

## **Instructions Packet 1: You are the Defendant Application and Order to Proceed in Forma Pauperis**

\* \* IMPORTANT DISCLOSURE \* \* \*

This information is provided as a courtesy only. The Self-Help Center shall not be liable for errors contained herein or for direct, indirect, special or consequential damages in connection with the furnishing of this material.

Many family law matters involve complex and valuable legal rights. These forms and instructions are basic, general forms, and *may not* fit all situations. Some rights cannot be adequately protected without the assistance of an attorney. You should consult with an attorney before you attempt to use self-help.

**Warning: Willfully making false statements to the Court under penalty of perjury may be a category D felony punishable for a term of up to 4 years of imprisonment and a fine of \$5,000.**

**Brief Explanation:** Usually, a person must pay certain fees and costs to respond to a lawsuit. An Application and Affidavit to Proceed In Forma Pauperis the form a person must use to request that this Court waive these fees and costs. If the judge grants your request, you will be allowed to file your Answer and/or Counterclaim without paying the filing fee.

It is important to understand that proceeding in forma pauperis is only for the truly indigent. This process exists so that all persons, regardless of income, have access to the court system.

- I. Step 1: Prepare your Documents – Each document is in a fill-in-the-blank format. Each blank must be filled in. Forms that are incomplete will be returned for correction.
  
- II. Step 2: Deliver Your Documents
  - a. Once all of your documents are completed (the Application to Proceed in Forma Pauperis, Order to Proceed in Forma Pauperis, the Answer, and all supporting documents) make three copies of each document.
  - b. Next, take all of your documents to the third floor of the Family Courts and Services Center. Place the documents in the box with your Dept. No.’s letter on it. For example, if you are in Dept. No. B you would place all of your documents in the box marked “B”.
  
- III. Step 3: The Court’s Review of the Documents – Once the judge receives your documents he/she will review your Application to Proceed in Forma Pauperis and either approve or deny your request.
  - a. If the judge approves the Application, he/she will sign the Order to Proceed in Forma Pauperis you submitted. Next, the judge will send your documents to the Clerk’s Office for filing. The Clerk’s Office will then mail filed copies of the documents to you via the U.S. Postal Service.
  - b. If the judge denies your request, the judge’s law clerk will write a brief note explaining why the Application was denied. If your Application is denied you must pay the filing fee in order to file your Answer and/or Counterclaim.
  - c. If there is a problem with your documents they will be mailed back to you via the U.S. Postal Service with a note from the judge’s law clerk explaining what the problem is. In most cases, you will need to submit a new Application to the judge in order to have your Application reconsidered.

1 PIFP  
2 Name: \_\_\_\_\_  
3 Address: \_\_\_\_\_  
4 \_\_\_\_\_  
5 Telephone Number: \_\_\_\_\_

6 In Proper Person

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 \_\_\_\_\_, )  
11 Plaintiff, ) CASE NO.: \_\_\_\_\_  
12 vs. ) DEPT NO.: \_\_\_\_\_  
13 \_\_\_\_\_ )  
14 Defendant. )  
15 \_\_\_\_\_ )

17 **Application and Affidavit to Proceed in Forma Pauperis**

18 Pursuant to NRS 12.015, and based on the information contained in this Application and  
19 Affidavit, I request permission from this Court to proceed without paying filing fees, or other  
20 court costs and fees as provided in NRS 12.015 because I lack sufficient financial ability.

21 I, (Your Name) \_\_\_\_\_ after being duly sworn, depose and state as  
22 follows:

23 I wish to file with the Court the concurrently submitted pleading. I cannot pay the filing fee  
24 because I lack sufficient income, assets, or other resources.

25 //

Personal Income		
A	<i>If you are Employed</i> → write the Name of Employer & Job Title <i>If you are Self-employed</i> → write the Name of your Company <i>If you are Unemployed</i> → write “Unemployed”	
B	Total Monthly Income Before Taxes: (If you are unemployed indicate how much money you receive each month from unemployment benefits)	\$
C	Amount of Money Received Each Month from Public Benefits/Assistance such as TANF, SSD, SSI, etc...:	\$
Other Income		
D	Amount of Money Received from other Sources of Income: (Such as contributions from roommates or family members)	\$
E	Monthly Child Support Received	\$
	<b>Total Income</b> (Add lines B-E)	

Household Information		
A	How Many Adults (over 18) Live with You?	
B	How Many Children (under 18) Live with You?	
	Total Number of People Living with you? (Add lines A&B)	_____ + Self

Monthly Expenses		
Write “\$0.00” in the amount spent per month column for any expense you do not have.		
	Type of Expense	Amount Spent per Month
A	Food	\$
B	Child Care	\$
C	Rent/Mortgage	\$
D	Medical Expenses (including health insurance)	\$
E	Transportation (including car insurance, gas, bus fare, etc...)	\$
F	Other _____	\$
	<b>Total Monthly Expenses</b> (Add lines A -F)	\$

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Assets			
Each blank must be completed. If you do not have an asset listed, write "none" in the Type/Make/Model column and "\$0.00" in the Value and Loan Balance columns.			
Description of Asset	Type/ Make/Model	Value	Loan Balance
Home/Property		\$	\$
Bank Account		\$	\$
Automobile		\$	\$
Other		\$	\$

**Affidavit in Support of Request to Proceed In Forma Pauperis**

Briefly explain your current financial situation and why you are unable to pay the fee to file your lawsuit. For example, if you are unemployed explain why, for how long, and what efforts you are making to obtain employment. If you are temporarily living with a friend or relative explain for how long and how they help you financially.

(Your Name) \_\_\_\_\_, being first duly sworn under oath,  
deposes and says as follows: \_\_\_\_\_  
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\_\_\_\_\_  
Affiant (your signature)

SUBSCRIBED and SWORN to before me  
This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
\_\_\_\_\_  
Notary Public

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**OIFP**

(Print your name) \_\_\_\_\_

(Print your Address) \_\_\_\_\_

(Print your Telephone No.) \_\_\_\_\_

Defendant In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\_\_\_\_\_, )  
Plaintiff(s), )  
vs. )  
\_\_\_\_\_, )  
Defendant(s). )  
\_\_\_\_\_ )

CASE NO.: \_\_\_\_\_

DEPT NO.: \_\_\_\_\_

**Defendant's Order to Proceed in Forma Pauperis**

**(Filing Fees/Service Only)**

Upon consideration of Defendant's Application to Proceed in Forma Pauperis and it appearing that there is not sufficient income, property or resources with which to maintain the action and good cause appearing therefore:

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