



# court fees

## do you have to pay them?

---

*Some people do not  
have to pay a court fee,  
by law*

*Other people may not  
have to pay a court fee,  
or they may pay  
a smaller fee*



# about this booklet

When you start a case in the High Court or in a county court, and sometimes during a case, the court will need to carry out some work for which you may have to pay a fee.

In this booklet, 'case' includes applications for court proceedings.

Some of the fees that you may have to pay are given in the leaflet 'County Court Fees'. Many people pay these fees but some people do not because:

You may get the leaflet 'County Court Fees', from a county court office. The leaflet is free. Or you may see the leaflet on the Court Service website – [www.courtservice.gov.uk](http://www.courtservice.gov.uk). If you would like information about other fees, please contact a customer service officer at the court.

- they do not have to pay a court fee, by law – the court calls this **exemption**
- or they do not pay the whole court fee because the court has decided that if they paid it, they would suffer financial hardship. So, some people are allowed to pay a smaller fee, and some people do not pay any fee. The court calls this **remission**.

## this booklet

will tell you more about exemption and remission, and how to apply for them. And even if you have already paid a fee you may still apply for exemption or remission and claim a refund. There is more about **refunds** on page 9.

If you would like more information, please contact a customer service officer at the court. But please remember that court staff cannot give you legal advice about your case.

# about exemption

You may be **exempt** from paying a court fee which means that you do not have to pay it, by law.

## you will be exempt from paying a fee if :

- 1 you or your partner receive Income Support.
- 2 you or your partner receive Pension Credit guarantee credit.
- 3 you receive Income-based Job Seeker's Allowance.
- 4 your gross annual income is £14,213 or less, and you receive :

Working Tax Credit and Child Tax Credit (you **must** receive both)

or Working Tax Credit which has a 'disability element' or 'severe disability element'.

The Inland Revenue will send you an award notice that shows your annual income. This is your gross annual income. If it is more than £14,213, the court may suggest that you apply for [remission](#) (see page 4). If you receive Working Tax Credit, the award notice will show if you receive a 'disability element' or 'severe disability element'.

**Partner** means someone to whom you are married, or who you live with as if you were married to them.

Your **gross income** is your income before income tax and other money is taken away.

If you want to apply for the **refund of a fee** (see page 9) because you received Working Families Tax Credit or Disabled Person's Tax Credit when you paid a court fee, please contact a customer service officer at the court.

👉 [page 3](#)

- 
- 5 you receive ‘Legal Help’ and you are involved in a ‘family case’. If you are not sure if the case is a family case, please ask a customer service officer at the court.

**‘Legal Help’** means the legal advice and assistance given under the Community Legal Service scheme.



If you receive ‘Legal Help’ but the case in which you are involved is **not** a ‘family case’, you or your partner where appropriate must be in receipt of one of the qualifying benefits listed on page 2.

## if you would like to apply for exemption

please see pages 5, 6 and 7 of this booklet and then fill in form [EX160](#) which you may obtain from this website or from a county court office.

If you are exempt, you will find that you answer ‘Yes’ to one of the questions 2f, 2g, or 2h.

## when the court has dealt with your application

it may have decided that :

- you are exempt from paying the court fee so that you do not have to pay anything
- or that you are not exempt from paying the court fee. The court may ask you to pay the whole fee, or suggest that you apply for [remission](#) (see page 4). But if your circumstances change, you may apply for exemption again.

# about remission

The court may decide that you do not have to pay a court fee, or that you may pay a smaller fee, because if you paid the whole fee you would suffer financial hardship. This is called **remission**.

So, if you decide that you are not exempt from paying a fee (see page 2) but you think you would suffer financial hardship if you did pay it, you may decide to apply for remission of the court fee.

## if you would like to apply for remission

please see pages 5, 6 and 7 of this booklet and then fill in form [EX160](#) which you may obtain from this website or from a county court office.

When you fill in the form, you will find that you answer 'No' to the questions 2f, 2g, and 2h, and then give details about your savings, income and payments on page 2 of the form.

