

Court Fees & Waivers in Alberta

In Alberta, certain court fees may be waived if you meet specific financial eligibility criteria. This information sheet provides basic information about court waivers in Alberta. Please be advised that court fees and rules around waivers due change regularly. Contact your local courthouse or tribunal office to verify current fees.

What court fees can be waived in Alberta?

If you meet financial eligibility criteria, you can apply to waive the following court fees in Alberta:

Level of Court	Application	Cost without waiver (\$)
Provincial Court (Civil)	To sue someone for less than \$7,500	100
Provincial Court (Civil)	To sue someone for more than \$7,500 and less than \$50,000	200
Provincial Court (Civil)	To file a dispute note (to defend yourself if you are being sued)	25
Provincial Court (Civil)	To file a dispute note and a counterclaim (an application to sue the party that is suing you) for less than \$7,500	75
Provincial Court (Civil)	To file a dispute note and a counterclaim (an application to sue the party that is suing you) for more than \$7,500 and less than \$50,000	125
Provincial Court (Civil)	To file a third party claim	50

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Level of Court	Application	Cost without waiver (\$)
Provincial Court (Civil)	To file an application while you are in the course of an action or proceeding	50
Provincial Court (Landlord & Tenant)	To sue your landlord or tenant under the <i>Residential Tenancies Act</i> for less than \$7,500 (note: this does not include Residential Tenancy Dispute Resolution Service applications)	100
Provincial Court (Landlord & Tenant)	To sue your landlord or tenant under the <i>Residential Tenancies Act</i> for more than \$7,500 and less than \$50,000 (note: this does not include Residential Tenancy Dispute Resolution Service applications)	200
Provincial Court (Family Law)	To start a claim under the <i>Family Law Act</i>	50
Provincial Court (Family Law)	To make an application under the <i>Extra-Provincial Enforcement of Custody Orders Act</i>	50
Provincial Court (Family Law)	To search for a name	10
Court of Queen's Bench	To start an action by statement of claim or originating application (for example, a Statement of Claim for Divorce, Division of Matrimonial Property, to sue someone for more than \$50,000)	250*
<p><i>*There is an additional \$10 fee to file a Statement of Claim for Divorce in order to register with the Central Registry of Divorce Proceedings in Ottawa</i></p>		
Court of Queen's Bench	To file a Statement of Defence (to defend yourself if you are being sued, have a family law application made against you, etc.)	50

Level of Court	Application	Cost without waiver (\$)
Court of Queen's Bench	To file counterclaim (an application against the party making the application against you) <i>*in addition to the fee to file a Statement of Defence</i>	150*
Court of Queen's Bench	To file a third party claim	150
Court of Queen's Bench	To file an application while you are in the course of an action or proceeding	50
Court of Queen's Bench	The fee to set a trial date	600
Court of Queen's Bench	For each day spent in whole or in part at trial, unless the attendance on that day is for judgment only, and except for a trial in respect of an action or proceeding under the <i>Divorce Act</i> , the <i>Family Law Act</i> or the <i>Matrimonial Property Act</i>	0 for the first four days 250 for each day after the 4th day
Court of Queen's Bench (<i>Family Law Act</i>)	To start a claim under the <i>Family Law Act</i>	50
Court of Queen's Bench (<i>Extra-Provincial Custody</i>)	To make an application under the <i>Extra-Provincial Enforcement of Custody Orders Act</i>	50
Court of Queen's Bench	For each appointment for review by a review officer	100
Court of Queen's Bench (Wills & Estates)	For documents that require the opening a court file regarding an estate (except for issuing grants of probate, letters of administration, or resealing grants)	250
Court of Queen's Bench (Wills & Estates)	An application for trusteeship	250
Court of Queen's Bench (Wills & Estates)	For each caveat filed	250

Level of Court	Application	Cost without waiver (\$)
Court of Queen's Bench (Wills & Estates)	To file an application while you are in the course of an action or proceeding respecting an estate or trusteeship	50
Court of Appeal	To file an application for permission to appeal (if required)	600
Court of Appeal	To file a notice of appeal (if permission to appeal is not required)	600
Court of Appeal	To file an application while you are in the course of an appeal	50

Am I eligible to get my court fees waived?

