

IN FORMA PAUPERIS PETITION

INSTRUCTIONS

Petitioner:

Pursuant to Pennsylvania Rule of Civil Procedure 240, “a party who is without financial resources to pay the costs of litigation is entitled to proceed in forma pauperis.” In order to proceed in forma pauperis, the party must file a petition and affidavit in the form prescribed by the Rule. Attached is a “fill in the blank” petition and affidavit form. You must:

1. Read paragraphs #1 and #2 carefully. If they accurately describe your current financial position, please proceed to **COMPLETE** the form. If they do not accurately describe your current financial position, you may not proceed in forma pauperis.
2. Complete paragraph #3 by providing an **ANSWER** on each line. For subsections (a), (c), (e), and (f), and (g), **YOU MUST PROVIDE AN ANSWER ON EACH LINE**, do not leave any line blank, and do not write “n/a” on any of the lines. If the answer is “no” or “none”, then write “no” or “none”. For subsections (b) and (d), however you only need to provide an answer if applicable.
3. If the line requires the entry of a dollar amount, please provide an accurate amount – **DO NOT LEAVE THE DOLLAR AMOUNT BLANK** (do not include account numbers).
4. You are required to provide the following along with this application:
 - (a) copy of your most recent Income Tax Return (if not yet filed, submit W-2’s, 1099’s or other statements of income for previous year)
 - (b) copy of your most recent pay stub
 - (c) copies of your most recent bank statement received for all bank accounts in your name individually or with anyone else
 - (d) copies of your most recent credit card statement for each card showing available balance.
5. Make particular note of the requirement in paragraph #4. If your financial position improves during the pendency of the action, which would permit you to pay the cost herein, **you must inform the court immediately.**

NOTE: - If you fail to follow the instructions, your Petition will not be processed by the Court.
Court Administration

10/23/17

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

vs. _____ : NO: _____
_____ :

PETITION AND AFFIDAVIT FOR LEAVE TO PROCEED IN FORMA PAUPERIS

1. I am the (plaintiff)(defendant) in the above matter and because of my financial position, am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the fees and costs is true and correct **and therefore request the following fees be waived:**

FILING FEE **OCF FEE** **MEDIATION FEE** _____

(a) **Name:** _____

Address: _____

(b) Employment

Are you employed in any capacity? yes no

If yes, Employer: _____

Address: _____

Contact Name and Phone Number: _____

Salary or wages per month: _____

Type of work: _____

If you are not presently employed, state:

Date of last employment: _____

Salary or wages per month: _____

Type of work: _____

Cause of termination of employment: _____

If your employment is seasonal, when do you expect to return? _____

(c) **Other income within the past twelve months** (state amount of each, if applicable)

Business or profession or other self-employment: _____

Interest and/or Dividends: _____

Pension and annuities: _____

Personal injury awards: _____

Social security benefits: _____

Support, APL or Alimony payments (for yourself): _____

Disability payments: _____

Unemployment Compensation and supplemental benefits: _____

Worker's compensation: _____

Public assistance: _____

Cash assistance: _____ Food Stamps: _____

Do you receive rental income from anyone? _____

Are you owed money by any third party? _____ If yes, how much? _____

Other income: _____

(d) **Other contributions to household support**

(Wife)(Husband) Name: _____

Husband/Wife Employer: _____

Salary or wages per month: _____

Type of work: _____

Contributions from children: _____

Contributions from parents: _____

Other contributions: _____

(e) **Property owned**

Cash: _____

Checking account (current balance): _____

Savings account (current balance): _____

Certificates of Deposit (Amount): _____

Stocks and bonds: _____

Real Estate (list all properties in which you have an interest on next page):

<u>Address</u>	<u>Value</u>	<u>Mortgage Balance</u>

Motor Vehicle: Make _____ Year _____
 Cost _____ Amount owed \$ _____

Other: _____

(f) Debts and obligations

Mortgage: _____ Rent: _____

Loans: _____

Other: (monthly payment)

Electric/Gas/Oil: _____ Cable TV: _____

Cell Phone: _____ Land-Line Phone: _____

Water/Sewer: _____

Have you any:

Home Equity Lines of Credit yes no If yes, available balance _____

Credit Cards yes no If yes, available balance _____

(g) Persons dependent upon you for support

(Wife) (Husband) Name: _____

Children, if any:

Name: _____ Age: _____

Name: _____ Age: _____

Name: _____ Age: _____

Other persons:

Name: _____

Relationship: _____

(h) Support Action

Are you a party in a support action? _____

If yes, date of last Order: _____

Your Income/Earning Capacity on said Order: _____

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 cost incurred herein.
5. 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.
6. By my signature hereon, I am authorizing any bank and/or financial institution and/or agency to release any information to the Court for purposes of verification of the information contained in this Petition.

Date

Petitioner

ORDER

AND NOW, this _____ day of _____, 20_____, upon consideration of the foregoing, it is hereby ORDERED that the Petition to Proceed in Forma Pauperis, in the above matter, is

___ GRANTED as to:

___ FILING FEE \$_____.____ FOR THIS FILING ONLY.
(If Divorce Complaint, additional fees per Count will apply.)

___ OUR CHILDREN FIRST SEMINAR FEE for this filing only. (\$60.00)

___ MEDIATION FEE for this filing only. (\$100.00)

___ Other _____

___ DENIED – Reason

If the underlying action herein is an appeal from a district justice judgment for possession of real estate, the appeal does not operate as a supersedeas unless the appellant complies with PA. R.C.P.D.J. No. 1008B.

BY THE COURT:

J.