

CAPITOL OFFICE
STATE CAPITOL, ROOM 3076
SACRAMENTO, CA 95814
(916) 651-4013

DISTRICT OFFICE
1528 S. EL CAMINO REAL
SAN MATEO, CA 94402
(650) 212-3313

SENATOR.BECKER@SENATE.CA.GOV
WWW.SENATE.CA.GOV/BECKER

California State Senate

SENATOR
JOSH BECKER

THIRTEENTH SENATE DISTRICT



COMMITTEES

BUSINESS PROFESSION AND
ECONOMIC DEVELOPMENT
ENERGY, UTILITIES & COMMUNICATION
GOVERNMENTAL ORGANIZATION
TRANSPORTATION
SELECT COMMITTEES
CALIFORNIA-MEXICO COOPERATION
CYBERSECURITY AND IDENTITY
THEFT PREVENTION
NON-PROFIT SECTOR
JOINT COMMITTEES
CLIMATE CHANGE POLICIES
VICE CHAIR
LEGISLATIVE AUDIT COMMITTEE

FOR IMMEDIATE RELEASE: December 19, 2022

CONTACT: Evan Goldberg at evan.goldberg@sen.ca.gov or (916) 616-9811

California's Poor Now Have An Easier Time Getting Through The Doors Of California's Civil Court System Thanks To Becker's Budget Push

SACRAMENTO – For far too many Californians who have no choice but to go to civil court to resolve a dispute, the court system's high filing fees make getting through the front doors next to impossible. That should begin to change for tens of thousands of financially-pressed Californians thanks to Senator Josh Becker (D-Menlo Park).

"Going to civil court isn't easy, it's not fun, and it certainly isn't cheap, but for many people, it's the only way they can, for example, resolve a dispute with a landlord or file for divorce or pursue child support payments they're entitled to," said Becker. "Rising fees effectively close the door on people who arguably need the most access to the court system. That's why I spent the past year and a half working to raise the income threshold to allow more people to qualify for a civil court filing fee waiver and why I'm thrilled this is now law."

Becker introduced SB 355 in March 2021 to expand the eligibility criteria for low-income Californians seeking a waiver of filing fees and other costs associated with litigation. The provisions of SB 355, which were inspired by Community Legal Services in East Palo Alto (CLSEPA), California Low-Income Consumer Coalition (CLICC), and more than a dozen legal aid groups, were absorbed into AB 199, a state budget-related bill, and took effect when that bill was signed into law on June 30, 2022.

"San Mateo is one of the state's most expensive counties to live in and plenty of people, the 'working poor,' need every penny they make to afford to live and they cannot spend it on filing fees if they have to go to court," said Katrina Logan, the Executive Director of Community Legal Services in East Palo Alto. "Increasing the income threshold finally recognizes the reality that many working Californians face, which is when they have to pay for food, gas, rent, and other basic needs, and they get sued on top of all of that – probably for unpaid debt or unpaid rent – they deserve a chance to defend themselves without having to pay hundreds of dollars."

Prior to AB 199, a person could only qualify for a waiver if they made less than 125% of the federal poverty level, a monthly gross income of \$2,891 for a four-person household. This didn't account for California's higher cost of living, so Becker proposed raising the cap for fee waiver

eligibility to 200% of the federal poverty level, which is a monthly gross income of \$4,625 for a four-person household. That provision was included in AB 199, along with a provision allowing people who receive assistance from the state's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and people who receive unemployment compensation to also receive the fee waiver.

Fees to respond to lawsuits, contest eviction and debt collector claims, or take care of other urgent legal needs can range from \$30 for small claims cases to more than \$1,000 for complex civil cases. "Only allowing those who can afford to pay filing fees to have access to the courts is a denial of justice," said Ted Mermin, director of CLICC. "By expanding the filing fee waiver to include so many more low- and moderate-income Californians, the Legislature and the Governor are sending a clear message: the courts belong to all of us, not just some of us."

"We have seen too many clients unable to clear their records, or defend themselves against unscrupulous debt collectors, or stand up for their rights, simply because they didn't have the money to pay the filing fee in court," said Vinuta Naik, staff attorney at CLSEPA. "This change will make a real difference."

To apply for a fee waiver, people can use form [FW-001](#).

###