## when the court has dealt with your application

it may have decided that :

you should pay no fee

or that you may pay a smaller fee

or that you must pay the whole fee.

If the court decided that you should pay a smaller fee or the whole fee, and your circumstances change, you may apply for remission again.

## if you think the decision was wrong

you may [appeal](#) (see page 10).

# about the form EX160

You may obtain form [EX160](#) from this website or from a county court office.

## you may need more than one form


because you must fill in a separate form for each fee for which you would like exemption or remission (page 1 explains [exemption](#) and [remission](#)).

If you need more than one form, please contact a customer service officer at the court. Or you may obtain copies of form EX160 from the Court Service website – [www.courtservice.gov.uk](http://www.courtservice.gov.uk).

Question 1d on form EX160 asks you to give the title or number of the form that you would like the court to process in the court case – for instance, a divorce petition or a claim form. If you would like the court to process more than one form, you may have to pay more than one court fee. So, you may decide to apply for exemption from paying, or remission of, more than one fee.

## when you fill in form EX160

please answer all the questions from 1a to 2f. Then follow the instructions beside your answer to question 2f because some of the other questions on the form may not apply to you – for instance, if you answer ‘Yes’ to question 2f, you need to answer question 2i and Part 9 only.

Please give all the details that form EX160 asks for, and remember that the court will need [evidence](#) (see page 6) for those details. If you do not provide the details or the evidence, your application for exemption or remission may be delayed. And until the court has made a decision about the application, the court case will not continue unless the court has to deal with something urgently (see [page 8](#)).  [page 6](#)

---

## the evidence that the court needs

depends on how you answer questions 2f, 2g, 2h and 2i.

**evidence 1** If you answer ‘Yes’ to question 2f or 2g, but ‘No’ to question 2i, the evidence must show that **1, 2, 3, 4** or **5** on pages 2 and 3 apply to you. Or that **1** or **2** on page 2 applies to your partner.

The evidence must show :


- the type of benefit or entitlement
- and the name of the person who receives it
- and the amount that is paid
- and the date when it was paid last. This date should be within the **last month**.

The evidence may be a current order book from the Department of Work and Pensions, or an award notice from the Inland Revenue. If you would like to provide other evidence, please contact the court.

**evidence 2** If you answer ‘Yes’ to question 2f or 2g, and ‘Yes’ to question 2i, the evidence must be :

- the evidence that the court needs for ‘evidence 1’
- and a letter from your solicitor which confirms that there is a Conditional Fee Agreement between you and your solicitor but that it does not cover your ‘disbursements’ (your solicitor will explain ‘disbursements’). The court may also contact your solicitor.

**A Conditional Fee Agreement may be called a ‘no win, no fee’ Agreement.**

**evidence 3** If you answer ‘Yes’ to question 2h, the evidence must be a letter from your solicitor that confirms that you receive ‘[Legal Help](#)’ (see page 3). The court may also contact your solicitor.  [page 7](#)

**If you answer ‘No’ to questions 2f, 2g and 2h,** you will go to question 3 on page 2 of the form and answer all the questions on page 2. Please remember that the court will ask to see evidence for your answers – for instance, the court may ask to see bank statements.

Court fees pay part of the cost of running the courts. But that cost must be paid with public money if court fees are not paid because of remission. And if public money may be used, the courts must be certain that it’s use is necessary. So a court will ask to see evidence before allowing remission of a fee.

## when you have filled in form EX160

take the form, or post it, to the office of the court that will deal with your case. You must enclose with form EX160 :

- the papers in the court case that you would like the court to process – for instance, a divorce petition or a claim form.
- the [evidence](#) for the details that you have given on form EX160. The evidence may be an original document or a photocopy of it.

If you photocopy a document, please make sure the copy shows all the details that the court needs to see – for instance, if you copy pages of an order book make sure the copies show all the details needed for [‘evidence 1’](#) on page 6 of this booklet.

If you **take** form EX160 to the court, the court office will copy the evidence and return it to you. The court office will not charge you for these copies.

