

**REQUEST TO WAIVE OR REDUCE INTEREST OWING  
ON LEGAL FINANCIAL OBLIGATIONS (LFOs)**

The Legislature has passed a law found in RCW 10.82.090(2). The law sets forth the circumstances under which an offender can file a motion with Spokane County Superior Court to have interest owing on the “restitution” and/or “non-restitution” portions of an offender’s outstanding legal financial obligations reduced and / or waived under certain circumstances.

RCW 10.82.090(2) provides as follows:

**RCW 10.82.090 Interest on judgments — Disposition of non-restitution interest.**

....(2) The court may, on motion by the offender, following the offender's release from total confinement, reduce or waive the interest on legal financial obligations levied as a result of a criminal conviction as follows:

(a) The court shall waive all interest on the portions of the legal financial obligations that are not restitution that accrued prior to June 7, 2018;

(b) The court may reduce interest on the restitution portion of the legal financial obligations only if the principal has been paid in full and as an incentive for the offender to meet his or her other legal financial obligations. The court may grant the motion, establish a payment schedule, and retain jurisdiction over the offender for purposes of reviewing and revising the reduction or waiver of interest.

**WAIVER OR REDUCTION OF NON-RESTITUTION PORTIONS OF LEGAL FINANCIAL OBLIGATIONS:**

- Interest owing on the remaining balance of non-restitution portions of your legal financial obligations will be waived upon request from the offender after release from total confinement.
- Please contact the Spokane County Superior Court Clerk’s Office, LFO Clerk, for further instruction. (509) 477-3688

**WAIVER OR REDUCTION OF RESTITUTION PORTIONS OF LEGAL FINANCIAL OBLIGATIONS:**

- Interest owed on the restitution portion of your legal financial obligations cannot be waived completely. The interest owed on the restitution portion of your LFOs may only be reduced if the principal has been paid in full.

## **MOTION PROCESS TO REDUCE OR WAIVE INTEREST ON RESTITUTION PORTIONS OF LEGAL FINANCIAL OBLIGATIONS:**

You are required to file a Note for Hearing form and written Motion along with any supporting documents you would like the court to consider requesting a waiver or reduction of the interest on your outstanding LFOs. You must also file a financial declaration and proof that you paid the principal restitution amounts in full.

- You must set the Motion on Note for Hearing form for a Wednesday at 2:30 p.m., allowing enough notice to the other side consistent with court rules (at least a week prior to the hearing).
- You must make three (3) additional copies of the Note for Hearing form and written Motion and provide the copies in the following order:
  - Serve a copy of everything on the Spokane County Prosecuting Attorney's Office located 721 North Jefferson (3<sup>rd</sup> Floor). Please have them stamp your original and other copies – this is your proof of service.
  - Provide a copy of everything to the Court Admin Office – 3<sup>rd</sup> floor annex
  - File original documents with the Clerk in Room 300 of the Spokane County Courthouse.
  - Retain a copy for yourself.
- You must call the Chief Criminal Department (477-4707) before noon the Monday prior to the hearing to indicate if you are still ready to proceed with the hearing. Failure to call will result in your motion being struck from the court's calendar and not heard.
- You must appear in Court at the scheduled time and place. Failure to appear will result in your motion being struck from the court's calendar and not heard.
- You must bring with you to court any evidence supporting your income or financial resources. This should include the last 2 years' tax returns, paystubs for the last 6 months, or any award letters for social security, food stamps, TANF, or other benefits.