

# *County of Adams*

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Courts' Self-Help Center – Packets

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# APPLICATION FOR IN FORMA PAUPERIS (IFP)

This packet contains information, forms, and instructions on how to file a Petition to ask the Court to excuse the paying of court costs or to declare an economic hardship related to obtaining transcripts.

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## **DISCLAIMER**

Court staff are not able to give you legal advice or help you fill out these forms. The information in this packet is not a substitute for professional legal advice. The Court, the Adams County Bar Association and the Family Law Committee assume no responsibility and accept no liability for actions taken by users of these documents, including reliance on their contents. If you want to obtain the services of an attorney but do not know whom to contact, please call the Pennsylvania Lawyer Referral Service at 1-800-692-7375. A list of Attorneys Practicing in Adams County available for consultation on filling out self-help custody and divorce forms can be obtained by inquiring with the Prothonotary, Law Library, Adams County Children and Youth Services, Adams County Domestic Relations Office, the Office of the Court Administrator, or by consulting the Courts' Online Self Help Center at [www.adamscounty.us](http://www.adamscounty.us) under the "Courts" link.

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**In this Packet:**

- **Information and Instructions (consists of two pages page)**
- **Confidential Document Form (“CDF”) (consists of two pages)**
- **IFP Order of Court (consists of one page)**
- **IFP Petition and Affidavit, Verification, and Consent (consists of five pages)**

**INFORMATION AND INSTRUCTIONS**

Normally, when you start a case in Court, you have to pay various costs and fees. In Pennsylvania, a person may be excused from paying these fees **IF** the person is without financial resources to pay the costs of litigation. *See* Pennsylvania Rule of Civil Procedure 240. The technical name for this status is “in forma pauperis” or IFP.

In order to ask for IFP status, you must file a “Petition to Proceed In Forma Pauperis and Affidavit” and a “Verification” with the Court, in which you give the Court detailed information about your financial situation. These forms are attached to these instructions, along with a form Order of Court.

This packet may also be used by a party who is declaring an economic hardship and seeking to obtain a transcript of a Court proceeding, as permitted by Pennsylvania Rule of Judicial Administration 4008(B).

You should complete, sign, and date the Petition to Proceed In Forma Pauperis and Affidavit and Verification. Complete the caption **exactly** as it appears on all of the pleadings in your case. Indicate whether you are the plaintiff, defendant, or other in this action by checking the correct box. **Make sure that all of the requested information, including the financial information, is complete. If some of the questions don’t apply to you, then write ‘None’ or ‘N/A.’ If you do not answer all of the questions, your petition may be denied.** Complete the caption on the Order of Court but leave the rest of the Order of Court blank. The Judge will fill in the rest of the Order of Court. File the **blank** Order of Court, the **completed** Petition, and one **copy** of each. You must also submit a self-addressed stamped envelope along with your documents. You should keep an additional copy of each of these documents for your records. The filing office will then forward the documents to the Judge for consideration. Once the Judge acts on the Petition, the filing office will send a copy of the signed Order of Court to you in the stamped envelope you provided.

All requests to proceed In Forma Pauperis require the completion of a Petition to Proceed In Forma Pauperis Form and an Affidavit and Verification Form. A requestor will need to file these forms with the appropriate filing office:

- For an In Forma Pauperis request related to criminal, delinquency, dependency or summary appeal matters at the Common Pleas level, the request will be filed at the Adams County Clerk of Courts Office
- For an In Forma Pauperis request related to Orphans’ Court matters, the request will be filed at the Adams County Clerk of the Orphans’ Court Office
- For an In Forma Pauperis request related to civil matters the Common Pleas level, the request will be filed at the Adams County Office of the Prothonotary

- For an In Forma Pauperis related to domestic relations matters, the request will be filed at the Adams County Domestic Relations Section

If you have been granted a protective order pursuant to the Protection from Abuse Act or the Protection for Victims of Sexual Violence or Intimidation Act, you are not required to list your address, your current employer's name, or your current work schedule. Instead, you should list that information on a separate form, called the "confidential Information Form" and submit it to the correct filing office with your Petition. The Confidential Information Form is a separate form that can be found outside of the Law Library on the third floor of the Adams County Courthouse.

You must fill out the Confidential Document Form ("CDF") that is attached to this packet. Normally, all documents which are filed at a filing office, are public records. This means, that anyone can view these documents. The CDF protects you, and all of your financial information, by sealing this document from public view. You must fill out the caption on the CDF. Check the boxes: "financial source documents," and "wage stubs, earning statements, or other similar documents" Beside the boxes, list where in the document this information can be found. Then sign, date, and write your printed name and address on the form, in the spaces provided. If you need any further assistance in filling out this document, please consult the "Instructions for Completing the Confidential Document Form," which is page two of the CDF. Once this form is filled out, you will then file it with the Prothonotary.

After the Judge reviews your petition, the Judge will enter the Order of Court, either granting or denying you permission to proceed IFP. If your petition is granted, you will not have to pay the filing fee, service fee, or other "costs of litigation." Please note, that the IFP status is only granted for 45 days. If 45 days have elapsed since the IFP status was granted, then you will need to refile a brand new IFP petition. You will only need to file a new IFP petition if there is something currently pending before the Court or you are filing a new claim with the Court and you wish for IFP status to be granted. If the Judge denies your petition, you will be responsible for paying these costs. You have the right to appeal the Judge's decision. An appeal can be complicated and may involve hiring an attorney.