FORM – Fee Waiver Application for a Written Court Transcript or Audio Recording

Use this form to request a fee waiver for a written court transcript or audio recording of an ACT court proceeding.

Information on how to request a fee waiver or a fee exemption for any other court fee can be found on the ACT Courts and Tribunal Website.

Transcript and recording supplier

Court recording and transcription services are provided by a third-party supplier, Epiq.

What is a fee waiver?

Approval from ACT Courts and Tribunal to have a fee waived based on financial hardship.

Fees for written transcripts or audio recordings may be eligible for a fee waiver.

What is a fee exemption?

A situation where a court fee is not payable where a person can demonstrate that they hold an eligible concession card, or are legally assisted under a scheme or service approved by the Attorney-General.

Fees for written transcripts or audio recordings are **not** eligible for a fee exemption.

Who can make a request for a written court transcript or audio recording?

Parties to an ACT court proceeding, or a legal representative of a party, can apply.

Other persons or organisations **not** directly involved in an ACT court proceeding, including witnesses or victims, may also apply. However, under the *Court Procedures Rules 2006*, access may only be granted where:

- the relevant court has granted leave for access; or
- the person or organisation making the request has satisfied the registrar of the relevant court that they have a sufficient interest in the proceedings that entitles them to access.

How to make a request – party

A person seeking an audio recording or written transcript must complete the Epiq order form located on the ACT Courts and Tribunal website.

A person requesting a fee waiver for a written transcript or audio recording must also complete and submit this form, along with the Epiq order form, to transcripts@courts.act.gov.au.

How to make a request – non-party

A person who is **not** a party to an ACT court proceeding, or a legal representative of a party, must first obtain leave from the court, or approval from the relevant court registrar, for access before submitting an order or application form. Court Registrar contact details are located on the ACT Courts and Tribunal website.

Once a non-party has secured leave or approval for access to a transcript or audio recording, the non-party must also complete this form, and the Epiq order form, located on the ACT Courts and Tribunal website, and send to transcripts@courts.act.gov.au.

Some proceedings subject to additional review prior to release

Transcripts and audio recordings for family or personal violence or protection matters, including matters where a pseudonym, suppression or non-publication order is in place, will be reviewed by the relevant court prior to release. This may result in a delay to access or in some cases, refusal to some or all of the transcript or audio recording.

Important: Complete all sections below. You must keep us informed of any changes to your circumstances after submitting this form and before a decision is made.

Knowingly giving false or misleading information, or producing a false or misleading statement, is a serious offence under sections 338 and 339 of the *Criminal Code 2002* (ACT), and may result in a fine, imprisonment, or both if found guilty.

We collect your personal and financial information to assess and administer your application for financial hardship assistance. We handle your information in accordance with the *Information Privacy Act 2014* (ACT) and may use or disclose it only for this purpose or where permitted or required by law**.**

1. Your contact details

Full name	
Telephone number	
Email address	

2. Your application status

Select your status as it relates to this application (select one), and **attach evidence** when submitting this form:

- ☐ I am a party to the proceedings
- ☐ I am a legal representative of a party to the proceedings
- ☐ I have obtained leave from the court for access to the written transcript and/or audio recording
- ☐ I have obtained approval from the registrar of the court for access to the written transcript and/or audio recording

3. Details of proceedings

Matter name	
Matter number	
Matter date(s)	
Jurisdiction / Court	
Is this a family or personal violence or protection matter?	☐ Yes ☐ No

4. Request

I am seeking: (select all that apply)

- ☐ an audio recording
- ☐ a written transcript

Please include below brief details of why you require an audio recording or written transcript. If you have been advised to obtain an audio recording or written transcript, provide details of who provided the advice and on what basis.

If you are specifically seeking a written transcript, not an audio recording, please explain below why a written transcript is required. For example, include details of whether you are hearing impaired, or have trouble understanding spoken English.

5. Concession Card Status

Are you the primary cardholder of any of the following concession cards? *(select all that apply)*

- ☐ Health Care Card issued by Services Australia
- ☐ Low Income Health Care Card issued by Services Australia
- ☐ Pensioner Concession Card issued by Services Australia or the Department of Veterans' Affairs

Are you legally assisted by any of the following agencies approved by the Attorney-General? *(select all that apply)*

- ☐ Legal Aid ACT
- ☐ Aboriginal Legal Service (NSW/ACT) Limited
- ☐ Canberra Community Law Limited, including Street Law
- ☐ Women's Legal Centre (ACT & Region) Incorporated
- ☐ CARE Consumer Law (ACT)

Ensure you include a copy of your concession card(s) or evidence of legal assistance when submitting this application form.

6. Financial Details

Would payment of the court fee(s) impose financial hardship on you?

- ☐ Yes
- ☐ No

In the table below, please provide a list of your, and your domestic partner's, regular weekly income and expenses. Use whole dollars (e.g. $200). Attach a separate page if you require more space.

Income Description	Weekly Amount	Expense Description	Weekly Amount
Weekly Total	**$**	**Weekly Total**	**$**

In the table below, please provide a list of your, and your domestic partner's, assets and debts/liabilities. Use whole dollars (e.g. $200). Attach a separate page if you require more space.

Asset Description	Asset Value	Debt/Liability Description	Debt Amount
e.g. bank account (savings)		*e.g. mortgage / credit card*	
Total Asset Value	**$**	**Total Debts / Liabilities**	**$**

7. Signature

I declare that the information I have provided on this form is complete, true to the best of my knowledge and belief, and where any estimate is given about my financial details, it is given in good faith.

Signature	
Date	

8. Checklist

Before submitting this form, ensure you have completed each applicable item in the checklist below:

- ☐ I have completed all sections of this application form
- ☐ I have attached a copy of my completed Epiq order form
- ☐ I have attached a copy of my eligible concession card, or shown court registry staff my digital card (if applicable, see part 5 of this Form)
- ☐ I have attached evidence of legal assistance from an agency approved by the Attorney General (if applicable, see part 5 of this Form)

If you are **not** a party to the proceedings:

- ☐ I have attached evidence of leave from the court, or approval from a court registrar, for access to the written transcript or audio recording

Submitting your application

Once complete, submit this form and any attachments to transcripts@courts.act.gov.au, or in person at the ACT Law Courts registry, located on the ground floor of the ACT Law Courts building, Knowles Place, Canberra**.**

What happens next?

Your application will be considered by ACT Courts and Tribunal. If approved, your order for an audio recording or written transcript will be submitted to Epiq on your behalf. In most cases, Epiq will then send the audio recording or written transcript to you directly. You will be informed if your request for a fee waiver is not approved, or if further information if required from you.

COURT USE ONLY

- ☐ Digital version of eligible concession card sighted

Name of staff member	
Date sighted	

- ☐ Application approved
- ☐ Application not approved

Details / Reason	
Delegate Name	
Date of Decision	