

FILED

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF KINGS

2011 JUN 16 PM 4:57

TODD H. CARTON, JUDGE
SUPERIOR COURT
OF CALIFORNIA
COUNTY OF KINGS

ORDER NO. 2011-123
[Signature] DEPUTY

IN THE MATTER OF CLERK
PROCESSING OF INMATE-INITIATED
FEE WAIVERS

**ORDER AUTHORIZING THE CLERK OF THE COURT TO VOID AND RETURN
ALL PLEADINGS NOT FILED IN CONFORMANCE
WITH GOVERNMENT CODE SECTION 68635**

California Government Code Section 68635 requires that fee waivers submitted by persons who are sentenced to the state prison or confined in a county jail, include a statement of account for any moneys due to the inmate for the six-month period immediately preceding the application. The Statement of Account must be certified by the appropriate official of the California Department of Corrections and Rehabilitation or a county jail. California Government Code Section 68635, subdivision (g) states: "The court may delegate to a clerk the authority to process requests for fee waivers from inmates under this section." In connection with inmate-initiated fee waivers under California Government Code Section 68635:

1. The Clerk of the Court and/or his designees and agents are hereby delegated the authority to process requests for fee waivers from inmates submitted under California Government Code Section 68635.


2. Where a judicial officer has denied a fee waiver as incomplete and the requesting inmate has failed to comply with the Order on Court Fee Waiver (Superior Court) (FW-003), the Clerk of the Court may without further order from the assigned judicial officer, void the papers that were filed without payment of court fees and costs and return them to the submitting party. (Cal. Gov. Code §68634, subd. (g).) The Clerk of the Court's power to void filed papers under this Order and California Government Code

1 Section 68634, subdivision (g), shall vest upon the lapse of the deadline for compliance
2 set forth within the Order on Court Fee Waiver (Superior Court) (FW-003).

3 3. Any deadline set forth within the Order on Court Fee Waiver (Superior Court)
4 (FW-003), shall be extended by California Code of Civil Procedure Section 1013.

5 IT IS SO ORDERED.

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7 Dated: 6/16/, 2011

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9 James LaPorte,
10 Presiding Judge of the
11 Kings County Superior Court
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