Application and Order to Proceed in Forma Pauperis: Filing a Joint Petition

**** * IMPORTANT DISCLOSURE * * ***

These forms and instructions are provided as a courtesy only. Clark County, the Eighth Judicial District Court, the Clark County Family Law Self-Help Center, and their employees **SHALL NOT BE LIABLE** for errors contained within or for direct, indirect, special, or consequential damages in connection with providing this material.

Many family law matters involve complex and valuable legal rights. These forms and instructions are basic general forms and **DO NOT** fit all situations. If your situation does not fit the general forms you will need to perform additional legal research or consult an attorney.

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 file a Petition. 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 are permitted to file your Petition without paying the filing fee.

BOTH parties filing a joint petition MUST submit an Application to Proceed in Forma Pauperis

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.

Step 1: Do I have all of the forms I need?

- ☐ (2) Application and Affidavit to Proceed in Forma Pauperis Forms (one for each party)
- ☐ (1) Order to Proceed in Forma Pauperis

Go to step 2

Step 2: Prepare your Forms.

Do not leave any lines blank on the forms. If something does not apply to you write "N/A".

A. **Fill out the following forms.** All Self-Help Center forms are in a fill-in-the-blank format. Use only black ink.
   - ☐ Application and Affidavit to Proceed in Forma Pauperis (one for each party)
   - ☐ Order to Proceed in Forma Pauperis

B. **Sign the Application and Affidavit** in front of a notary.

C. **Make three copies** of each document.

Go to step 3

Step 3: File the forms you filled out at the Clerk's Office legal filing counter. You must also give the clerk a copy of the Joint Petition you intend to file.

The Clerk then delivers your documents to the judge for review.

Go to step 4

Step 4: Now what do I do?

A. If the judge approves the Application, he/she signs the Order to Proceed in Forma Pauperis you submitted. Next, the judge sends the documents to the Clerk's office to be filed and your Petition is assigned a Case No. and Dept. No. Your documents are mailed back to you via U.S. Postal Service.

B. If the judge denies the Application, your documents are mailed back to you via U.S. Postal Service. 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 mails them back to you via U.S. Postal Service with a note from the judge's law clerk explaining why the documents are being returned.

©Clark County Family Law Self-Help Center
ALL RIGHTS RESERVED