

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING



NON - PRISONER PRO SE LITIGANT GUIDE

Office of the Clerk of Court

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INTRODUCTION

This guide is designed to assist you if:

1. You want to file a lawsuit in federal court or you have an active role, either as a plaintiff or defendant, in a case which has already been filed by you or someone else;
2. You have elected to proceed without the assistance of a licensed attorney; and
3. You **are not incarcerated** and seeking to challenge your criminal conviction.

SOME BASIC DEFINITIONS

Plaintiffs and defendants in court cases generally are referred to as the “parties” or “litigants.” A plaintiff asserts a claim or right protected by law against the defendant. A defendant disputes the claim or right, and the court determines whether the asserted claims or rights have merit. The great majority of litigants who appear in this Court are represented by an attorney who has been trained in the law, and is familiar with the applicable court rules and procedures. Parties or litigants who are not represented by licensed attorneys, *i.e.*, who represent themselves, are generally referred to as *pro se* parties or *pro se* litigants. Plaintiffs or defendants who represent themselves generally are referred to as *pro se* plaintiffs or *pro se* defendants.

HOW THIS GUIDE SHOULD HELP YOU

This guide will not answer all your questions about how to effectively represent yourself as a *pro se* litigant. It will outline the basic steps required to properly file an action, or lawsuit, with this Court. It will also provide some general guidance on the steps in the process of litigating the action after you have filed it with the clerk of court. **You are, however, responsible for learning and following the procedures which govern the court process. The staff of the Clerk’s office can provide *pro se* litigants with general information with regard to court rules and procedures. They are, however, forbidden, as a matter of law, from providing legal advice, from interpreting and applying court**

rules, or otherwise participating, directly or indirectly, in any action.

THINGS TO KEEP IN MIND

Self-representation carries certain responsibilities and risks of which *pro se* litigants should be aware before they proceed. The Court encourages all individuals considering *pro se*, or self-representation, to carefully review the risks associated with such representation, and to inform themselves of the potential consequences.

Rule 11 of the Federal Rules of Civil Procedure prohibits the filing of lawsuits which are clearly frivolous, or filed merely to harass someone. If after reviewing your complaint, the Court determines you have filed a lawsuit for an improper, or clearly unnecessary purpose, it may impose sanctions against you, including an order for you to pay a fine to the Court, pay the legal fees of the person or persons against whom you filed the lawsuit, or by striking claims contained in your complaint.

IMPORTANT ISSUES TO CONSIDER BEFORE DECIDING TO REPRESENT YOURSELF IN AN ACTION BEFORE THIS COURT

IS THIS COURT THE APPROPRIATE COURT TO HEAR YOUR DISPUTE?

Federal courts can only hear limited types of cases. The United States District Court for the District of Wyoming is one of 94 trial courts in the federal court system. As is the case in all federal trial courts, this Court is basically authorized to hear only disputes which fall into the following four categories:

1. Those which deal with a question involving the United States Constitution.
2. Those which involve questions of federal law as opposed to state law.
3. Those which involve the United States of America as a party, whether as plaintiff or defendant.
4. Those which involve a dispute among residents of different states with an

amount in controversy over \$75,000.

You cannot file a lawsuit in federal court if your complaint does not fall within any of these categories.

IS THERE AN ALTERNATIVE TO APPEARING *PRO SE* (REPRESENTING YOURSELF) WHICH IS AFFORDABLE?

Most people who pursue litigation in federal court employ a licensed attorney who practices law, has appeared in court, and is familiar with the rules of procedure which govern court processes. If you would prefer to have an attorney represent you but you are unable to afford one, you should consider contacting the Wyoming State Bar Lawyer Referral Service (307/632-9061) whose staff can explain the various options for obtaining and paying for legal services.

There are other affordable options for legal assistance, including legal aid societies and legal services, which can assist you in obtaining the services of an attorney at a reduced cost. A listing of those services is also available from the Wyoming State Bar at the number listed above.

