

**IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP
IN AND FOR THE COUNTY OF STOREY, STATE OF NEVADA**

Name and of Plaintiff(s)

Versus

Name of Defendant(s):

Case No: _____

**APPLICATION TO PROCEED *IN FORMA*
*PAUPERIS***

Applicant's Name

Applicant's Address

City State Zip Code

Applicant's Phone Number

Applicant's Email

I am unable to pay the costs of prosecuting or defending this action. I am requesting, pursuant to NRS 65.040 and NRS 12.015, to proceed without paying costs or fees, based on the following:

1. I receive:

- | | |
|---|--|
| <input type="checkbox"/> Food stamp assistance | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF) |
| <input type="checkbox"/> Program for Child Care and Development Assist. | <input type="checkbox"/> Low-income energy assistance |
| <input type="checkbox"/> Assistance for public housing | <input type="checkbox"/> Assistance from another public welfare program
Administered by the Division of Health Care
Financing and Policy |

If you checked any of the boxes in Question 1, skip Questions 2 and 3, and proceed to the signature box.

2. Including myself, there are _____ adults and _____ children in my household.

3. My monthly income after taxes (include income from employment, unemployment compensation, workers' compensation, child support, and Social Security) is as follows: \$ _____.

Per NRS 53.045, I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Signature

Date

Print Name

NRS 65.040 Indigent litigants: Waiver of costs and official fees. The provisions of NRS 12.015 apply to justice courts.

NRS 12.015 Actions involving indigent persons.

1. Any person who desires to prosecute or defend a civil action may:

(a) File an affidavit with the court setting forth with particularity facts concerning the person's income, property and other resources which establish that the person is unable to prosecute or defend the action because the person is unable to pay the costs of so doing; or

(b) Submit a statement or otherwise indicate to the court that the person is a client of a program for legal aid.

2. If the court is satisfied that a person who files an affidavit pursuant to subsection 1 is unable to pay the costs of prosecuting or defending the action or if the court finds that a person is a client of a program for legal aid, the court shall order:

(a) The clerk of the court:

(1) To allow the person to commence or defend the action without costs; and

(2) To file or issue any necessary writ, process, pleading or paper without charge.

(b) The sheriff or other appropriate public officer within this State to make personal service of any necessary writ, process, pleading or paper without charge.

3. If the person is required to have proceedings reported or recorded, or if the court determines that the reporting, recording or transcription of proceedings would be helpful to the adjudication or appellate review of the case, the court shall order that the reporting, recording or transcription be performed at the expense of the county in which the action is pending but at a reduced rate as set by the county.

4. If the person prevails in the action, the court shall enter its order requiring the losing party to pay into court within 5 days the costs which would have been incurred by the prevailing party, and those costs must then be paid as provided by law.

5. Where the affidavit establishes that the person is unable to defend an action, the running of the time within which to appear and answer or otherwise defend is tolled during the period between the filing of the affidavit and the ruling of the court thereon.

6. An affidavit filed pursuant to this section, and any application or request for an order filed with the affidavit, does not constitute a general appearance before the court by the affiant or give the court personal jurisdiction over the affiant.

7. The order of the court to which application is made pursuant to this section is not appealable.

8. As used in this section, "client of a program for legal aid" means a person:

(a) Who is represented by an attorney who is employed by or volunteering for a program for legal aid organized under the auspices of the State Bar of Nevada, a county or local bar association, a county or municipal program for legal services or other program funded by this State or the United States to provide legal assistance to indigent persons; and

(b) Whose eligibility for such representation is based upon indigency.