

Guide

How to apply for help with fees

You may not have to pay a court or tribunal fee, or you may get some money off

This guidance is designed to complement the paper application form. It can also be used to support online applications, though questions may be asked in a different order.

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Who can get help with fees?

You may not have to pay a fee, or you may get some money off if you:

- have no savings or investments, or only a small amount
- and receive certain benefits
- or are on a low income

You can also apply for help with court and tribunal fees online at www.gov.uk/help-with-court-fees

Help with fees is sometimes known as 'fee remission'.

Usually only individuals can apply for help with fees. There are some exceptions, for example:

- sole traders (people who run their own business)
- charities and not-for-profit organisations who are making a case to the UK Supreme Court
- companies applying to the Gambling jurisdiction of First-tier Tribunal (GRC) – using the separate form and guidance

In most instances, non-UK nationals can apply for help with fees if a case or claim is being dealt with by a UK court or tribunal. However, in the First-tier Tribunal (Immigration and Asylum Chamber), you will not be eligible for help with fees if you are not in the UK at the time you start your appeal.

Help with fees is not available in respect of the fee payable for requests for a copy or duplicate documents and searches.

If you are not eligible for help with fees for any reason and are likely to experience exceptional hardship, you may be eligible for a part or full fee remission under the Lord Chancellors' exceptional power. See page 20.

Your personal details (question 1)

The court or tribunal need details such as your name, date of birth and National Insurance number or Home Office reference number to identify you.

You can usually find your National Insurance number on letters from the Jobcentre Plus, your payslip, or P60. If

you can't find it, see: [gov.uk/lost-national-insurance-number](https://www.gov.uk/lost-national-insurance-number).

You may have a Home Office reference number if you are subject to immigration control. You will find the Home Office reference number on any correspondence you have received from the Home Office.

Most people need to apply for help with fees themselves. However, if the applicant is a child, lacks capacity, or is a deceased's estate; then a parent, Litigation Friend, or administrator/executor can apply on their behalf. The financial details will need to be those of the person who is the party to the legal action, but the address and signature need to be the third party's.

Your status (question 2)

If you're part of a couple, your partner's financial situation will be taken into consideration and you must give details of their savings and income.



Choose 'married or living with someone and sharing an income' if you're:

- married
- civil partners
- living together as if you are married or in a civil partnership
- living at the same address with a joint income

- a couple forced to live apart, eg where one or both is serving in the Armed forces, in prison or living in residential care

Choose ‘single’ if you rely on your own income or your case involves your partner, for example:

- divorce, dissolution or annulment (unless you have married again or live with a new partner)
- gender recognition
- domestic violence

About your application (question 3)

A Help with Fees application is required at each stage of your case where a fee is payable including where a hearing fee may be applicable.

You need to give the number of the court or tribunal form that you’re using.

You can usually find the form number at the bottom.

If you don’t have a form number, for example if you’re applying for help with a hearing fee, then write ‘hearing fee for small claim’ or ‘online divorce’ as the answer to this question.

If you don’t know the answer to this question, leave it blank.

Finding your case, claim, appeal or ‘notice to pay’ number (question 4)

The court or tribunal creates a reference number for every case. This is sometimes called a claim number, case number, appeal or ‘notice to pay’ number.

If your case is ongoing then you’ll find the reference number on letters from the court or tribunal.

If you don’t have a reference number (this might be because your case hasn’t started yet) leave this question blank.

Paying a fee for a probate case (question 5)

This is when you are applying for the right to deal with the property, money and belongings (the ‘estate’) of someone who has died in England or Wales.

You can only get help with the fee for applying for a ‘grant of representation’ and ‘submitting a caveat’.

See more about probate: gov.uk/wills-probate-inheritance

Applying for a refund if you’ve already paid the fee (question 6)

You can apply to get some, or all of your money back if you’ve paid a fee in the last 3 months. However you must have been eligible when you paid the fee.

If you're applying for a refund, answer questions 7 to 12 with information about your circumstances at the time you paid the fee. You should also include 'proof of payment' of the fee with your application, eg a receipt or bank statement.

A fee for an appeal lodged from within the UK to the First-tier Tribunal (Immigration and Asylum Chamber) will only be eligible for refund if the fee was paid on or after 20 April 2020.

Your savings and investments (questions 7 and 8)

Start by adding up your savings. **If you have a partner, remember to include their savings too.** (See information about 'Your status' on page 4 if you're not sure whether to include your partner's savings).



