## Step 3:

## Determine if you can pay the filing fees or if you need to apply for a Fee-Waiver

Note: This form can be found in the Pro Se Missouri Expungement Forms Packet at https://cmrmo.org/wp-content/uploads/2023/09/Pro-Se-Expungement-Forms-Packet-2023.pdf

Filing for Expungement in Missouri can be quite expensive. The average cost per expungement is about \$225.

The total amount includes fees for the following:

- **1.** Local Court Filing Fee Varies County to County
  - → In Jackson County, the local filing fee is \$112.50
- 2. Service Fees ranging from \$2 \$100
  - More on this in the next step.

## AVERAGE TOTAL = ~ \$415

If you cannot afford to pay these fees, you can fill out and submit a Fee-Waiver, a.k.a. a "Motion and Affidavit in Support of Request to Proceed as a Poor Person."

dge or Division:	Case Number:		
	ļ		
titioner:	Petitioner's Add	lress/Telephone:	
Vs			
spondent:	Respondent's A	ddress/Telephone:	
			(Date File Stamp)
Motion and Affidavit in	• •	Request to Proceed A	
rital Status: If Married, Spous	se's name:		Number of dependents:
(Include	Spouse's Income	and Expenses if Married)	>.
Monthly Income		Monthly Expenses	
		☐ Mortgage ☐ Rent Payme	ent \$
		Utilities	\$
		Food	\$
		Payment on debts & credit cards	\$
	- W	Child Support	\$
Maintenance \$		Maintenance	\$
Other income to be considered \$		Medical expenses to be consider	ed \$
		-	-
Total Monthly Income \$	) —	Total Monthly Expenses	\$
Assets		Debts	
Cash on Hand	\$	Home loan balance	\$
Bank Accounts:		Automobile loan(s)	\$
Checking	š	Credit card balance(s)	\$
Savings	5	Other debts to be considered	
Approximate value of home	S	-	\$
And/or other real estate	S		\$
Approximate value of automobile(s)	S		\$
(1) yr/make			\$
(2) yr/make			\$
Approximate value of personal Possessions (list)			\$
	3		
	3		
	š		
Total Assets	3	Total Debts	\$
	D . 1900 7000 83	2 2 2 2 2 2 2 2	01.00
I swear/affirm under penalty of perjur	y that these facts a	ire true to my best knowledge a	nd belief.

First fill out the header of the form just like you did for the Petition. Also include your address and telephone number. In the second row, where it says Respondent, write Missouri State Highway Patrol, et. al. Where it says Respondent Adders write 1510 East Elm, Jefferson City, MO 65101.



Next describe your current marital status: Single, Married, Divorced, etc. If you are married include your spouse's name in the next box over. Also include the number of dependents you currently have.

Motion and Affidavit in Support of Request to Proceed As a Poor Person				
Marital Status:	If Married, Spouse's name:	Number of dependents:		
	(Include Spouse's Income and Expenses	if Married)		

Next describe your MONTHLY income and expenses. You don't have to be exact down to the cent, but you should be as accurate as possible.

A court might be skeptical of information that doesn't appear "real" and thus might deny the Fee-Waiver.

Monthly Income		Monthly Expenses	
Gross salary (before deductions)	\$	Mortgage Rent Payment	\$
Public assistance	\$	Utilities	\$
Retirement/Pension	\$	Food	\$
Social Security	\$	Payment on debts & credit cards	\$
Child Support	\$	Child Support	\$
Maintenance	\$	Maintenance	\$
Other income to be considered	\$	Medical expenses to be considered	\$
Total Monthly Income	s	Total Monthly Expenses	\$

In the next section, fill out your assets and debts. Be sure to include all your debts.

Assets		Debts	
Cash on Hand	\$	Home loan balance	\$
Bank Accounts:		Automobile loan(s)	\$
Checking	S	Credit card balance(s)	\$
Savings	\$	Other debts to be considered	
Approximate value of home	\$		\$
And/or other real estate		·	\$
Approximate value of automobile(s)			\$
(1) yr/make			\$
(2) yr/make			\$
Approximate value of personal		12	\$
Possessions (list)			
	\$		
	\$		
	S		

Lastly, sign and date the Fee-Waiver application. Like with your petition, you are signing under the penalty of perjury.