If you cannot find an attorney to represent you, you have the right to pursue your claims in court by appearing without representation, or *pro se*, a Latin phrase which means “for yourself.” It is important to keep in mind as a *pro se* litigant, you are representing only yourself and presenting only your claims or defenses. You are prohibited by law from speaking for another person, a company, or other entity such as a club or association which includes other individuals. When you appear *pro se*, you must follow the same rules and procedures which licensed attorneys who practice in this Court must follow. Judges generally hold *pro se* litigants to the same standards of professional responsibility as trained attorneys.

IF YOU PLAN TO REPRESENT YOURSELF, WHERE CAN YOU GO TO REVIEW THIS COURT’S RULES OF PROCEDURE AND APPLICABLE FEDERAL LAWS?

As a *pro se* litigant, you should be familiar with the federal rules of procedure which set forth the procedural requirements for litigating cases in all federal courts. In order to determine which rules apply, you must first decide whether your case is a civil or criminal action. A civil action is an action brought to enforce, redress, or protect a private or civil right. A criminal action is an action instituted by the government to punish offenses against the public.

As a *pro se* litigant in a civil case, you should be familiar with the Federal Rules of Civil Procedure (abbreviated as Fed.R.Civ.P.) and the Federal Rules of Evidence (abbreviated as F.R.E.). If you are a *pro se* defendant in a criminal case, you should familiarize yourself with the Federal Rules of Criminal Procedure (abbreviated as Fed.R.Crim.P.) and the Federal Rules of Evidence. Federal laws are found in the United States Code (abbreviated as U.S.C.). These rules and laws are available for review at law libraries. You should contact them for the hours they are open to the public. Two law libraries available in southeast Wyoming are:

1. The Wyoming State Law Library located in the Wyoming Supreme Court Building in Cheyenne.
2. The University of Wyoming College of Law Library on the University of Wyoming campus.

County libraries may also have some law books available. Check with your local county library about availability.

The federal rules are also available on the internet at the following address:

<http://www.uscourts.gov/RulesAndPolicies/rules/current-rules.aspx>

As a *pro se* litigant, you also should be familiar with the District Court Local Rules applicable specifically to proceedings in this Court. The law libraries listed above have copies of this Court's local rules available for review. The local rules are also available on the internet at: <http://www.wyd.uscourts.gov/>. You can purchase a printed copy of the local

rules from the Clerk's office. For pricing information, please inquire at:

U.S. District Court Clerk's Office
2120 Capitol Avenue, Room 2131
Cheyenne, WY 82001
307/433-2120

HOW DO YOU START A NEW CASE?

FILE THE COMPLAINT.

The plaintiff, or person bringing the lawsuit, files a complaint. The complaint is the document in which the plaintiff asserts the claim(s) or right(s) being violated and outlines the problem or reason for the suit.

The complaint can be filed by hand-delivering it or mailing it to:

U.S. District Court Clerk's Office	or	U.S. District Court Clerk's Office
2120 Capitol Ave., Room 2131		111 S. Wolcott, Room 121
Cheyenne, WY 82001		Casper, WY 82601

Whether you deliver or mail your complaint, you must submit the following:

- a. the original; and
- b. the \$400 filing fee, or a motion to proceed *in forma pauperis* if you cannot afford to pay the filing fee. Fees are discussed below.

The complaint will be given a case number and assigned to a district judge by the Clerk's office.

SERVE THE COMPLAINT.

Each defendant, or person whom the plaintiff claims is responsible for the claim or problem, must be notified of the lawsuit through a process specified by law. **The responsibility for notifying each defendant rests with the plaintiff**, and is referred to as

service of process. The requirements for service of process are described in Rule 4 of the Federal Rules of Civil Procedure. If the service of process requirements are not correctly followed, the case may be dismissed.

You have ninety (90) days to serve your complaint on all defendants after it has been filed with the Clerk's office. **It is your responsibility to properly serve the complaint.** If you fail to do so within the 90 days, your case may be dismissed.

The defendant(s) shall be notified of the lawsuit either by service of a copy of the complaint and summons, **or** by waiver of service. The summons and waiver of service forms may be obtained from the Clerk's office or from the Court's website, <http://www.wyd.uscourts.gov/>.

