresos (nivel de pobreza establecido a nivel federal) en <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>; puede consultar el 125% del nivel de pobreza establecido a nivel federal aquí: <https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=82>.*

[] I am receiving an annual income, after taxes, of more than 125% of the federally established poverty level but I have living expenses making me unable to pay the

LFOs imposed. RCW 10.01.160(3)(c). *You can find the income limits (federally established poverty level) at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.*

Recibo ingresos anuales, después de impuestos, que equivalen a más del 125% del nivel de pobreza establecido a nivel federal, pero tengo gastos de subsistencia que me impiden pagar las LFO impuestas. RCW 10.01.160(3)(c). Puede consultar los límites de ingresos (nivel de pobreza establecido a nivel federal) en <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

Details: _____

Detalles: _____

- [] I am unable to pay my LFOs because of a manifest hardship or compelling circumstances that exist. RCW 10.01.160(3)(d),(4); RCW 13.40.192; RCW 10.73.160(4). Details:

No puedo pagar mis LFO debido a adversidad evidente o a la existencia de circunstancias imperiosas. RCW 10.01.160(3)(d),(4); RCW 13.40.192; RCW 10.73.160(4). Detalles:

4. Process for Paying Any LFOs That Will Remain
Proceso para pagar todas las LFO remanentes

- [] **Additional Time and Payment Plan.** I request additional time to pay any remaining LFOs and that I be placed on a payment plan that I can afford directly through the clerk. I can afford to pay \$_____ per month. RCW 9.94A.6333(3)(f); RCW 10.01.170(1); RCW 10.01.180(5).

Tiempo adicional y plan de pagos. Solicito tiempo adicional para pagar las LFO remanentes y que el actuario me asigne directamente un plan de pagos al alcance de mis medios. Puedo pagar \$_____ por mes. RCW 9.94A.6333(3)(f); RCW 10.01.170(1); RCW 10.01.180(5).

- [] **Community Service to pay LFOs.** I request any unpaid discretionary LFOS that are **not** restitution be converted to community service (restitution) hours through a community restitution program, if available. RCW 9.94A.6333(3)(f); RCW 10.01.160(4) (limited to costs); RCW 10.01.180 (5); RCW 46.63.190.

Servicio comunitario para pagar las LFO. Solicito que las LFO discrecionales no pagadas que **no** constituyan restitución se conviertan en horas de servicio comunitario (restitución) por medio de un programa de restitución comunitaria, si hay uno disponible. RCW 9.94A.6333(3)(f); RCW 10.01.160(4) (limitado a los costos); RCW 10.01.180 (5); RCW 46.63.190.

- [] **Protected Source of Income.** I do not have the ability to pay and request that the court not engage in any active efforts to collect any remaining LFOs. *City of Richland v. Wakefield*, 186 Wn.2d 596, 607, 380 P.3d 459, 465 (2016). My only income is:

Protección de la fuente de ingresos. No tengo la capacidad para pagar y solicito que el tribunal no realice esfuerzos activos para cobrar mis LFO remanentes. *City of Richland v. Wakefield*, 186 Wn.2d 596, 607, 380 P.3d 459, 465 (2016). Mis únicos ingresos son:

- ☐ Social Security benefits (retirement, disability, etc.);
Beneficios del Seguro Social (jubilación, discapacidad, etc.);
- ☐ Child support payments; or
Pagos de manutención de menores; o
- ☐ Benefits from the Department of Veterans Affairs.
Beneficios del Departamento de Asuntos de Veteranos.

5. Other Relief
Otras dispensas

- ☐ In addition to the relief requested above, I request that the court:
Además de las dispensas antes solicitadas, solicito que el tribunal:

6. Hearing
Audiencia

- ☐ **A. No Hearing.** I request that the court rule on my petition without a hearing.
Omisión de audiencia. Solicito que el tribunal haga una determinación sobre mi solicitud sin celebrar una audiencia.
- ☐ **B. Hearing.** I ask that the court hold a hearing on my petition. I request to appear at the hearing:
Audiencia. Solicito que el tribunal celebre una audiencia referente a mi solicitud. Solicito comparecer en la audiencia:
- ☐ Via video conference or telephone; or
Por videoconferencia o teléfono; o
 - ☐ In-person.
En persona.

