

NORTHWESTERN LEGAL SERVICES

SELF-HELP DIVORCE CLINIC

INSTRUCTIONS AND FORMS

Mercer County

PRO SE DIVORCE TIME TABLE

Prepare Complaint and IFP at clinic

Take original and two copies to Courthouse

Take the certified copy (the one with the raised seal)
and serve on Defendant by certified mail, restricted
delivery, return receipt requested; sheriff; or acceptance

File affidavit of service in prothonotary's office.
(Courthouse, first floor)

WAIT 90 DAYS! DO NOT SIGN ANYTHING ELSE NOW!!!

After 90 days have passed, both plaintiff and defendant must sign
the affidavit of consent and the waiver of notice and they must be
filed in the prothonotary's office. If the date on your consent is not
90 days after the service, the judge will NOT sign your divorce.

File Praecipe to Transmit along with your final decree. A decree
should be mailed to you within **4 weeks**

I. INSTRUCTIONS FOR COMPLETING THE DIVORCE COMPLAINT AND NOTICE TO DEFEND AND CLAIM RIGHTS.

A. Filling out the caption

The caption is the top part of page one of the Complaint and on each legal document you will need to file in the divorce. The names of the parties, the docket number, the type of complaint and the name of the Court are found here.

You are the Plaintiff to this action. Type or print legibly your full legal name, including middle name or initial, above the word "Plaintiff" in the caption of the Complaint and the Notice to Defend and Claim Rights.

The Defendant is your spouse. Fill in the Defendant's full legal name, including middle name or initial, above the word "Defendant" in the Complaint and the Notice to Defend and Claim Rights.

YOU MUST COMPLETE THE CAPTION THE SAME WAY ON EVERY FORM YOU FILE. THE DOCKET NUMBER WILL BE PROVIDED BY THE PROTHONOTARY WHEN YOU FILE THE COMPLAINT.

B. Notice to Defend and Claim Rights

1. Complete the caption as above.
2. Sign each place on the lines marked plaintiff.
3. Fill out your name and address at the bottom of the page.

C. The Following Instructions Correspond to Each Numbered Paragraph of the Divorce Complaint.

1. Fill in your full, legal name including the middle initial, your full mailing address (street, number, route, box number, town, county, state and zip code), and the month and year you began living at your current address.

2. Fill in the Defendant's full legal name, including the middle initial, the Defendant's full mailing address (street, number, route, box number, county, state and zip code) and the month and year your spouse began living at that address.

3. There is nothing to complete in this paragraph.

4. Fill in the complete date of your marriage (month, date and year) and the city, county and state in which you were married.

5. If there has been never been a divorce filed during the marriage, write the word "None". If however there was an action filed in the past, write the docket number, the county and state where a complaint in divorce had been filed, who filed the action and what happened with the action (i.e., withdrawn, dismissed, pending, etc.)

6. There is nothing to complete in this paragraph. It is a statement using language needed for a no-fault divorce.

7. There is nothing to complete in this paragraph.

Sign the Complaint using your full, legal name and fill in the date.

Sign the Verification, using your full legal name and fill in the date.

When Assembling these for filing, the Cover Sheet is first, then the Notice to Defend and Claim Rights, then the Complaint. This is the same order they are included in this packet.

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff

vs.

No. _____

Defendant

Type of Document: Divorce

Filed in behalf of: Plaintiff, Pro se

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,
vs.
_____,
Plaintiff :
: No.
Defendant :

NOTICE TO DEFEND AND CLAIM RIGHTS

TO THE WITHIN NAMED DEFENDANT:

You have been sued in court. If you wish to defend against the claims set forth in the foregoing pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree in divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of the marriage counselors is available in the Office of the Prothonotary at the Mercer County Courthouse, Mercer, Pennsylvania 16137.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

MERCER COUNTY LAWYERS' REFERRAL SERVICE
c/o Mercer County Bar Association
P.O. Box 1302
Hermitage, Pennsylvania 16148
Telephone: (724) 342-3111

Plaintiff

- Original
 Certified Copy

I do hereby certify that the within document is a true and correct copy of the original filed in this matter.

Plaintiff

SERVE ALL PAPERS ON:

Plaintiff's Name
Plaintiff's Address

MERCER COUNTY LAWYERS' REFERRAL SERVICE
C/O MERCER COUNTY BAR ASSOCIATION
P.O. BOX 1302
PHONE: 724/342-3111

AMERICANS WITH DISABILITIES
ACT OF 1990

The Court of Common Pleas of Mercer County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

BY THE COURT:

_____, J.

DATE: _____

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,
Plaintiff

No. _____

vs.

