

Request to Proceed Without Payment of Court Fees

Things to Know:

- If you think you do not have enough money to pay for court fees, you may apply for a court fee waiver. This is referred to as "In forma pauperis" or "IFP."
- Other court costs may be covered by the county if the court grants your fee waiver request, including:
 - Service fees,
 - Witness fees, and
 - Fees associated in cases of appealing a judgment (a final order of the court).
 - Mediation
- Your request will **not** be granted if:
 - The judge determines you have enough money to pay the costs and fees for your court case, or
 - The judge determines your legal claim is "frivolous or malicious."
 - If your request is denied because it is "frivolous or malicious," the court will tell you why.
- If you succeed in your court case and are granted a money judgment in your case, such as in a lawsuit or small claims, any costs that the county paid during your court case will be taken from the money judgment awarded.

Required Court Forms for Civil Cases, Appeals, and Emancipation

- *Affidavit and Application to Proceed without Payment of Fees (In Forma Pauperis)* (DC 6:7.1). Use the instructions (DC 6:7.1a) to complete the form.
 - Include all information asked for in the Affidavit and Application form.
 - Be honest when completing the Affidavit and Application because by providing the court with an affidavit you are declaring under oath that the information you are providing is true. The penalty for making a false statement under oath means that you could be charged with the criminal offense of perjury.
 - **You must sign the *Affidavit and Application to Proceed without Prepayment of Fees (In Forma Pauperis)* in front of Notary Public.**
- *Order to Proceed In Forma Pauperis* (DC 6:7.2). Use the instructions (DC 6:7.2a) to complete the form.

Turning in Your Request

- If you are turning in the Affidavit and Application and the Order at the same time you turn in the other forms for your court case, your court case will not be considered "filed," until:
 - you pay the court filing fees,
 - after the court grants your fee waiver request, or
 - you pay the fees after the court rejects your fee waiver request.



- If your fee waiver request is rejected, you will be notified by the court, and you must pay the court filing fees. Only after you pay your court filing fees will your forms be considered “filed.”
- If your fee waiver request is granted, the clerk of the trial court, either county or district, will include the court order with your other court forms and “file” your court case.
- You will not get a court case number (sometimes called a Case ID) until your court case is “filed.”