What to include in savings and investments:

- money in ISAs and any other savings account
- joint savings accounts that you share with your partner
- fixed rate or investment bonds
- any lump sum (eg a redundancy pay out)
- stocks and shares
- trust funds (or any other kind of fund)
- value of second homes
- any money or property outside the UK

Don't include the following in your savings total:

- wages or benefits
- joint savings accounts that you share with your partner if your case concerns divorce or gender recognition (see more about 'Your status' on page 4)
- personal pensions
- capital value of self-employed businesses
- loans
- unfair dismissal awards
- money from the criminal injury compensation scheme
- medical negligence or personal injury awards
- any compensation under a statutory scheme in respect of Mesothelioma

If you have no savings or less than £3,000 in savings, you'll be able to get help with your fee, as long as you receive certain benefits (see page 9) or are on a low income (see page 11).

If you've got more than £3,000 in savings, see the table below.

Your court or tribunal fee is:	You must have less than this amount in savings and investments:
Up to £1,000	£3,000
Between £1,001 - £1,335	£4,000
Between £1,336 - £1,665	£5,000
Between £1,666 - £2,000	£6,000
Between £2,001 – £2,330	£7,000
Between £2,331 – £4,000	£8,000

Between £4,001 – £5,000	£10,000
Between £5,001 – £6,000	£12,000
Between £6,001 – £7,000	£14,000
£7,001 or over	£16,000

Fees depend on your claim or case. To find out what you can expect to pay at a court or tribunal see:

gov.uk/court-fees-what-they-are

If you (or your partner) are 61 or over and you've got £16,000 or less in savings, you may be able to get help with your fee.

If you have more than this amount it is unlikely that you'll be able to get financial help.

Benefits (question 9)

You'll be able to get help with fees if you have no savings, or only a small amount of savings (see page 7) and you're receiving one of these benefits:

- Income-based Jobseeker's Allowance (JSA)
- Income-related Employment and Support Allowance (ESA)
- Income Support
- Universal Credit (and you're earning less than £6,000 a year)
- Pension Credit (guarantee credit)
- Scottish Legal Aid (Civil Claims)

We'll contact the Department for Work and Pensions to confirm that you are (or were) getting one of these benefits. We may also contact you if we need to see additional evidence.

If you are part of a couple and on a shared means-tested benefit please provide evidence of this when sending in your application.

If you've only recently started receiving one of these benefits (for example, in the last few days), our staff may not be able to confirm your eligibility with the Department for Work and Pensions. In this case you should provide a letter from the Jobcentre Plus.

Children living with you, or who you support financially (questions 10 and 11)

You need to give details of any children you or your partner support financially.

This includes children who are:

- under 16 and living at home
- between 16 – 19, single, living at home and in full-time education (not including studying for a degree or other higher education qualification). See: [gov.uk/child-tax-credit-when-child-reaches-16](https://www.gov.uk/child-tax-credit-when-child-reaches-16)
- a child who doesn't live with you, but you (or your partner) pay regular maintenance for them

Your total monthly income (question 12)

Write down how much money you get every month.

What to include as income:

- gross wages, that is before any tax or National Insurance payments have been taken off.
- some benefits (see the list on pages 14 and 15 for benefits you shouldn't include)
- pensions (state, work or private without guarantee credit)
- rent from anyone living with you and other properties that you own
- regular payments from relatives or friends (ie not loans or one-off gifts)
- maintenance payments, eg from an ex-spouse
- income from selling goods publicly or privately, including over the internet

Where to find information about your income

Wages	Your monthly total (before tax and National Insurance payments) should be on your payslip if you get one. If you get paid weekly multiply your weekly pay by 52, then divide it by 12. This will give you a monthly total.
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	<p>If your income varies from month to month, work out an average monthly income based on the last 3 months.</p> <p>If you're self-employed and earn a different amount each month, divide your gross yearly income from the last financial year by 12. Use this figure as your monthly total.</p>
<p>Child Benefit, Working Tax Credit and Child Tax Credit</p>	<p>You can usually find the monthly amount on the last page of the letter from HM Revenue and Customs (HMRC) confirming that you're receiving Child Benefit, Working Tax Credit or Child Tax Credit. Provide a screenshot if the evidence is online.</p>
<p>Contribution-based Jobseeker's Allowance (JSA), Contribution-based Employment and Support Allowance (ESA), and Universal Credit</p>	<p>You can usually find the monthly amount on the letter from the Department for Work and Pensions (DWP) confirming that you're receiving the benefit. Provide a screenshot if the evidence is online.</p> <p>You should only include Universal Credit as income if you're earning more than £6,000 a year.</p>
<p>Pensions</p>	<p>Your monthly pension amount should be on your pension statement.</p>

Prisoner Income and Expenditure Statement	You can find your monthly income amount on your Prisoner Income and Expenditure Statement if you're a prisoner.
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Include your partner's income

If you have a partner, remember to include any money they receive too. See information about 'Your status' on page 4 if you're not sure whether to include your partner's income.

