

Instructions Packet 1A: You are the Plaintiff

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 start a lawsuit. An Application to Proceed in Forma Pauperis is the form a person must use to request that this Court waive these fees and costs. If the judge grants your Application to Proceed in Forma Pauperis, you will be permitted to file your lawsuit without paying the filing fee. You may also have the Constable's Office serve your paperwork on the Defendant free of charge. The Constable's Office may be contacted at 455-3404.

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: File Your Documents
 - a. Once all of your documents are completed, (the Application to Proceed in Forma Pauperis, the Order to Proceed in Forma Pauperis, the Complaint/Petition, and all supporting documents) make three copies of each document.
 - b. Next, take all of your documents to the Clerk of the Court's Legal Filing Counter. The Clerk will keep the originals and give you back file-stamped copies. The Clerk will then deliver your documents to the judge.

- III. Step 3: The Court's Review of the Documents
 - 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 the documents to the Clerk's office and your lawsuit will be assigned a Case No. and Dept. No. The Clerk's Office will then mail your documents back to you via the U.S. Postal Service.
 - b. If the judge denies the Application, 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 begin your lawsuit.
 - c. If there is a problem with your documents the Clerk's Office will mail them back to you via the U.S. Postal Service with a note from the judge's law clerk explaining what the problem is.

1 PIFP
2 Name: _____
3 Address: _____
4 _____
5 Telephone Number: _____

6 In Proper Person

7
8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

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

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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	\$
	Total Income (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 _____	\$
	Total Monthly Expenses (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: _____

Affiant (your signature)

SUBSCRIBED and SWORN to before me
This ____ day of _____, _____.

Notary Public

1 **OIFP**

2 (Print your name) _____

3 (Print your Address) _____

4 _____

5 _____

6 (Print your Telephone No.) _____

7 Plaintiff In Proper Person

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9
10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**
12

13)
14 _____,)

15 Plaintiff(s),)

16 vs)

17 _____,)

18 Defendant(s).)

19 _____)

CASE NO.: _____

DEPT NO.: _____

20 **Plaintiff's Order to Proceed in Forma Pauperis**

21 (Filing Fees/Service Only)

22
23 Upon consideration of the Plaintiff's Application to Proceed in Forma Pauperis and it
24 appearing that there is not sufficient income, property or resources with which to maintain the
25 action and good cause appearing therefore:

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IT IS HEREBY ORDERED that the Plaintiff, (Your name) _____,
be permitted to proceed In Forma Pauperis with this action as permitted by NRS 12.015.

IT IS FURTHER ORDERED that the Plaintiff shall proceed without the prepayment of
costs or fees or the necessity of giving security, and the Clerk of Court may file or issue any
necessary writ, process, pleading, or paper without charge.

IT IS FURTHER ORDERED that the Sheriff or other appropriate officer within this
State shall make personal service of any necessary writ, pleading, or paper without charge.

IT IS FURTHER ORDERED that if the Plaintiff, (Your name) _____,
prevails in this action, the Court shall enter an order pursuant to NRS 12.015 requiring the
opposing party to pay the Court, within five (5) days, the costs which would have been incurred
by the prevailing party, and those costs must then be paid as provided by law.

DATED this _____ day of _____, _____.

DISTRICT COURT JUDGE

Respectfully submitted:

(Sign Here) _____

(Print your name) _____

(Print your Address) _____

(Print your Telephone No.) _____

Plaintiff In Proper Person