

HOW MUCH MAY THE PAYMENT PLAN BE?

The Clerk's payment plan should not be more than 2% of your annual net income (take-home pay).

For example, when your net income is \$10,000 a year, your monthly payment may not be more than approximately \$16.67 a month (\$10,000 x .02 divided by 12).



About Community Legal Services of Mid-Florida (CLSMF)

The mission of CLSMF is to provide access to justice through high quality legal assistance to low-income persons.

Community Legal Services of Mid-Florida, Inc. provides free legal assistance to eligible low-income persons in civil matters (we do not provide legal assistance in criminal or traffic matters). CLSMF provides community education seminars and detailed informational brochures on major areas of law we practice.



The Florida Bar Foundation, with *Interest on Trust Accounts* program funding, provides support for this service.

Community Legal Services of Mid-Florida Offices:

*BREVARD: 1-866-469-7444

CITRUS & SUMTER
106 N. Osceola Ave., Inverness, FL 34450
(352) 726-6592 — CITRUS
1-800-984-2918 — SUMTER

FLAGLER: 1-800-405-1417

HERNANDO: 1-866-801-5566

LAKE— (352) 343-6351
226 West Main St., Tavares, FL 32778

MARION— (352) 629-6257
2300 SE 17th St. Suite 201
Ocala, FL 34471

*ORANGE — (407) 841-7777
122 E. Colonial Drive, Suite 200
Orlando, FL 32801

OSCEOLA — (407) 933-1791
800 North Main St., Kissimmee, FL 34744

PUTNAM: (386) 385-0928
216 S. 6th Street, Palatka, FL 32177

*SEMINOLE: (407) 322-6673

VOLUSIA — (386) 258-5600
128 Orange Ave., Suite 100,
Daytona Beach, FL 32114
Client toll-free number: 1-800-363-2357

ADMINISTRATIVE OFFICE: (386)506-5396

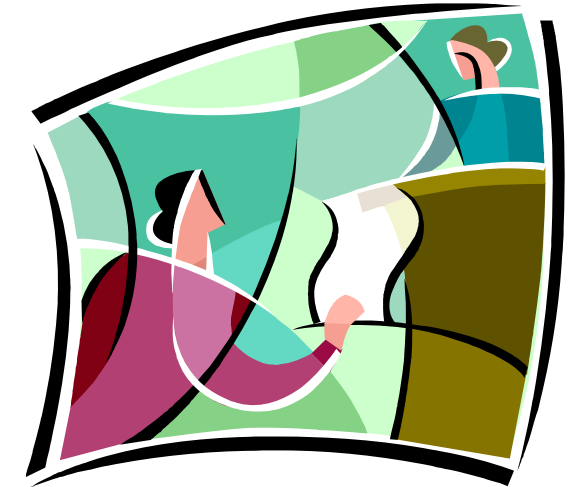
info@clsmf.org
<http://www.clsmf.org>

*Offices currently not offering Family Law services



Community Legal Services of Mid-Florida, Inc.

KNOW YOUR RIGHTS ABOUT...



FILING FEES

WHAT IS A FILING FEE?

A filing fee is the money that must be paid to the Clerk of Court to start a lawsuit, or to file a counterclaim or counter petition.

MUST I PAY A FILING FEE?

If you are starting a lawsuit or filing a counter petition, you are required to pay a filing fee. This is true for any case you begin or when you are affirmatively filing a countersuit. When you file your lawsuit, or respond to a lawsuit by filing a countersuit, you may ask the Deputy Clerk for an application for a payment plan so that you do not have to pay the fees in full when you start your lawsuit or file a countersuit.

AM I ELIGIBLE FOR A PAYMENT PLAN?

If your gross income is below 200% of the poverty guidelines, you are eligible for a payment plan. Here's an example: The federal poverty level for 2010 is \$10,890 for a family size of one person. You would be indigent with an annual income at or below 200%, which is \$21,780 or less. The poverty level changes annually so check with the clerk to determine the current poverty level. The clerk may also consider income from the following:

- Social Security Benefits
- Veteran's Benefits
- Worker's Compensation Benefits
- Pension Benefits
- Dividends, Interest, Trusts, and Gifts
- Support from absent family members

WHAT IF I OWN PROPERTY?

If you are income-eligible, you may own a home if it is "homestead" and a vehicle that is not worth more than \$5,000. Except for your home and car, you may not own anything more than \$2,500, including cash and bank accounts. If the value of what you own is more than \$2,500, but you owe money on it, then you will be eligible as long as your value is \$2,500 or less.

WHEN IS MY REQUEST DECIDED?

The Deputy Clerk should decide that you are eligible or not at the time you give him or her the application. The Clerk may only compare your information with the eligibility requirements. The Clerk may not do any investigation and may not add anything else to the list of requirements.

WHAT IF I DISAGREE WITH THE CLERK?

You may ask the judge to whom your case is assigned to decide whether the Clerk's decision is correct. You may not be charged a fee for this.

HOW WILL THE JUDGE DECIDE?

The judge may take the following into account:

- Whether paying for an attorney or any of the fees and costs will create a substantial hardship for you or your family.
- Whether you are representing yourself (pro se) or by a private attorney for a fee or for free (pro bono).
- Whether you have a private attorney.
- If fees are being paid, the amount of those fees and who is paying them.
- Any other relevant financial issues of you or your family, such as medical expenses.

If the judge decides that you are eligible, you should be put on a payment plan.

WHAT SHOULD BE INCLUDED IN THE PAYMENT PLAN?

The payment plan should include any fees necessary to file the lawsuit, including the fees that the Sheriff may charge you:

- Service of process (giving the lawsuit to the defendant)
- Certified copies of orders or final judgments
- One photocopy of any paper in the court file
- Examining fees
- Mediation fees
- Subpoena fees and service
- Service charges for collecting and paying out funds
- Any other cost or service associated with the lawsuit

MAY THE CLERK CHARGE A FEE FOR PROCESSING THE APPLICATION AND SETTING UP THE PAYMENT PLAN?

Yes. The Clerk may charge a one-time fee of \$25.00. This fee should become part of the payment plan and does not have to be paid up front.