If you **post** form EX160 to the court, please send a copy of the evidence unless the court has asked for the original document.

If you post original documents, please ask the post office for advice on how to send them. The court will not be responsible for your documents if it does not receive them.

# what will happen next

The court will usually deal with form EX160 within 5 working days, and before it processes any of the papers in the court case. But the court will deal with form EX160 at once if it needs to do something urgently – for instance: to stop an eviction, if children are involved, or if a time limit for doing something is about to be reached.

If the court has **allowed** your application and you do not have to pay a fee, it will process the papers in the court case.

If the court has **not allowed** your application, or if the fee has been **reduced** so that you must pay a smaller fee, the court will send you a letter giving:

the amount of the court fee that you must pay  
**and** the reason for the decision.

If you do not agree with the decision and you applied for remission, you may [appeal](#) (see page 10). If you applied for exemption, you may apply for remission.

With the letter, the court will send back the papers in the court case.

## if you decide to pay the court fee

you may pay by cash, cheque or postal order. If you pay by cheque or postal order, please make it payable to **HMPG**.

The court cannot accept your payment by debit card or credit card.

If you pay by cheque and it is dishonoured, the application and the court case will be stopped until payment has been made. That may mean that you have to pay additional costs. The Court Service will always try to recover dishonoured cheques.

# about refunds

You may have paid a court fee without applying for exemption or remission. Perhaps you may not have known that you could apply, or you may have thought that your circumstances did not allow you to apply. But even if you have paid a court fee, you may still apply for exemption or remission and ask for a refund of the fee or part of it.

## if you would like to apply for a refund

please see pages 2, 3 and 4 of this booklet, and then apply for exemption or remission on form [EX160](#) which you may obtain from this website or from a county court.

**But** the court must receive form EX160 **within 6 months**, starting from the day when you paid the fee

**and** the [evidence](#) (see page 6) must have the details that would have allowed the court to accept it on the day when you paid the fee.

## when the court has dealt with your form

it will send you a letter giving the decision. The court may have decided that you should have paid the whole fee, a smaller fee or no fee. If it has decided that you should have paid no fee or a smaller fee, it will refund the fee you paid or part of it.

## if you think the decision was wrong and you applied for remission

you may [appeal](#) (see page 10).

# about appeals

## if you applied for remission and you think the court's decision was wrong

you may appeal to the Court Manager.

If you decide to appeal, please send a letter to the court, and in the letter say that you want to appeal and why you do not agree with the decision.

If you would like :

- to give more details about your savings, income, expenses or circumstances

or give more [evidence](#) (see page 6)

you may send the extra details or evidence with your letter.

The court office must receive your letter of appeal **within 14 days** beginning on the day when you received the court's letter giving the decision about your application for remission.

The court will :

- send you a letter giving the result of your appeal within 10 days, beginning on the day when the court office received your letter of appeal

and use the result of the appeal to deal with your application (see '[what will happen next](#)' on page 8).

## if you do not agree with the result of the appeal to the Court Manager

you may appeal again, this time to the court's Group Manager. ➡ [page 11](#)

---

If you decide to appeal to the Group Manager, please send a letter to the Group Manager's office and in the letter :

give the case number or the claim number

and give the name of the court

and say that you want to appeal and why you do not agree with the Court Manager's decision.

The Group Manager's office must receive your letter **within 14 days** beginning on the day when you received the court's letter giving the result of your appeal to the Court Manager. The court's letter will give the name and address of the Group Manager's office.

The Group Manager will decide what to do about your appeal and will see :

your form EX160 and any extra details that you gave when you appealed to the Court Manager

and your [evidence](#) (see page 6)

and any other papers that you have given to the court.

The Group Manager's office will send you a letter giving the result of your appeal within 10 days, beginning on the day when the office received your letter of appeal.

The court will use the Group Manager's decision to deal with your application (see '[what will happen next](#)' on page 8).

A Group Manager is responsible for several courts in the same area of England and Wales.  
A Court Manager is responsible for each court.