To get your court fees waived, you must meet the following criteria:

1. You must be an individual and cannot be representing a business or estate.
2. There are no other parties joined with you in your application who could pay the court fees.
3. You must complete an **Application for Fee Waiver and Statement of Finances form** (<https://albertacourts.ca/docs/default-source/resolution-and-court-administration/fee-waiver-application.pdf?sfvrsn=4>) and provide the court clerk with copies of any required documents.
4. Your gross family income cannot exceed the gross family income threshold set out by the Government of Alberta:

Number of people in family living in household (including applicant)	Gross Family Income*	
	\$ Monthly	\$ Annually
1	2230	26,760
2	2776	33,315
3	3413	40,957
4	4144	49,727

Number of people in family living in household (including applicant)	Gross Family Income*	
	\$ Monthly	\$ Annually
5	4700	56,400
6	5301	63,609
7+	5902	70,819

*The term “Gross Family Income” means all income received before income taxes or deductions.

According to the Government of Alberta, the term “Family” includes all persons living in the same dwelling and related by blood, marriage, common-law or adult interdependent relationship, or adoption. In the case of common-law and adult interdependent relationships, common law spouses, adult interdependent partners and their dependents are considered family. In the case of a minor, unless the young person lives independently, it is the income of the minor’s parents or guardians which determines eligibility.

How do I apply to get my court fees waived?

Fill out the **Application for Fee Waiver and Statement of Finances** form (<https://albertacourts.ca/docs/default-source/resolution-and-court-administration/fee-waiver-application.pdf?sfvrsn=4>). Make copies of any required documents as noted on the form.

Your form needs to be signed in front of a commissioner for oaths or a notary public. The commissioner or notary must also sign the form.



You can get your form signed by going to your local courthouse or contacting your local Resolution and Court Administration Services office (www.rcas.alberta.ca). Make sure to bring photo identification with you when you go to swear your form. You can also find commissioners for oaths and notaries public in the yellow pages of the telephone book or online at YellowPages.ca. All practicing lawyers are notaries public, so you could visit a law office near you. Police Officers, MLAs and Municipal Councillors are also Commissioners for Oaths.

Provide the court clerk with your signed application and required document. The court clerk will decide whether your court fees can be waived. If your fees are waived, the waiver will remain in effect for 6 months from date of granting and you will be able to get certain designated court fees (see chart above) waived if you need to make further court applications.



Your waiver does not apply to any fees you paid prior to getting a waiver. It is important to apply for a waiver before you make an application and pay your fees.

For more information, visit <https://albertacourts.ca/resolution-and-court-administration-serv/changes-to-court-fees>.

I need to make an application to the Residential Tenancy Dispute Resolution Service. How do I apply for a waiver?

To make an application to the Residential Tenancy Dispute Resolution Service (RTDRS), you have to pay an application fee of \$75. If you cannot afford the application fee, you can apply to reduce or waive the fee. You must provide three months' proof of income, either as pay stubs or as a printout of your bank account. You must contact one of the following organizations to apply:

- **Edmonton Community Legal Centre** - 780-702-1725
- **Student Legal Services (Edmonton)** - 780-492-8244
- **Calgary Legal Guidance** - 403-234-9266
- **Lethbridge Legal Guidance** - 403-380-6338
- **Central Alberta Community Legal Clinic (Red Deer)** - 403-314-9129
- **Grande Prairie Legal Guidance** - 780-882-0036
- Applicants outside of these areas can contact the **RTDRS** directly at 310-0000, then 780-644-3000.

If your request is approved by one of the services listed above, you will be given a letter that you must submit with your application form.