

County of Adams

Courts' Self-Help Center – Packets

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.

DISCLAIMER

Court staff is not able to give you legal advice or help you fill out/complete 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, or the Office of the Court Administrator.

Packet Last Updated: January 4, 2018

IN FORMA PAUPERIS – How to ask to be excused from paying court costs

In this Packet:

- **Information and Instructions (this page)**
- **IFP Order of Court (consists of one page)**
- **IFP Petition and Affidavit, and Verification (consists of four pages)**

INFORMATION AND INSTRUCTIONS

Normally, when you start a case in Court, you have to pay various costs and fees, such as a fee for starting the case, called a “filing fee,” and a fee for having the Sheriff serve the necessary court papers on the other party in the case, if you choose to use the Sheriff’s Office for service. However, under Pennsylvania law, 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 Judge detailed information about your financial situation. A form Petition to Proceed In Forma Pauperis and Affidavit and Verification 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 transcripts of a Court proceeding, as permitted by the Pennsylvania Rules 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 it is not, your petition will 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 a **copy** of each in the Prothonotary’s Office. You should also submit a self-addressed stamped envelope at this time. You should keep an additional copy of each of these documents for your records. The Prothonotary will then forward the documents to the Judge. Once the Judge acts on the Petition, the Prothonotary will send a copy of the signed Order of Court to you in the envelope you provided.

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 Prothonotary 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.

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.” 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.

Court personnel and county employees are not permitted to help you fill out these papers or give you legal advice.