I swear/affirm under penalty of perjury that the	ese facts are true to my best k	nowledge and belief.	
Date		Your Signature	
OSCA (07-15) GN10	1 of 1	Rule 77.03, Section 514.040 RSMo	

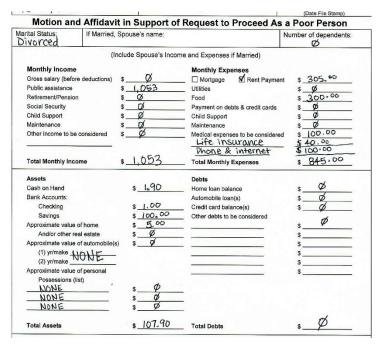
Whether a court will grant a Fee-Waiver can be hard to predict. Different Courts make different determinations. Most courts likely consult the federal poverty guidelines in making their determination. Individuals who make 100% or less than Poverty Line are likely to qualify for the Fee-Waiver, but it will ultimately depend on the individuals' overall financial situation.

Below is a sample of the federal poverty guidelines for household MONTHLY income. Note that these numbers are based on the total income of everyone in the *household* and also note that these numbers are based on what the household income is on average each *MONTH*.

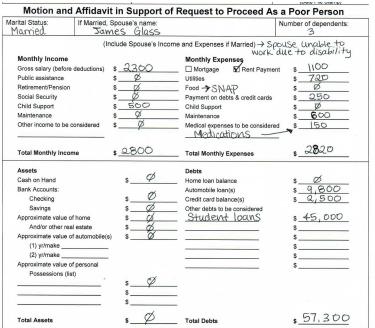
Household /	25%	50%	100%	125%	130%	133%	135%	138%	150%	175%	200%
Family Size	4004	****	01.015	01.510	A4 500	01.010	01.010	A4.0==	<b>*</b> 1.000	40.400	40.400
1	\$304	\$608	\$1,215	\$1,519	\$1,580	\$1,616	\$1,640	\$1,677	\$1,823	\$2,126	\$2,430
2	\$411	\$822	\$1,643	\$2,054	\$2,136	\$2,186	\$2,219	\$2,268	\$2,465	\$2,876	\$3,287
3	\$518	\$1,036	\$2,072	\$2,590	\$2,693	\$2,755	\$2,797	\$2,859	\$3,108	\$3,625	\$4,143
4	\$625	\$1,250	\$2,500	\$3,125	\$3,250	\$3,325	\$3,375	\$3,450	\$3,750	\$4,375	\$5,000
5	\$732	\$1,464	\$2,928	\$3,660	\$3,807	\$3,895	\$3,953	\$4,041	\$4,393	\$5,125	\$5,857
6	\$839	\$1,678	\$3,357	\$4,196	\$4,364	\$4,464	\$4,532	\$4,632	\$5,035	\$5,874	\$6,713
7	\$946	\$1,893	\$3,785	\$4,731	\$4,921	\$5,034	\$5,110	\$5,223	\$5,678	\$6,624	\$7,570
8	\$1,053	\$2,107	\$4,213	\$5,267	\$5,477	\$5,604	\$5,688	\$5,814	\$6,320	\$7,373	\$8,427
9	\$1,160	\$2,321	\$4,642	\$5,802	\$6,034	\$6,173	\$6,266	\$6,406	\$6,963	\$8,123	\$9,283
10	\$1,268	\$2,535	\$5,070	\$6,338	\$6,591	\$6,743	\$6,845	\$6,997	\$7,605	\$8,873	\$10,140
11	\$1,375	\$2,749	\$5,498	\$6,873	\$7,148	\$7,313	\$7,423	\$7,588	\$8,248	\$9,622	\$10,997
12	\$1,482	\$2,963	\$5,927	\$7,408	\$7,705	\$7,882	\$8,001	\$8,179	\$8,890	\$10,372	\$11,853

To give you a better idea of which Fee-Waiver applications are denied, and which are granted, see these two examples below. All personal information has been removed or anonymized but the numbers and decision to grant/deny are real.









Understand that in some situations these same numbers might be handled differently. Each Judge has their own unique way of making the determination. Using the numbers from the example of a granted application in no way guarantees that the judge in your case will similarly grant the waiver. The most important thing is to be honest and give the court a fair and accurate overview of your finances.