

******INSTRUCTIONS FOR SELF-REPRESENTED PETITIONERS******

Petition to Proceed *In Forma Pauperis*

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY. IF YOU DO NOT PROVIDE THE REQUIRED INFORMATION, YOUR PETITION MAY NOT BE APPROVED OR YOUR HEARING MAY BE DELAYED.

1. Fill out the Petition for Leave to Proceed *In Forma Pauperis* ("IFP Petition") form. Be sure to include all requested information and check which case type applies to your court action.
2. Bring your completed IFP Petition to the Court Administration office on the second floor of the Erie County Courthouse, room 204/205.
3. A representative from Court Administration will review your completed IFP Petition to determine eligibility using the most current U.S. (HHS) Poverty Guidelines.
4. If your IFP Petition is approved, your Petition will be granted without the necessity of a hearing before a Judge.
5. If your IFP Petition is not approved, Court Administration will issue an IFP Ineligibility Notice and you are entitled to a hearing before a judge.
6. To have a hearing before a Judge, you must take your IFP Petition and IFP Ineligibility Notice to the appropriate Motion Court for your type of case:
 - Family / Orphans' Division Motion Court is held Monday through Thursday at 9:00 A.M.
 - Trial Division Motion Court (Civil / Criminal) is held Monday through Thursday each week at 9:00 A.M.
 - **MOTION COURT BEGINS PROMPTLY AT 9:00 A.M. IF YOU ARRIVE LATE, YOUR IFP PETITION MAY NOT BE HEARD THAT DAY.**

_____ : IN THE COURT OF COMMON PLEAS
 : OF ERIE COUNTY, PENNSYLVANIA
 Plaintiff :
 vs. : NO. _____
 :
 :
 _____ :
 Defendant :

CASE TYPE

- | | | | |
|--------------------------------|--------------------------|----------------------------------|--------------------------|
| <u>CIVIL TRIAL DIVISION</u> | <input type="checkbox"/> | <u>FAMILY DIVISION - DIVORCE</u> | <input type="checkbox"/> |
| <u>CRIMINAL DIVISION</u> | <input type="checkbox"/> | <u>FAMILY DIVISION - CUSTODY</u> | <input type="checkbox"/> |
| <u>ORPHANS' COURT DIVISION</u> | <input type="checkbox"/> | <u>FAMILY DIVISION - SUPPORT</u> | <input type="checkbox"/> |

**PETITION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS**

- I am the Plaintiff / Defendant in the above matter and because of my financial condition I am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
- Have you ever applied for *In Forma Pauperis* (IFP) in the past? (yes / no) _____
 If yes, was it granted? (yes / no) _____
 If not, state why: _____
- If you petitioned for IFP in the past, have your financial circumstances changed since the last request? (yes / no) _____
 If yes, briefly explain that change: _____

4. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

5. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

A. Petitioner: _____ Name: _____ Address (<i>street address / apt. #, city, state, and zip code</i>): _____ _____
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B. If you are presently employed, state: _____ Place of Employment: _____ Employer's Address (<i>street address, city, state, and zip code</i>): _____ _____ Wages / Salary per month (<i>dollar amount</i>): _____ Type of work: _____
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C. If you are presently unemployed, state the date of last employment: _____ Last Employer: _____ Last Employer's Address: _____ _____ Wages / Salary per month (<i>dollar amount</i>): \$ _____ Type of work: _____

D. Other income within the past 12 months:

Business or profession:

(dollar amount and description of business or profession): \$

Other self-employment:

(dollar amount and description of other employment): \$

Interest: *(dollar amount):* \$

Dividends: *(dollar amount):* \$

Pension and annuities *(dollar amount):* \$

Social Security benefits *(dollar amount):* \$

Support payments *(dollar amount):* \$

Disability payments *(dollar amount):* \$

Unemployment compensation and supplemental benefits *(dollar amount):* \$

Worker's compensation *(dollar amount):* \$

Public assistance *(dollar amount):* \$

Other *(dollar amount and description of other income):* \$

E. Other contributions to household support:

Name of spouse / significant other:

Spouse / significant other's employer:

Wages / Salary per month *(dollar amount):* \$

Type of work:

(CONTINUED) E. Other contributions to household support:

Contributions from children per month (dollar amount): \$

Contribution from parents / other relatives per month (dollar amount): \$

Other contributions per month
(dollar amount and description of other contributions): \$

F. Property owned:

Cash (dollar amount): \$

Checking account (dollar amount): \$

Savings account (dollar amount): \$

Certificates of Deposit / Other Investments (dollar amount): \$

Real estate including home (value / dollar amount): \$

Motor vehicle: Make: Year:

Cost: \$ Amount now owed: \$

Stocks / bonds (dollar amount): \$

Other property (value / dollar amount): \$

G. Persons dependent upon you for support:

Name of spouse:

Children: Initials: Age:

Initials: Age:

Initials: Age:

Other: Initials: Relationship:

6. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

7. I verify that the statements made in this affidavit are true and correct. **I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.**

Date: _____

	_____	_____
	Print Name	Signature

	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF ERIE COUNTY, PENNSYLVANIA
vs.	:	NO. _____
	:	
Defendant	:	

ORDER

AND NOW, to-wit, this _____ day of _____, 20____, the above Petition for Leave to Proceed *In Forma Pauperis* is _____.
 (Granted / Denied)

If granted, a party permitted to proceed *in forma pauperis* shall not be required to pay any cost or fee imposed or authorized by Act of Assembly or general rule which is payable to the offices of the Clerk of Records (Clerk of Courts, Prothonotary, Register of Wills / Orphans' Court) and/or Erie County Domestic Relations Office in connection with a civil action, or post bond or other security for costs as a condition for commencing a civil action or proceeding or taking an appeal. If there is a monetary recovery by judgment or settlement in favor of the party permitted to proceed *in forma pauperis*, the exonerated fees and costs shall be taxed as costs and paid to the appropriate office of the Clerk of Records by the party paying the monetary recovery. In no event shall the exonerated fees and costs be paid to the indigent party.

BY THE COURT:

 Judge

COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
OFFICE OF COURT ADMINISTRATION

RE: IFP ELIGIBILITY

DATE: _____

CASE NAME / DOCKET #: _____

NOTICE

UPON REVIEW OF YOUR PETITION TO PROCEED IN FORMA PAUPERIS (IFP), IT APPEARS YOU ARE NOT IFP ELIGIBLE AND, THEREFORE, YOUR PETITION MUST BE DENIED. HOWEVER, YOU ARE ENTITLED TO A HEARING. IF YOU ELECT TO HAVE A HEARING, YOU MUST PRESENT THIS NOTICE **AND** YOUR PETITION AT MOTION COURT.

COURT ADMINISTRATION REVIEWER INITIALS: _____