Detailed provisions on how to serve the defendant(s) are contained in Rule 4 of the Federal Rules of Civil Procedure. You should carefully review Rule 4 to be sure you are familiar with those provisions. The service of process requirements can be satisfied in one of three ways:

Personal service. You direct someone else to deliver, or serve, a copy of the complaint and summons to the defendant(s). This service can be performed by anyone over eighteen years of age who is not a party in the case. County Sheriff's departments and private process servers will provide personal service for a fee.

You will need to obtain a summons form from the Clerk's office. The form must be completed and presented to the Clerk's office for issuance. An authorized Clerk's office employee will sign the form and emboss it with the official seal of the Court.

The person who serves the summons must record on the form, in the space provided, his/her name, the name of the person who was served, and the date and time of service. This section of the summons form is referred to as the **return of service and if it is not completed, service of process is not**

complete. Rule 4 of the Fed.R.Civ.P. also requires confirmation service has been completed. Such confirmation, or proof of service, indicating the documents have been served on the defendant(s) requires the original summons form with the return of service portion completed be returned to the Court for filing. A copy of the form must also be left with the defendant, along with a copy of the complaint.

Service by the U.S. Marshal. If a judge approves your application for leave to proceed *in forma pauperis*, you may request, in writing, the judge direct the U.S. Marshal to serve the summons and complaint at government expense. The judge may or may not grant the motion. A sample motion and proposed order are attached as Appendix A.

Waiver of service. Rule 4 of the Fed.R.Civ.P. permits a defendant to waive personal service of process. This means the defendant(s) agree(s) to respond to your complaint without being served with it. You can mail the waiver form and complaint to the defendant(s). If the defendant(s) complete(s) and return(s) the waiver, you will be spared the burden of personal service.

Once the defendant(s) has/have been served with a copy of the complaint, they must file with the Court an answer or some other response within a specified number of days. Under the rules governing service of process, each defendant is required to provide a copy of the response to the plaintiff.

WHAT HAPPENS WHEN ALL DEFENDANTS HAVE RESPONDED?

After all defendants have responded to the complaint, any one of a number of different procedures may occur.

Referral to a Magistrate Judge. The district judge to whom the case is assigned may, by an **order of reference**, refer the case to the magistrate judge in Cheyenne for assistance in

managing it. Subsequent court proceedings will be conducted before the magistrate judge after a case has been referred.

Scheduling Conference. A scheduling conference before the magistrate judge in Cheyenne will be set in most civil cases soon after all defendants have filed a response to the complaint. At this conference, discovery scheduling will be discussed as well as those matters appropriate to preparing the case for trial. (See Local Rule 16.1)

Filing Motions and Objections. Either party, plaintiff or defendant, may request the Court take specific action related to the case. To do so, the party prepares a formal request or what is referred to as a **motion**. Local Rule 5.1 provides formatting instructions for motions and other papers. The party then signs the motion, **files** it with the clerk of court, and sends a copy to the opposing party. The opposing party may file with the clerk of court an **objection** or a **response** to the motion within a specified period of time (see Local Rule 7.1 for time limitations). The objection sets forth the reasons why the Court should deny rather than grant the motion.

Motion Review. The district or magistrate judge may schedule hearings to provide the parties with an opportunity to argue the motion and any objections, or the judge may decide a hearing is unnecessary, and rule on the motion by issuing a written order.

Dispositive vs. Nondispositive Motions. Motions fall into two broad categories: dispositive and nondispositive. **Dispositive** motions, if granted, dispose of all of the case or a portion of the case. **Nondispositive** motions, if granted, affect the case but do not dispose of any part of it. District judges have the authority to rule on both dispositive and nondispositive motions. Magistrate judges are authorized to rule on nondispositive motions.

Magistrate Judge Report and Recommendation. Where the case has been referred to a magistrate judge and one of the parties files a **dispositive motion**, the magistrate judge is authorized to prepare a written report and recommendation, essentially a recommendation the motion be either granted or denied, and stating the reason why. The report and

recommendation is forwarded to the district judge assigned to the case, and copies are sent to the parties. As a party, you have a certain period of time within which to file objections to the report and recommendation. All objections received within the specified time are forwarded to the district judge who then reviews the report and recommendation as well as any objections filed. The district judge will then issue an order which adopts, rejects, or adopts in part and rejects in part the magistrate judge's report and recommendation. Such order is final, and can be appealed to the United States Court of Appeals for the Tenth Circuit located in Denver, Colorado.

