

Kasecrafter Testimonials

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When You Can't Afford the Filing Fee: Access to the Courts

Filing fees can be a real barrier. The Supreme Court has held that in some cases, inability to pay cannot shut the courthouse door, and most courts offer a way to ask for a fee waiver.



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Court costs add up quickly: filing fees, service fees, transcript costs. For many people representing themselves, the first obstacle is not the law. It is the price of getting through the door.

What the Supreme Court has said

In *Boddie v. Connecticut*, 401 U.S. 371 (1971), a group of people receiving public assistance wanted to file for divorce but could not pay the court fees. Because the state controlled the only way to dissolve a marriage, the Court held that due process did not allow Connecticut to deny them access to its divorce courts solely because they could not pay.

In *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), the Court held that a state could not require a mother to pay record-preparation fees before she could appeal a decision terminating her parental rights.

These rulings are important, but they are narrow. The Court has not held that every civil case must be free for people who cannot pay.

Fee waivers in practice

Most courts have a procedure for asking to proceed without paying fees, often called proceeding *in forma pauperis* or applying for a fee waiver.

- In federal court, 28 U.S.C. § 1915 allows a court to let a person proceed without prepaying fees after filing an affidavit about income and assets.
- State courts have their own forms and standards. Many base eligibility on income, public benefits, or financial hardship.

Tips

- **Ask the clerk or self-help center** for the fee waiver form before you file.

- **Fill it out completely and honestly.** Courts may ask for proof of income or benefits.
- **Keep a copy** of the order granting or denying the waiver.
- **Ask about other costs** too, such as service by a sheriff or transcripts, which may be covered.

Food for Thought

- The Court said the state could not lock people out of divorce court for inability to pay. Why should that principle stop at divorce and parental rights?
- Do filing fees discourage frivolous lawsuits, or do they mainly keep people with real claims out of court?
- Should a fee waiver also cover the hidden costs of a case, such as transcripts, service, and time off work?

How Kasecraft can help

Kasecraft keeps the most important preparation tools free: court-formatted templates, the deadline calculator, and hearing prep. Members also get free **Moot Court** practice, and **Kasecrafter Dollars** can cover site purchases when money is tight.

KASECRAFT FEATURE SPOTLIGHT

Workshops

When legal fees are out of reach, you do not have to walk into court alone and unprepared. Each edition, we look at one Kasecraft tool and how it helps self-represented litigants present their case with confidence.

WHAT IT DOES

Live and recorded workshops from members on filing, discovery, motions, and getting ready for a hearing, filterable by type and state.

AN EXAMPLE

Priya's case is entering discovery, and she does not know what that means. She registers for a recorded workshop on discovery basics and learns how to write and answer requests step by step.

WHY IT PUTS YOU IN A STRONGER POSITION

- Breaking a legal process into steps makes it manageable.
- Learning the vocabulary of court helps you understand what the judge and the other side are saying.

Cost: Set by each host; many are free. kasecraftportal.com/workshops

MORE TOOLS IN YOUR CORNER

Verifiable Certificates and Transcripts: Serial-numbered proof of Moot Court practice that anyone can verify online.

Automated Trial Binder: Turn scattered evidence into one labeled, page-numbered court binder in about a minute.

Drafting Studio: Court-formatted templates, a guided document builder, and a privacy check before you file.

Kasecraft tools are self-help resources, not legal advice or representation.

SOURCES AND CITATIONS

1. Boddie v. Connecticut, 401 U.S. 371 (1971), Justia <https://supreme.justia.com/cases/federal/us/401/371/>
2. M.L.B. v. S.L.J., 519 U.S. 102 (1996), Justia <https://supreme.justia.com/cases/federal/us/519/102/>
3. 28 U.S.C. § 1915, Cornell Legal Information Institute <https://www.law.cornell.edu/uscode/text/28/1915>

This article is general information, not legal advice. Laws change and differ by place. For advice about your situation, contact a licensed attorney, legal aid, or your court's self-help center.

Sandra Jenkins is the Kasecraft Journalist byline for Kasecrafter Testimonials, and her portrait is digitally created. Articles are researched from public sources and drafted with AI assistance, then published automatically every Monday and Thursday. They are general information, not legal advice. Spot an error? Write to kasecraftportal@aol.com.

ADVERTISE WITH US · COMMUNITY NOTICE BOARD

Your Notice Could Be Here

Businesses, individuals, schools, and organizations are invited to reach self-represented litigants, families, and students on the Kasecraft Community Notice Board: a trusted place to share announcements, request or offer assistance, and promote events and resources. Every listing is posted by a registered member and held to our community policy.

- **Six categories:** Announcement, Seeking help, Offering help, Event, Resource, and Other.
- **Simple to write:** a clear headline, a category, up to 500 characters, and an optional image link.
- **Flexible terms:** 30 days for \$5, 60 days for \$9, or 90 days for \$12 (best value, save 20%). Secure checkout through Stripe; Kasecrafter Dollars and member rewards apply automatically.
- **Private replies:** members respond through on-site messages. Your email and phone number are never displayed.
- **Published fast:** your notice goes live as soon as payment is confirmed, and readers can save it to come back later.

Get started: create your free account or log in at kasecraftportal.com/notices, then click Post a Notice. *Signing up is free. Listings start at \$5 for 30 days.*

SAMPLE LISTINGS

EVENT

Free Legal Forms Clinic

Library volunteers help you find the right court forms. Saturdays, 10 to 1.

OFFERING HELP

Exhibit Lists Reviewed

Two-time pro se plaintiff offering to review exhibit lists. Message me on the site.

RESOURCE

Fee Waiver Guide

A plain-language walkthrough of court fee waiver forms and where to file them.