



Since 1<sup>st</sup> October 2007, the Court has made new rules about payment of court fees.

- a) Some court fees can be fully remitted if you receive a means tested benefit or have a low income and you reside within the UK.
- b) Some court fees can be partly remitted if you would suffer financial hardship by paying the court fee or if you are a remand / serving prisoner.
- c) The rest of the court fees are payable in full by you, if your means are over the threshold, or if the court has deemed you a vexatious litigant, or if you are bound by a civil restraint order.

To prove your means, you are required to

- a) Complete fees exemption form EX160
- b) produce to the court **original** (not photocopy) documentation in support (You will get your originals back when the application is processed in 5 days)

#### **Proof of Means Tested Benefits**

- An original letter or entitlement notice signed by a named member of staff from your benefit provider dated not more than a month old, containing your full name, address, title and postcode.

#### **Proof of Income**

- (If employed) Original wage slips and bank statements for the last 3 months
- (If self-employed) Last 3 months bank statements plus most recent tax return or profit and loss account
- (If any other source of income e.g. lodgers, pension or non-means-tested benefits such as Child Benefit) Current official documents showing that income
- (If you have dependent children) Current award letter for CTC or Child Benefit
- (If you have a partner) Utility bills or bank statements showing the full name and address of both of the partners

## Proof of Allowable Outgoings

- Housing costs – mortgage statement / tenancy agreement / documentation signed by your landlord such as rent book or receipts
- Child maintenance – sealed court order / signed agreement / CSA assessment
- Child care expenses – signed receipts from nursery, child minder or pre/after school club
- Payments under court order – sealed court order and signed receipts

## Monthly Fixed Allowances credited to you

- Partner - £150 per month
- Dependent Child - £228 per month
- General Living Expenses - £296 per month

## Eligibility for Total Exemption

- a) If you are in receipt of means-tested benefits
- b) If you are single person
  - and your gross annual income is less than

Number of Children	Total Gross Annual Income
0	£12,000
1	£14,735
2	£17,470
3	£20,205
4	£22,940
5 +	£2,735 for each extra child

- **and** your net income (less allowable outgoings and fixed allowances) is less than £369 per month

- c) If you have a partner
  - and your combined gross annual income is less than

Number of Children	Total Gross Annual Income
0	£16,000
1	£18,735
2	£21,470
3	£24,205
4	£26,940
5 +	£2,735 for each extra child

- **and** your combined net income (less allowable outgoings and fixed allowances) is less than £369 per month

### Eligibility for Partial Exemption

a) If you are single person

- and your gross annual income is less than

Number of Children	Total Gross Annual Income
0	£12,000
1	£14,735
2	£17,470
3	£20,205
4	£22,940
5 +	£2,735 for each extra child

- **and** your net income (less allowable outgoings and fixed allowances) is between £370 per month and £1,009 per month

b) If you have a partner

- and your combined gross annual income is less than

Number of Children	Total Gross Annual Income
0	£16,000
1	£18,735
2	£21,470
3	£24,205
4	£26,940
5 +	£2,735 for each extra child

- **and** your combined net income (less allowable outgoings and fixed allowances) is between £370 per month and £1,009 per month

With partial exemption, you have to pay a contribution to your court fees on a sliding scale, depending on the amount of your net income (less allowable outgoings and fixed allowances).

At the lowest end of the scale (net income of £370 per month) your contribution towards the court fee would be £12.50.

At the highest end of the scale (net income of £1,009 per month) your contribution towards the court fee would be £450.

### What to do now

- Complete the form EX160, sign and date the Declaration of Truth
- Provide the original proof (listed above) of:
  - Means tested benefits or income

- Allowable outgoings

c) Return the form to us, so that we can send it to Court on your behalf.

*Dunn & Baker – Here to help you*

*Disclaimer: The material contained in this fact sheet is for general guidance only. It is specific to the law of England and Wales, and represents a brief outline of the law current as at the date of the fact sheet. It is not intended to constitute, or to be a substitute for, legal advice specific to your case. Dunn and Baker will be responsible only for advice specifically given to you.*