WHAT COURT FEES AND COSTS ARE YOU REQUIRED TO PAY?

The fees charged by U.S. district courts are as follows:

for filing a complaint and opening a civil case: \$400.00;

for filing a notice of appeal: \$505.00;

for copies of documents from a court file: \$.50 per page for paper copies and \$.10 per page for e-copies;

for a certified copy of a document from a court file: \$11.00 plus the copy fee.

These fees may be paid by cash, check or money order.

If you are unable to pay the filing fee, you may apply for permission to proceed *in forma pauperis*, which is Latin for "in the form of a pauper." Information on filing *in forma pauperis* can be found later in this Guide. A motion form for filing *in forma pauperis* is attached at the end of this Guide. This form is also available from the Clerk's office. Completed motions are forwarded to the magistrate judge for review. If your motion is denied by the judge, your case cannot proceed until you pay the filing fee.

Waiver of the filing fee does not automatically waive the other costs associated with pursuing or litigating your case. If, for example, you need copies of original documents in your case file, the Clerk's office is required to charge the fees mentioned above. Service of your complaint on the other party will involve additional costs unless you have made, and the Court has approved, a motion which directs the U.S. Marshal to serve your complaint.

Other expenses you may incur are the cost of preparing the original and copies of the papers you file with the Court and mailing or hand-delivering copies of each paper to the opposing party to satisfy the requirements of service.

HOW DO YOU SUBMIT DOCUMENTS TO THE COURT?

Case-related documents asking the Court to take specific action are referred to as **motions** or **pleadings**. The plaintiff's complaint and the answer(s) of the defendant(s) are the pleadings. Requests for action are generally called motions. If, for example, you want to ask the Court to take an action, such as appointing an attorney, you must do so by means of a written motion. A motion should be accompanied by a summary of the law supporting the motion called a **memorandum** and/or by an affidavit or declaration by you which provides the Court with facts supporting the granting of the motion. In preparing a motion, you should follow the same general format as the motion for service of process by the U.S. Marshal which is attached to this guide as Appendix A. In preparing motions you should be as specific as possible about the action you would like the Court to take.

This Court requires parties to file an original of all motions or pleadings with the Clerk of Court. Staff of the Clerk's office will file-stamp and retain the original. Parties may file pleadings and motions with the Clerk's office in person or by mail. The Clerk's office has two locations, one in Cheyenne and one in Casper. The addresses, phone numbers and the hours the Clerk's offices are open to the public are:

U.S. District Court Clerk's Office		U.S. District Court Clerk's Office
2120 Capitol Ave., Room 2131	or	111 S. Wolcott, Room 121
Cheyenne, WY 82001		Casper, WY 82601
307/433-2120		307/232-2620
8:00 a.m. to 5:00 p.m.		8:00 a.m. to 5:00 p.m.
weekdays excluding Federal holidays		

You should retain for your own use a copy of all documents you file with the Court. When you file documents in person, bring your personal copy with you so staff of the Clerk's

office can file-stamp it. By doing so, your records will reflect the filing date of the original. If you mail your document and wish to have your copy file-stamped, you should enclose a second copy as well as a pre-addressed, stamped envelope.

Note: When you submit a document to the Court, you must also mail or deliver a copy of the document to the defendant's attorney, or if the defendant has no attorney, to the defendant directly. At the end of your **original** document, you must include a **certificate of service** which states the date you mailed or delivered a copy of the document to the defendant. A sample format for a certificate of service is attached to this guide as Appendix B.

HOW DO YOU OBTAIN INFORMATION ABOUT THE STATUS AND PROGRESS OF YOUR CASE?

