# Application for reduction of payment of divorce or decree of nullity – financial hardship

Family Law (Fees) Regulation 2012 - Section 2.06

#### If you and your spouse are making a joint application, you must both be eligible for a fee reduction to receive a reduction.

# Notice to applicant

For approval for a fee reduction, you will need to show that your income, day-to-day living expenses, liabilities and assets are at such a level that payment of the full fee would cause you financial hardship.

In considering your application the Court may ask you to provide documentary evidence to support your claim. In this case your application will be returned to you with instructions as to what further information you need to provide in the 'Notice of request for more information' on page 3 of this form.

If you are applying for a reduced court fee, this form must be lodged at the same time as the application being filed.

An approval is valid only for the current court fee for which you are applying. If a further fee is payable you will need to reapply.

- Cross boxes where applicable. Type or print clearly.
- Attach an extra page if you need more space for any of the details requested
- If your application for reduction is unsuccessful, you will be required to pay the full filing fee before your forms will be accepted.

*Warning:* Under the Criminal Code any person who knowingly makes an untrue representation or statement to obtain a benefit or advantage from the Commonwealth is guilty of an offence and, if found guilty, can be fined or imprisoned.

*Note:* Where there is more than one applicant to an application, all applicants must meet the requirements for an exemption/reduction or the full fee applies.

Reductions only apply to divorce application and decree of nullity fees and **do not** apply to fees to serve documents on a person.

GST does not apply to court fees.

Part A – Details				
Name and address	family name(surname) <b>Write your surname</b> here	given names Write yo here	our first and middle names	
	Write your address here	postcode Write your postcode	telephone Write your phone number	
Is this an application for a decree of nullity Yes No Tick 'No'				
Number of people who are dependent on you (this may include a dependent spouse and any children write your number of adependents)?				
Part B – Your income (convert all income to fortnightly figures) TOTAL				
Salary/wages/pension income – before tax			\$ Write your income per fortnight (before tax	
Interest			\$ Write your total interest per fortnight	
Rent or board received			\$ Write your rental income per fortnight	
Company profits			\$ Write your company profits per fortnight	
Other income (include any child support/spouse maintenance received and so on)			\$ Write your total other income per fortnight	
Gross total for each fortnight (before tax)			\$ Write your total income before tax per fortnight	

Give Details				
File number	Leave blank			
File name	Leave blank			
Date filed	Leave blank			

Net total for each fortnight (after tax)	<b>\$</b> Write your total income after tax per fortnight
Part C – Your assets	TOTAL
Your home	\$ Write the current market value of your home
Other real estate	\$ Write the current market value of your other properties
C1 – subtotal – value of assets	<b>\$</b> Write the total value of your real estate
Balance of all bank, credit union and building society accounts	\$ Write the total amount of money in your bank accounts
Shares	\$ Write the current value of your shares
Managed investments (including superannuation funds you can draw on now)	\$ Write the current value of your managed investments
Bonds	\$ Write the current value of your bonds
Other liquid assets (give details)	<b>\$ Write the current value of your other assets</b>
C2 – subtotal – value of liquid assets	<b>\$</b> Write the total value of your other assets
Part D – Your liabilities (whole amount owing)	TOTAL
Mortgages (give details)	\$ Write the current amount owing on your mortgage
Credit cards (give details)	\$ Write the current amount owing on your credit cards
Loans/leases (give details)	\$ Write the total amount
	of your other loans and leases
Other (specify and give details)	
Other (specify and give details) Total	leases \$ Write the total amount
	leases \$ Write the total amount of your other debt \$ Write the total amount
Total	leases\$ Write the total amount of your other debt\$ Write the total amount of your liabilities
Total Part E – Your day-to-day living expenses (for each fortnight)	leases\$ Write the total amount of your other debt\$ Write the total amount of your liabilitiesTOTAL\$ Write your cost of food
Total Part E – Your day-to-day living expenses (for each fortnight) Food	leases\$ Write the total amount of your other debt\$ Write the total amount of your liabilitiesTOTAL\$ Write your cost of food per fortnight\$ Write your mortgage repayments or rent per

Superannuation	\$ Write your superannuation contributions per fortnight
Clothing, medical and other personal expenses	\$ Write your total personal expenses per fortnight
Children's expenses (include child support, child care, school fees, children's clothi so on)	\$ Write your children's total expenses per fortnight
Other (specify and give details)	\$ Write your total other expenses per fortnight
Total	\$ Write your total living expenses per fortnight
Part F – Other circumstances	

If you do not meet the test as set out in the Guidelines, you may still qualify if there are circumstances which you can show would cause you hardship if you were required to pay a full fee. In this case, give details here. Attach an extra page if you need more space.

Explain your financial hardship and how this will affect your ability to pay the fee

## Part G – Certification by applicant (to be signed in the presence of the witness)

#### I certify that:

- 1. I am the applicant
- 2. I have read this application
- 3. The facts in it that are within my personal knowledge are true
- 4. All other facts are true to the best of my knowledge, information and belief
- 5. I have disclosed all relevant financial information
- 6. I am aware that it is an offence to provide information or a document in connection with this application that is false or misleading.

Signature	Place:	Date:
Sign here	Write the suburb	Write the date
Before me (signature of witness)	Full name of witness (please print)	<u>.</u>
Witness signs here	Write the witness's full name	

#### This application was prepared by: Tick the first box

applicant	or	🗌 lawyer
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(print lawyers name)

Leave blank

Leave this section blank. If the Court needs more information to process your application, it will write the details here and send your form back to you. You must provide the information requested by the Court within 14 days. If you don't, your application may be rejected.

## (Office Use Only)

### Notice of request for more information

Having considered your application, the Court requests you to provide documentary evidence of your income, assets, liabilities and day-to-day living expenses to support your claim

In particular, you will need to provide the following

The documents listed above should be provided **within 14 days** of the date on which this notice was issued. You can provide the originals or photocopies to the Court attached to the back of this application.

Signature of officer

Date / / /