

**UTCR 8.100 FORM TO REQUEST WAIVER OF FEE (ORS 106.120) WHEN MARRIAGE HANDLED BY A COURT**

**A. WHEN TO USE THIS FORM.** There is an additional statutory fee under ORS 106.120 for people who want to get married by a judge of a circuit court, an appeals court, or the tax court if the marriage:

- would take place during normal working hours, excluding holidays,
- would take place in a court facility or county clerk's office; or,
- would involve more than a minimal amount of court or clerk staff time or other resources.

If you want to get married but think you shouldn't pay the fee, this form is how you ask a circuit court judge to waive that fee. A judge can waive the fee if you ask and the judge believes there is good reason why you shouldn't have to pay the fee.

**B. HOW TO USE THIS FORM:** The following are the three (3) steps necessary to use this form:

1. STEP 1. You must fill in information asked for in part "C" of this form and read, fill in, and sign part "D" of this form as required.
2. STEP 2. You must take the completed form to an Oregon Circuit Court judge and ask the judge to approve your request. That judge you go to MUST be a judge of the circuit court serving the county where the wedding will be performed. You cannot ask more than one judge every 30 days.
3. STEP 3. **IF** the circuit judge grants your request to waive the fee, the judge will sign the form below and so indicate on the form. Then the judge will give you a copy of the form. Within 30 days after the judge has signed the form showing the judge granted your request, you can get married without paying the fee by giving the judge who marries you the copy of the form you were given by the judge who granted your request. If you are asked to pay the fee by a county clerk when you get a marriage license, you can show them a copy of the form and will not have to pay the fee under ORS 106.120.

**C. INFORMATION TO COMPLETE (STEP 1):**

<p>1. Information about 1<sup>st</sup> person wanting to marry (print or type):</p> <p>a. Name and Residence:</p> <p>_____                  First                      Middle                      Last</p> <p>_____                  Street</p> <p>_____                  City                                      State                      Zip Code</p> <p>b. _____                  Gender                      Age</p> <p>_____                  Birth Date:    Month              Day              Year</p>	<p>2. Information about 2<sup>nd</sup> person wanting to marry (print or type):</p> <p>a. Name and Residence:</p> <p>_____                  First                      Middle                      Last</p> <p>_____                  Street</p> <p>_____                  City                                      State                      Zip Code</p> <p>b. _____                  Gender                      Age</p> <p>_____                  Birth Date:    Month              Day              Year</p>	<p>3. Information about court where marriage will be/has been arranged:</p> <p>_____                  Court Name</p> <p>_____                  County where court is</p> <p>_____                  City where court is</p> <p>_____                  State, Zip Code for Court</p> <p>_____                  Judge who will perform ceremony (if known)</p>
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**D. (STEP 2)** We are the people shown in boxes C1 and C2 and say the following to the court:

1. We would like to get married, but believe that we should not have to pay the fee under ORS 106.120 for the following reason (state reason): \_\_\_\_\_
2. Within the past thirty (30) days, neither of us have requested another judge to waive this fee.
3. I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Date \_\_\_\_\_ Signature (person in box 1 above) \_\_\_\_\_

Date \_\_\_\_\_ Signature (person in box 2 above) \_\_\_\_\_

FOR COURT STAMP ON ORDER

**COURT ORDER**

As a Judge of the Circuit Court, \_\_\_\_\_ County, State of Oregon, I order that this request to waive the fee under ORS 106.120 be:  granted **OR**  denied.

Date: \_\_\_\_\_ Judge's Signature: \_\_\_\_\_

Print or type judge's name: \_\_\_\_\_

**NOTE:** This waiver is only valid for 30 days after the judge signs.