7. Declaration of Service
Declaración de entrega

I mailed or delivered this Petition and a Proposed Order to the prosecuting attorney on (date) _____.
Envié por correo o entregué esta solicitud y una orden propuesta al fiscal litigante el (fecha)

I declare, under penalty of perjury under the laws of the State of Washington, that the facts I have provided on this form are true.
Declaro bajo pena de perjurio, conforme a las leyes del estado de Washington, que los datos que he proporcionado en este formulario son verdaderos.

Signed at (City) _____, (State) _____ on (Date) _____
Firmado en (ciudad) _____, (estado) _____ el día (fecha) _____

Signature of Defendant
Firma del acusado

Print Name
Nombre en letra de molde

The following is my contact information:
Mi información de contacto es la siguiente:

Email: _____
Correo electrónico:

Phone: _____
Teléfono:

Street Address or PO Box
Dirección o apartado postal

City
Ciudad

State
Estado

Zip
Código postal

Lawyer (if any) fills out below:
El abogado (si tiene uno) debe rellenar lo siguiente:



Lawyer signs here
El abogado firma aquí

Print name and WSBA No.
Nombre y número de la WSBA en letra de molde

Date
Fecha

Lawyer's Street Address or PO Box
Dirección o apartado postal del abogado

City
Ciudad

State
Estado

Zip
Código postal

Email (if applicable): _____
Correo electrónico (si corresponde):

_____ Court of Washington, County/City of _____

County/City of _____,

vs.

Defendant. _____, DOB: _____

No.

**Order re: Legal Financial Obligations
(ORWILFO)**

Clerk Action Required

Order re: Legal Financial Obligations

You should fill out this document after you fill out the "Petition re: Legal Financial Obligations." This document will tell the judge exactly what you are asking them to do. There are instructions in each section of the form. Please fill out any sections that apply to what you are asking the court to do by checking the boxes next to those sections. This should mostly match what you are asking for in your petition.

This Court has considered the defendant's Motion for Order re: Legal Financial Obligations (LFOs), the defendant's declaration, and any testimony, and has reviewed the relevant court records.

1. Jurisdiction

The Court finds:

You should only fill out this section if it has been more than 10 years since you were convicted in this case. If it has been more than 10 years since your conviction, you should check the box "Time Since Conviction."

You should also check the box, "Time Since Release from Jail/Prison or Extension" of the Judgment, if it has been more than 10 years since you completed the jail/prison term imposed at your sentencing or you were not sentenced to jail or prison time in this case. You can check this box even though you likely don't know whether the court extended the judgment in your case.

If you were convicted of Rape of a Child, which resulted in pregnancy, your case has special rules and you should contact an attorney. You should refer to the instruction packet for more information.

- ☐ **Time Since Conviction:** Ten years have passed since the defendant was convicted in this case (entry of the judgment and sentence). RCW 3.66.120(3); RCW 6.17.020(1); RCW 6.17.020(4); RCW 9.94A.750(4); RCW 9.94A.753(4); RCW 9.94A.760(5); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).
- ☐ **Time Since Release from Jail/Prison or Extension of the Judgment:** Ten years have elapsed since the defendant was released from total confinement or extension of the criminal judgment, whichever is later. RCW 3.66.120(3); RCW 6.17.020(4); RCW 9.94A.750(4); RCW 9.94A.753(4); RCW 9.94A.760(5); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).

The Court orders:

If you checked either of the boxes above, you should check the two boxes below. It is possible the court may still be allowed to collect LFOs or restitution. If that is the case, the judge will uncheck the boxes below before signing the order.

- ☐ **Expiration of LFO Jurisdiction:** The Court is no longer authorized to collect all LFOs and LFO interest. The court may continue to collect any restitution and restitution interest, unless the box labeled "Expiration of Restitution Jurisdiction" is checked below. RCW 6.17.020(1); RCW 6.17.020(4); RCW 9.94A.753(4); RCW 9.94A.760(5); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).
- ☐ **Expiration of Restitution Jurisdiction:** The Court is no longer authorized to collect restitution and restitution interest. RCW 3.66.120(3); RCW 6.17.020(4)(a); RCW 9.94A.753(4); RCW 9.94A.760(5); *State v. Gossage*, 165 Wn.2d 1, 8, 195 P.3d 525, 528 (2008).