Other monthly income

If you get regular money from somewhere else (that's not one of the benefits listed above or in question 9), you can enter it in the last row of the table about your income, where it says 'Other income'.

No Income

If you (and your partner) do not have an income, please indicate how you support yourself in the box provided.

If you live outside the UK

Convert your monthly income into pounds sterling (GBP) using the current exchange rate. Our staff will allow for small changes in the exchange rate from when you complete your application to the date it is assessed



Don't include these benefits as income:

- Armed Forces Independence Payment (AFIP)
- Attendance Allowance
- Back to Work Bonus
- Bereavement Allowance
- Budgeting Advances paid under Universal Credit
- Budgeting Loan
- Carer's Allowance
- Carer Element of Universal Credit
- Childcare Element of Working Tax Credit
- Childcare Element of Universal Credit
- Cold Weather Payment
- Constant Attendance Allowance
- Direct payments made under Community Care, Services for Carer and Children's Services
- Disability Living Allowance (DLA)
- Disabled and Severely Disabled elements of Child Tax Credit
- Disabled and Severely Disabled Child elements of Working Tax Credit
- Disabled and Severely Disabled Child elements of Universal Credit
- Exceptionally Severe Disablement Allowance
- Financial support under an agreement for the foster care of a child
- Funeral Payment
- Housing Benefit
- Housing Credit Element of Pension Credit
- Housing Element of Universal Credit

- Industrial Injuries Disablement Benefit
- Independent Living Fund payments
- Limited Capability for Work Element of Universal Credit
- Personal Independence Payment (PIP)
- Any pension paid under the Naval, Military and Air forces etc (Disablement and Death) service Pension Order 2006
- Severe Disablement Allowance
- Short Term Benefit Advances (STBAs)
- Universal Credit Advances
- Widowed Parent's Allowance

How your income affects whether you can get help with your fee

You'll be able to get help with fees if you have no savings, or only a small amount of savings (see page 7) and your monthly income is less than the amount in table 1.

Table 1	Single	Part of a couple
Maximum income	£1,085 plus £245 for each child you have	£1,245 plus £245 for each child that you have
For example:		
1 child	£1,330	£1,490
2 children	£1,575	£1,735

If your monthly income is:

- **less than the amount in table 1** (and you also have less than the amount of savings on page 7), then you won't have to pay your fee
- **more than the amount in table 1**, see table 2 below

Table 2	Single	Part of a couple
Maximum income	£5,085 plus £245 for each child you have	£5,245 plus £245 for each child you have
For example		
1 child	£5,330	£5,490
2 children	£5,575	£5,735

If your monthly income is:

- **less than the amount in table 2** (and you also have less than the amount of savings on page 7), you may be eligible for some money off your fee. See 'Paying part of the fee' below
- **more than the amount in table 2**, you won't be able to get help with your fee

Paying part of the fee

Follow these steps to work out how much money you could get off your fee.

1. Start with your monthly income and subtract the amount in table 1 that applies to your situation.
2. Round the figure down to the nearest £10. For example, £428 becomes £420.

3. Divide this amount by 2 to get the amount you'd have to pay.

Do not send this amount with your court application. Court staff will process your help with fees application and tell you what you need to pay and how to pay it.

Providing evidence of your income

You may get a letter from the court or tribunal asking for evidence of your income. If this happens, you'll need to send bank statements as well as payslips, letters from the Jobcentre Plus or tax returns. Our staff will tell you exactly what they need to see.

You don't need to send any evidence of your income unless you get a letter asking for it.

Contact details (question 13)

You should provide your contact details here. If you are a third party applying for someone else, provide your details, not those of the applicant.

Signing the form (question 14)

You must sign and date the declaration and statement of truth to confirm you believe you may be entitled to help with fees and all the information you have given is true. If you are found to have been deliberately untruthful or dishonest, criminal proceedings for fraud can be brought against you.

With limited exceptions (see page 4) only you can sign and date the declaration and statement of truth.

Multiple claims or applications

In some courts and tribunals there are cases where two or more people are named on the same claim form. This is known as a multiple claim or application.

In a multiple claim or application, everyone involved is responsible for the fees that need to be paid. Each person should make a separate application for help with fees.

If one of the group does not qualify for help with the fee then they'll have to pay it.

No-one will have to pay more than they would have done if they had applied on their own.

Where to send your application

Court, tribunal and probate fees

If you are applying for help with court, tribunal or probate fees you must send your complete form and your Help with Fees form to the court, tribunal or probate office handling your case or claim.