The Clerk's office maintains a record or **docket** for every case. This docket is a chronological listing of all documents which have been filed in a case. You may review the docket on the public access terminal located at the front counter in the Clerk's office. Alternatively, if you have a personal computer and modem with communications software, and register with the Court, you can access the Court's automated PACER system and review your case docket directly from your computer. There is a charge for using this system. For information about how to register, please can contact the Cheyenne Clerk's office and ask for the systems manager. If you wish to have a paper copy of your docket sheet, the Clerk's office will provide it for you at no charge. Clerk's office staff can also provide basic docket information over the phone.

IS IT POSSIBLE FOR YOU TO SPEAK DIRECTLY TO A JUDGE OR MEMBER OF HIS PERSONAL STAFF ABOUT YOUR CASE?

All parties and their counsel, including parties appearing *pro se*, **are prohibited from all private or *ex parte* communication with the judge or judge's staff.** *Ex parte* communication occurs when one party to a lawsuit exchanges information about the merits

of the case with the assigned judge without the opposing party being present, or without the knowledge and consent of the opposing party. A judge, based on this prohibition, with rare exceptions, will refuse to speak or otherwise communicate *ex parte* with any party regarding the merits of the case. Any communication between the assigned judge and a *pro se* litigant should be in writing, and a copy sent either to opposing party's attorney, or directly to the party if the opposing party is also appearing *pro se*. For example, a party appearing *pro se* should send to the opposing party's attorney a copy of any letter sent to the judge. The letter to the judge should indicate a copy has been sent to the opposing party's attorney. Telephone or personal contact with the judge's staff must be limited to specific scheduling inquiries.

APPLICATION TO PROCEED IN FORMA PAUPERIS

Filing a case in this Court, as previously noted, requires the plaintiff to pay a \$400 filing fee at the time the new case is filed. If you are unable to pay this fee, you may apply to have payment of the fee waived, but only after your action is filed. The Clerk's office will accept your case without payment if, at the time you file it, you also apply for waiver of the fee. If the judge subsequently denies your waiver application, you will be required to pay the \$400 fee. If you do not pay it within a specified period of time, your case will be dismissed.

To obtain a waiver of the filing fee, you must complete and submit a motion to proceed *in forma pauperis*. A motion form is attached at the end of this Guide. The following are the brief instructions for completing the motion:

You must insert at the top of the motion the name of the case or **case caption**. The case name consists of your name as plaintiff, and the name(s) of the defendant(s) on the lines provided. Clerk's office staff will provide the case number at the time the case is filed.

You must answer all questions truthfully and completely. If you own real estate or automobiles which have outstanding mortgages or loans, you should be very specific about your debt balance so the judge who reviews the

motion has accurate information as to the property's value.

You must also sign the statement under penalty of perjury

The completed motion form should be submitted to the Clerk's office with your complaint. Clerk's office staff will transmit it with the complaint to the judge for review. The judge may grant or deny the motion. Because the process of reviewing your motion may take more than one business day, a copy of the order will be mailed to you by the Clerk's office. As noted above, if your motion is denied you must immediately pay the required filing fee, or your case will be dismissed.

REQUEST FOR APPOINTMENT OF COUNSEL

Pro se litigants may ask the Court to appoint an attorney, or **counsel**, for them in a civil case. *Pro se* litigants have no right to be represented by court-appointed counsel, and the Court has no obligation to appoint counsel. The Court may appoint counsel in a few select cases where having an attorney seems particularly appropriate or important. If you would like to request the Court appoint counsel to represent you in your lawsuit, you must file a motion for appointment of counsel. A copy of a motion for appointment of counsel is attached as Appendix C.

APPENDIX A

(Your Name)
(Your Address)
(Your Telephone No.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	
)	
)	
Defendant(s).)	

MOTION FOR SERVICE OF PROCESS AT GOVERNMENT EXPENSE

The plaintiff moves the Court for an order directing the United States Marshal to serve the summons and complaint pursuant to 28 U.S.C. §1915(d). The full names and address of the defendants are contained in the complaint.

Dated this _____ day of _____, 20____.

/Sign your name/ _____
Print your name below line

(Your Name)
(Your Address)
(Your Telephone No.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

)
)
Plaintiff,)
)
vs.) Case No.
)
)
)
Defendant(s).)