2. Reduce or Waive LFOs

A. LFO Relief Available Regardless of Ability to Pay

The Court finds:

You should check the box below if you have paid off your restitution principal (the original restitution amount imposed by the court) and all that remains of your restitution obligation is interest.

- ☐ **Restitution Interest After Payment of Principal.** The defendant has paid restitution in full. RCW 10.82.090(3)(b).

The Court orders:

You can check multiple boxes in this section.

You should check the first box if you would like your LFOs removed from collections and any collections fees to be waived.

You should check the second box if you would like all interest, except restitution interest, to be waived. The court is required to waive non-restitution interest if you make this request. This will not affect whether you can request restitution interest waiver in other sections of the form.

You should check the third box if you were convicted in Superior Court and would like the court to waive the DNA fee. The court is required to waive the DNA fee if you make this request.

You should check the fourth box if you have paid off your original restitution amount (restitution principal) ordered by the court and would like your restitution interest waived.

- ☐ **Collection.** The defendant's LFOs are removed from collections and all collection fees are waived. RCW 19.16.500(1)(b); RCW 36.18.190.
- ☐ **LFO Interest.** All unpaid interest, except restitution interest, is waived. RCW 10.82.090(3)(a).
- ☐ **DNA Fee.** The DNA fee is waived. RCW 43.43.7541(2).
- ☐ **Restitution Interest Waiver After Payment of Principal.** Because the defendant has paid restitution principal in full, all restitution interest is waived. RCW 10.82.090(3)(b).

B. LFO Relief Due to Inability to Pay

The Court finds:

You can check multiple boxes in this section.

You should only fill out this section if you are unable to pay your LFOs. You are unable to pay your LFOs if, in the Petition, you checked any of the boxes in the section titled "Declaration of Inability to Pay (Indigency)." If you are unable to pay your LFOs, you should check the first box below.

You should also check the second box in this section if you are unable to pay your LFOs and are also seeking waiver of restitution interest that accrued while you were in jail or prison.

- ☐ **Inability to Pay.** The defendant is indigent and payment of LFOs will impose a manifest hardship on the defendant or their family. The defendant's failure to timely pay LFOs was not willful. RCW 7.68.035(5); RCW 10.01.160 (3), (4); RCW 10.01.185; RCW 9.94A.6333(3)(c); RCW 10.01.180(5); RCW 10.73.160(4).
- ☐ **Release from Total Confinement.** The defendant was released from total confinement in this matter.
Entry date: _____ Release date: _____
- ☐ **Notice to party entitled to restitution.** The prosecuting attorney made reasonable efforts to provide notice of the date and time of the hearing to the victim entitled to the restitution interest and considered the victim's input regarding financial hardship caused to the victim if interest is reduced or waived, if any.

The Court orders:

You can check multiple boxes in this section.

You should check the first box if you are requesting waiver of your LFOs. You do not need to list which required (mandatory) LFOs (if any) will remain. The judge will fill in that information.

You should check the second box if you owe restitution to an insurer or state agency (other than the Department of Labor & Industries) and would like it to be waived. This would eliminate all remaining restitution (the initial amount imposed and interest) in your case.

You should check the third box if you would like restitution interest that was added to the original amount ordered (accrued) while you were in jail or prison to be waived.

- ☐ **Waiver of LFOs.** Because the defendant is unable to pay, all discretionary LFOs, except restitution, are waived. RCW 7.68.035(5) (includes Crime Victims Penalty Assessment); RCW 9.94A.6333(3)(f); RCW 10.01.160(3), (4) (relating to costs); RCW 10.01.180(5); RCW 36.18.190. The following LFO's are **NOT** waived: _____
- ☐ **Waiver of Restitution Owed to an Insurer or State Agency.** Because the defendant is unable to pay and owes restitution to an insurer or state agency (other than the Department of Labor & Industries), the restitution owed is waived. RCW 3.66.120; RCW 9.94A.750, .753; RCW 9.92.060, 760; RCW 9.95.210.
- ☐ **Waiver of Restitution Interest During Total Confinement.** Because the defendant has been released from total confinement and is unable to pay, all restitution interest accrued during the defendant's period of confinement is waived. RCW 10.82.090(3).
- ☐ **Waiver of Appellate and/or Other Costs.** The court waives costs, including appellate costs, if applicable. RCW 10.73.160(4); 10.01.160(4).

