

AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Judicial Council on February 19, 2015,
effective on July 1, 2015

1 **Rule 3.52. Procedure for determining application**

2
3 The procedure for determining an application is as follows:

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5 (1) * * *

6
7 (2) An order determining an application for an initial fee waiver without a hearing
8 must be made on *Order on Court Fee Waiver (Superior Court)* (form FW-003),
9 except as provided in (6) below.

10
11 (3)–(5) * * *

12
13 (6) Until January 1, ~~2013~~ 2016, a court with a computerized case management system
14 may produce electronically generated court fee waiver orders as long as:

15
16 (A)–(C) * * *

17
18 *Rule 3.52 amended effective July 1, 2015; adopted as rule 3.56 effective January 1, 2007;*
19 *previously amended effective January 1, 2007; previously amended and renumbered as rule 3.52*
20 *effective July 1, 2009.*

21
22 **Rule 3.55. Court fees and costs included in all initial fee waivers**

23
24 Court fees and costs that must be waived upon granting an application for an initial fee
25 waiver include:

26
27 (1)–(6) * * *

28
29 (7) Reporter's ~~daily~~ fees for attendance at hearings and trials, if the reporter is provided
30 by the court held within 60 days of the date of the order granting the application;

31
32 (8) The court fee for a telephone appearance under Code of Civil Procedure section
33 367.5; ~~and~~

34
35 (9) Clerk's fees for preparing, copying, certifying, and transmitting the clerk's
36 transcript on appeal to the reviewing court and the party. A party proceeding under
37 an initial fee waiver must specify with particularity the documents to be included in
38 the clerk's transcript on appeal;

39
40 (10) The fee under rule 8.130(b) or rule 8.834(b) for the court to hold in trust the deposit
41 for a reporter's transcript on appeal; and

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2 (11) The clerk’s fee for preparing a transcript of an official electronic recording under
3 rule 8.835 or a copy of such an electronic recording.

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5 *Rule 3.55 amended effective July 1, 2015; adopted as rule 3.61 effective January 1, 2007;*
6 *previously amended effective January 1, 2009; previously amended and renumbered as rule 3.55*
7 *effective July 1, 2009.*

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9 **Advisory Committee Comment**

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11 The inclusion of court reporter’s fees in the fees waived upon granting an application for an initial
12 fee waiver is not intended to mandate that a court reporter be provided for all fee waiver
13 recipients. Rather, it is intended to include within a waiver all fees mandated under the
14 Government Code for the cost of court reporting services provided by a court.

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16 **Rule 3.56. Additional court fees and costs that may be included in initial fee waiver**

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18 Necessary court fees and costs that may be waived upon granting an application for an
19 initial fee waiver, either at the outset or upon later application, include:

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21 (1)–(3) * * *

22
23 ~~(4) Reporter’s fees for attendance at hearings and trials held more than 60 days after~~
24 ~~the date of the order granting the application;~~

25
26 ~~(5)~~ Witness fees of court-appointed experts; and

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28 ~~(6)~~ Other fees or expenses as itemized in the application.

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30 *Rule 3.56 amended effective July 1, 2015; adopted as rule 3.62 effective January 1, 2007;*
31 *previously amended and renumbered as rule 3.56 effective July 1, 2009.*

32
33 **Rule 8.818. Waiver of fees and costs**

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35 **(a)–(c) * * ***

36
37 **(d) Court fees and costs waived**

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39 Court fees and costs that must be waived upon granting an application for initial
40 waiver of court fees and costs ~~include~~ are listed in rule 3.55. The court may waive
41 other necessary court fees and costs itemized in the application upon granting the
42 application, either at the outset or upon later application.

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- ~~(1) The fee for filing the notice of appeal;~~
- ~~(2) The clerk's fees for preparing and certifying the clerk's transcript on appeal and for copying and transmitting a copy of this transcript to the applicant;~~
- ~~(3) The fee for preparing a transcript of an official electronic recording under rule 8.835 or a copy of such an electronic recording; and~~
- ~~(4) Any court fee for telephonic oral argument.~~

(Subd (d) amended effective July 1, 2015.)

(e)-(f) * * *

Rule 8.818 amended effective July 1, 2015; adopted effective July 1, 2009.