You can find contact details at: [gov.uk/find-court-tribunal](https://www.gov.uk/find-court-tribunal)

Online application

If you have completed an online application you will receive a Help with Fees reference number 'HWF-XXX-XXX'. You should write this Help with Fees reference number at the top of your claim or case form so the court can process your online application.

If you are applying to the court online, put your Help with Fees reference number onto their system when prompted.

If you do not apply for Help with Fees online, you will not need to provide a Help with Fees reference number.

If you are applying for a refund see page 6 for more information.

What happens next

Our staff will aim to process your application in 5 working days. You'll receive a letter if your application is unsuccessful, or if you need to provide more information. For example, you may be asked to send evidence of your income.

How to appeal

You can appeal if your application for help with your fee is unsuccessful and you don't agree with the decision.

You need to write to the court or tribunal's 'delivery manager' by the date stated in your refusal letter (this will usually be about 14 days from when you receive the

letter). Say why you are not happy with the decision and include any evidence that will support your appeal.

You will hear from the delivery manager within 10 working days.

If the delivery manager refuses your appeal, you have the right to contact the court or tribunal's 'operations manager' within 14 days from the date your appeal was refused. They will look at your application for an appeal and make a final decision.

If you are likely to experience exceptional hardship

Where you believe that you are not realistically able to afford to pay your court or tribunal fee, or are facing other exceptional circumstances, you can ask the court or tribunal's delivery manager to consider reducing or waiving your fee. This is an important safety net which may apply where, for example, you are not eligible under the standard Help with Fees scheme, Help with Fees has been granted only in part, or if your fee is payable in proceedings where the Help with Fees scheme doesn't apply and you don't qualify for a remission under other rules.

The delivery manager will generally only grant your request if you are able to demonstrate that you are not realistically able to afford the fee in practice or that there are other circumstances which justify remission of the fee. The circumstances of applicants will be considered **on a case by case basis**.

In considering whether to reduce or waive your fee, the delivery manager will require evidence about your exceptional circumstances, including why you are not able to afford your fee, or why there are other circumstances which justify remission of the fee. You must provide this evidence alongside your application. The type of evidence that you should provide includes (where relevant): notices threatening legal action due to non-payment of bills or housing costs, details of your income, savings, expenses, or any other relevant information to support your request for an exceptional remission.

All evidence must be in English or accompanied by a translation into English and where evidence of your finances is presented in a currency other than sterling it must be accompanied by a conversion. Translations and conversions should be from a recognised source (this can include online translation/conversion services).

You won't automatically have your fee reduced or waived because of your status, for example if you're unemployed, a seasonal or part-time worker, student or prisoner. You will still be asked to provide evidence to support your application.

In considering an application for an exceptional fee remission we would expect you to demonstrate that you have taken all reasonable steps to exhaust alternative sources of funding. For example, where you have a sponsor supporting you in an immigration related matter we would expect to see evidence demonstrating that those parties are unable to assist you in paying your fee.

In addition, if you have any form of legal expenses insurance we would expect to see evidence as to why that cover would not be able to fund your fee.

If the delivery manager does not grant your exceptional fee remission application then you can appeal this decision to the operational manager. The operational manager will then consider any evidence that you have submitted previously and any further information you submit with your appeal. Once the operational manager has made their final decision we will not be able to consider the matter any further.

What to do in an emergency

If you need a decision more quickly than 5 working days, the court or tribunal delivery manager can make a decision about whether you can get help with your fee.

Emergencies include cases involving:

- suspending an eviction
- debtor insolvency petition
- children or vulnerable adults
- domestic violence
- injunctions
- 'out of hours' provisions at the Royal Courts of Justice

Useful contacts

Citizens Advice

www.citizensadvice.org.uk

www.adviceguide.org.uk
or check the Yellow Pages for
your local office

Civil Legal Advice

www.gov.uk/civil-legal-advice

Scottish Legal Aid Board

www.slab.org.uk

0131 226 7061

Department for Work and Pensions

www.gov.uk/dwp

HM Courts & Tribunals Service

www.gov.uk/government/organisations/hm-courts-and-tribunals-service

HM Revenue and Customs

www.hmrc.gov.uk

Tax Credit Helpline

0345 300 3900

Jobcentre Plus

www.gov.uk/contact-jobcentre-plus

0345 604 3719

The Pension Service

www.gov.uk/contact-pension-service

0800 731 7898

If you have a disability that makes going to a court or tribunal or communicating difficult, please contact the court or tribunal and they will be able to help you.

You can find contact details for all our courts and tribunals online at: [gov.uk/find-court-tribunal](https://www.gov.uk/find-court-tribunal)