3. Process for Paying Any LFOs That Will Remain

You should fill out this section if you filled out Section 3 in the Petition (also titled "Process for Paying Any LFOs That Will Remain").

The Court finds:

Instructions: You should fill out this section if your only source of income is Social Security benefits, child support payments, or benefits from the Department of Veterans Affairs. Please indicate which type of benefits you receive.

- ☐ **Protected Source of Income.** The defendant's only source of income is:
- ☐ Social Security benefits (retirement, disability, etc.); 42 U.S.C.A. § 407
 - ☐ Child support payments; RCW 6.15.010
 - ☐ Benefits from the Department of Veterans Affairs; 38 U.S.C.A. § 1562

The Court orders:

You should check the first box below if you requested additional time to pay your LFOs in Section 4 of the Petition. Please fill in the monthly payment amount you included in your petition.

You should check the second box if your only source of income is from Social Security (retirement, disability, etc.), child support payments, or Department of Veterans Affairs payments. In this situation, you will continue to owe your LFOs, but the Court will not require you to make payments or send your account to collections. In the future, if you receive income from another source, you will be required to pay your remaining LFOs.

Instructions for Judges: If a defendant's only source of income is from Social Security, child support, or the Department of Veterans Affairs, federal law and caselaw prohibit the Clerk from taking any active efforts to collect that money. City of Richland v. Wakefield, 186 Wn.2d 596, 607, 380 P.3d 459, 465 (2016).

- ☐ **Additional Time and Payment Plan.** The defendant shall be placed on a payment plan through the Clerk for all remaining LFOs. Payments shall be made directly to the Clerk. The defendant shall pay \$_____ per month. RCW 9.94A.6333(3)(f); RCW 10.01.170(1); RCW 10.01.180(5).
- ☐ **Payment through Community Service.** All discretionary LFOs that are not restitution are converted to community restitution hours through a community restitution program at the rate of \$_____ per hour for each hour of community restitution, if available. RCW 9.94A.6333(3)(f); RCW 10.01.180(5); RCW 46.63.190.
- ☐ **Protected Source of Income.** Because the defendant's only source of income is from a protected source, the Clerk shall not engage in any active efforts to collect any remaining LFOs. The Defendant shall not be required to make any LFO payments, the Clerk shall not mail the Defendant any LFO billing materials, and the Defendant's account shall not be sent to collections. *City of Richland v. Wakefield*, 186 Wn.2d 596, 607, 380 P.3d 459, 465 (2016).

4. Other Relief

If you asked for other relief in Section 5 of the Petition, please include the relief you asked for below.

The Court orders:

☐ _____

To be filled out by Judge:

Dated: _____ Judge _____

To be filled out by person filling out this form:
 Presented by:

 Signature of Defendant/Attorney WSBA No.

 Print Name

_____ Court of Washington, County of _____	
Petitioner / Plaintiff: _____	No. _____
And Respondent / Defendant: _____	Notice of Hearing (No mandatory form) Clerk's action required: 1 [] Need interpreter (language) _____

Notice of Hearing

To the Court Clerk and all parties:

1. A court hearing has been scheduled:



for: _____ at: _____ (check one) [] a.m. [] p.m.
date time

at: _____ in _____
court's address room or department

docket / calendar or judge / commissioner's name

[] Online or phone: _____

2. The purpose of this hearing is (specify): _____
as requested by the (check one) [] Petitioner/Plaintiff [] Respondent/Defendant

► _____
Person asking for hearing signs here Print name here (and WSBA #, if lawyer) Date

I agree to accept legal papers for this case at (check all that apply):

[] the following address (this does **not** have to be your home address):

Street or mailing address city state zip

[] Email: _____