



## **I.R.E.F.S. 10. Payment and Fee Waiver**

### **Idaho Rules for Electronic Filing and Service**

#### **Rule 10: Payment and Fee Waiver**

**(a) Payment due on filing.** A filer must pay the fees for filing a document electronically at the time of electronic filing. Acceptance of the document triggers payment to be captured. In the event the payment funds are not available, at the time of filing or the acceptance, the filing will be rejected.

**(b) Fee waivers and deferrals.** A filer may apply for a waiver of the filing fee by submitting an application for waiver with the document to be filed.

(1) If Fee Waiver Granted - Date of Filing. If the filer's fee waiver application is granted, the document is deemed to have been filed on the date of the original submission.

(2) If Fee Waiver Denied. If the filer's fee waiver application is denied, the document will be rejected and deemed to have not been filed. Notice of fee waiver application denial will be forwarded to the filer per Rule 13. The applicable statute of limitations will therefore continue to run unless the filer resubmits the document with payment as described below.

(A) Resubmitting a document with full payment within 3 business days (excluding legal holidays) of the date of notice of denial of fee waiver application denial, will result in the filing date related back to the date of the original submission to meet filing requirements.

(B) A filer who resubmits a document under this subsection must copy the existing envelope and include in the "Comments to Court" field notification for an electronic resubmission the following words: "Resubmission of filing with payment after denial of fee waiver, request filing relate back to \_\_\_\_\_, the date of original submission."

**(c) Notice of appeal to Supreme Court and request for filing fee waiver.** All notices of appeal to the Supreme Court must be file stamped with the date of original submission. The appellant may apply for a waiver of the filing fee by submitting an application for a fee waiver. The application must be first submitted to the district court for entry of an order recommending waiver or no waiver. The notice of appeal, application for fee waiver and district court order recommending waiver or denial of waiver must be forwarded to the Supreme Court.

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