Superior Court
State of California

CHAMBERS OF THE PRESIDING JUDGE
C. DON CLAY

COUNTY OF ALAMEDA

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
GENERAL DIRECTIVE BY THE PRESIDING JUDGE

DIRECTIVE NO: 2013-31

SUBJECT: DELEGATION OF AUTHORITY TO CLERK TO APPROVE FEE WAIVER APPLICATIONS UNDER GOVERNMENT CODE SECTION 68632(A) (RECEIVES PUBLIC ASSISTANCE) AND 68632(B) (MEETS POVERTY GUIDELINES)

1. **Delegation of Authority.** Pursuant to Government Code section 68634(d), the court delegates to the clerk of the court the authority to grant applications for an initial fee waiver that meet the eligibility standards set forth in Government Code section 68632(a) [applications based upon receipt of qualifying public benefits] or Government Code section 68632(b) [meets poverty guidelines] and meet the application requirements set forth in Government Code section 68633.

2. **Requests for additional information.** The clerk of the court may not request additional information. If additional information is required with regard to a specific application then a judicial officer may direct the clerk of the court to set an eligibility hearing as provided under Government Code sections 68634(e)(4) and (5).

3. **Limitations on delegation of authority.** The delegation of authority to the clerk of the court is limited to an initial fee waiver as set forth in Government Code section 68634(d). When approving an application as authorized by this delegation of authority, the clerk of the court shall check the box on the approved Judicial Council form, [FW-003 – Order on Court Fee Waiver (Superior Court)], indicating that the request to waive court fees is granted. This delegation of authority does not authorize the clerk of the court to deny, to set an eligibility hearing, or to partially grant a request for an initial fee waiver. The delegation of authority to the clerk of the court does not include the authority to waive the additional court fees and costs set forth in California Rules of Court, rule 3.56.

For fee waiver requests submitted by inmates, see General Directive 2013-32.

This directive shall expire on December 31, 2013.

Issued: January 25, 2013

Hon. C. Don Clay – Presiding Judge
Superior Court of California, County of Alameda