ORDER DIRECTING SERVICE OF SUMMONS AND COMPLAINT AT
GOVERNMENT EXPENSE

The Court having granted plaintiff's motion to proceed *in forma pauperis*, it is

ORDERED the United States Marshal shall serve the summons, together with a copy
of the complaint upon the defendants.

Dated this ____ day of _____, 20__.

UNITED STATES DISTRICT JUDGE

APPENDIX B

CERTIFICATE OF SERVICE

I hereby certify a copy of the forgoing (insert name of document) was mailed/delivered to [insert name of defendant(s) and address(es) *or* name of attorney(s) and address(es)] on (insert date).

/Sign your name/ _____
Print your name

APPENDIX C

(Your Name)
(Your Address)
(Your Telephone No.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	
)	
Defendant(s).)	

MOTION FOR APPOINTMENT OF COUNSEL

The plaintiff in the above-entitled matter hereby moves the Court for an order appointing legal counsel to act on his/her behalf. (Insert reason for requesting counsel.)

Dated this ____ day of _____, 20 ____.

/Sign your name/
Print your name below line

**APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING
FEES OR COSTS**

UNITED STATES DISTRICT COURT

for the

_____ District of _____

_____ <i>Plaintiff/Petitioner</i>)	
v.)	Civil Action No.
_____ <i>Defendant/Respondent</i>)	

**APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Long Form)**

Affidavit in Support of the Application	Instructions
<p>I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.</p> <p>Signed: _____</p>	<p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p> <p>Date: _____</p>

- For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$	\$	\$	\$
Self-employment	\$	\$	\$	\$
Income from real property <i>(such as rental income)</i>	\$	\$	\$	\$
Interest and dividends	\$	\$	\$	\$
Gifts	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Child support	\$	\$	\$	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Retirement (such as social security, pensions, annuities, insurance)	\$	\$	\$	\$
Disability (such as social security, insurance payments)	\$	\$	\$	\$
Unemployment payments	\$	\$	\$	\$
Public-assistance (such as welfare)	\$	\$	\$	\$
Other (specify):	\$	\$	\$	\$
Total monthly income:	\$	\$	\$	\$

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ _____

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
		\$	\$
		\$	\$
		\$	\$

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse	
Home (<i>Value</i>)	\$
Other real estate (<i>Value</i>)	\$
Motor vehicle #1 (<i>Value</i>)	\$
Make and year:	
Model:	
Registration #:	
Motor vehicle #2 (<i>Value</i>)	\$
Make and year:	
Model:	
Registration #:	
Other assets (<i>Value</i>)	\$
Other assets (<i>Value</i>)	\$

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment <i>(including lot rented for mobile home)</i> Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$	\$
Utilities <i>(electricity, heating fuel, water, sewer, and telephone)</i>	\$	\$
Home maintenance <i>(repairs and upkeep)</i>	\$	\$
Food	\$	\$
Clothing	\$	\$
Laundry and dry-cleaning	\$	\$
Medical and dental expenses	\$	\$
Transportation <i>(not including motor vehicle payments)</i>	\$	\$
Recreation, entertainment, newspapers, magazines, etc.	\$	\$
Insurance <i>(not deducted from wages or included in mortgage payments)</i>		
Homeowner's or renter's:	\$	\$
Life:	\$	\$
Health:	\$	\$
Motor vehicle:	\$	\$
Other:	\$	\$
Taxes <i>(not deducted from wages or included in mortgage payments) (specify):</i>	\$	\$
Installment payments		
Motor vehicle:	\$	\$
Credit card <i>(name):</i>	\$	\$
Department store <i>(name):</i>	\$	\$
Other:	\$	\$
Alimony, maintenance, and support paid to others	\$	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (<i>attach detailed statement</i>)	\$	\$
Other (<i>specify</i>):	\$	\$
Total monthly expenses:	\$	\$

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? Yes No

If yes, how much? \$ _____

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.

12. Identify the city and state of your legal residence.

Your daytime phone number: _____

Your age: _____ Your years of schooling: _____