

# *County of Adams*

## **IN FORMA PAUPERIS (IFP)**

**How to ask to be excused from  
paying court costs**

- I. Introduction and Instructions**
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### **Disclaimer**

Court staff is not able to give you legal advice or help you fill out/complete these forms. The information in this packet is not a substitute for professional legal advice. The Court, the Adams County Bar Association and the Family Law Committee assume no responsibility and accept no liability for actions taken by users of these documents, including reliance on their contents. If you want to obtain the services of an attorney but do not know whom to contact, please call the Pennsylvania Lawyer Referral Service at 1-800-692-7375.

*Last Updated: 4/1/08*

## **IN FORMA PAUPERIS**

### **How to ask to be excused from paying court costs**

Normally, when you start a case in court, you have to pay various costs and fees, such as (a) a fee for starting the case, called a “filing fee,” and (b) a fee for having the Sheriff serve the necessary court papers on the other party in the case.

However, under Pennsylvania law, a person can be excused from paying those fees if the person is “without financial resources to pay the costs of litigation....” The technical name for this status is “in forma pauperis” or IFP.

In order to ask for IFP status, you must file a “Petition to Proceed In Forma Pauperis and Affidavit” and a “Verification” with the Court, in which you give the judge detailed information about your financial situation. A form Petition to Proceed In Forma Pauperis and Affidavit and Verification are attached to these instructions, along with a form order for the judge.

You should fill out, sign, and date the Petition to Proceed In Forma Pauperis and Affidavit and Verification and submit them -- along with the **blank** order -- to the Prothonotary’s office, which will forward the papers to the judge. Complete the caption exactly as it appears on all the pleadings in your case. Make sure that the financial information is complete. If it is not, your petition will be denied. You should keep a copy of these papers for yourself and leave an extra copy for the Prothonotary to send to you – along with a self-addressed envelope with correct postage – once the judge acts on the petition.

After the judge reviews the papers, he will enter an order, either granting or denying you permission to proceed IFP. If your petition is granted, you will not have to pay the filing fee, services fee, or other “costs of litigation.” If the judge denies your petition, you will be responsible to pay such costs.

You do have the right to appeal the judge’s decision, but that can be complicated and would probably involve having an attorney.

**Court personnel and county employees are not permitted to help you fill out these papers or give you legal advice.**

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

	]	
	]	
_____ ,	]	
Plaintiff	]	
	]	
vs.	]	No. _____ S _____
	]	
	]	
_____ ,	]	
Defendant	]	

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon presentation and consideration of the attached, verified Petition to Proceed In Forma Pauperis, it is hereby ordered that

\_\_\_\_\_ Petitioner’s request to proceed IFP is granted.

\_\_\_\_\_ Petitioner’s request to proceed IFP is denied.

BY THE COURT,  
\_\_\_\_\_



d) Other contributions to household support:

e) Property owned

cash:

bank accounts:

CD's, stocks, bonds:

real estate (including home): list cost, present value, amount still owed:

car: make & year

- cost \$:

- amount still owed \$:

other property (specify type and value)]:

f) My regular monthly living expenses are \$ \_\_\_\_\_ as follows:

mortgage/rent

food:

water/sewer

electricity:

heating:

transportation:

clothing:

medical:

other (specify):

g) Persons dependent upon me for support (name, age, relationship):

4. 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.

5. I verify that the statements made in this affidavit are true and correct and understand that the making of any false statements would subject me to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

WHEREFORE, I hereby request that the Court permit me to proceed in forma pauperis.

Date:

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(Signature)

## **VERIFICATION**

I verify that I am the plaintiff as designated in the present action and that the facts and statements contained in the above Petition to Proceed In Forma Pauperis and Affidavit are true and correct to the best of my knowledge. I understand that any false statements would subject me to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

Signature: \_\_\_\_\_ Date \_\_\_\_\_