_____,
Defendant

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) AND /OR 3301(d)
OF THE DIVORCE CODE

1. Plaintiff is _____, whose current address is _____

2. Defendant is _____, whose current address is _____

3. Plaintiff/ Defendant/ Both parties have been bonafide residents of the Commonwealth of Pennsylvania for at least six (6) months immediately previous to the filing of this complaint.

4. The Plaintiff and Defendant were married on _____, in

5. There have been no prior actions of divorce or annulment between the parties except _____.

6. The marriage is irretrievably broken.

7. Plaintiff has been advised that counseling is available and that plaintiff may have the right to request that the court require the parties to participate in counseling.

WHEREFORE, Plaintiff requests the court to enter a decree of divorce, divorcing plaintiff and defendant

VERIFICATION

I verify that the statements made in this complaint are true and correct. I understand that false statements made herein are made subject to the penalties of 18 PaCSA section 4904 relating to unsworn falsification to authorities.

PLAINTIFF

DATE: _____

II. INSTRUCTIONS FOR FILING AND SERVING THE COMPLAINT AND IFP

A. FILING THE COMPLAINT AND IFP

You will need to file the Cover Sheet, Notice to Defend and Claim Rights, Complaint, IFP Petition; Affidavit in Support thereof and IFP Order at the Prothonotary's Office, 1st Floor, Mercer County Courthouse, Mercer, PA 16137.

Bring the original and three (3) copies of all the above forms to the Prothonotary's Office. The clerk will stamp all the copies as filed, the original will stay with the Prothonotary. If the IFP Petition is granted, then you will not be responsible for the filing fees. See the included fee schedule for the applicable fees if the IFP Petition is not granted.

B. SERVING THE DIVORCE COMPLAINT UPON THE DEFENDANT

After you have received the copies of the filings back to you. You must within the next 30 days serve the Defendant the Divorce Action. "Service" means that the Defendant received the Notice to Defend and Claim Rights ; the Divorce Complaint. The Prothonotary will return two copies of the Cover sheet, the complaint, and the Notice to Defend and Claim Rights back to you. One complete set must be served upon the Defendant in one of three (3) ways, pick one, and must be accomplished within thirty (30) days of filing the complaint.

Mail Acceptance of Service with Complaint for Divorce - Mail Complaint Certified. When you have received the "green" certified receipt of service back from the post office - take it to the Prothonotary along with your Affidavit of Service by Mail. **(This is your official proof that the defendant received the divorce complaint. You file this with the prothonotary.**

If the defendant signs the Acceptance of Service and returns the same to you, you also must file it with the prothonotary's office. **This is additional proof** that the defendant received the Divorce Complaint.

If the defendant does not claim/receive the Divorce Complaint via certified mail and doesn't return the Acceptance of Service, you have no viable alternative but to request Sheriff's Service of the Divorce Complaint. See "Sheriff's Service Request".

The defendant must receive the Divorce Complaint within 30 days of the date you filed.

1. **SERVICE BY CERTIFIED MAIL:** This can be accomplished by sending a copy of all required paperwork as mentioned above by certified mail, return receipt requested, restricted delivery. After filing your Divorce Complaint, Notice to Defend and Claim Rights and seminar information, prepare an envelope with your spouse's name and address, using your own address as the return address. Take the envelope to the Post Office and tell them you want to send it "certified mail, return receipt requested, restricted delivery". Someone in the post office may help you prepare the card properly, but if not, here are the instructions: Fill in your spouse's name and address on the back side of the green card. There are boxes on this side for you to check the type of delivery you want. Check the box that indicates that you want a return receipt and the one that indicates that the item should be delivered only to the person whose name is on the envelope (restricted delivery). Fill in your name and address on the reverse side so the green card will be returned to you after your spouse has signed for the envelope.

There will also be a green and white paper slip that is numbered which you will need to complete. Fill in your spouse's name and address. There is a list of blanks indicating fees for the mailing. A postal worker will complete this part for you. The reverse side of the green part of this slip will have adhesive on it. Attach it to the top of the envelope allowing room for the postage. The number on the slip will be filled on the green card where indicated. **MAKE SURE TO KEEP THE RECEIPT FROM THE SLIP.** The cost of certified mailing will be approximately \$5.50.

IF THE GREEN CARD IS NOT RETURNED TO YOU WITHIN ONE MONTH, contact the post office where you mailed the envelope. If your spouse does not sign for this envelope you should proceed with personal service as described above. **WHEN YOUR GREEN CARD IS RETURNED TO YOU, YOU MUST ATTACH BOTH THE GREEN CARD AND THE WHITE SLIP TO A BLANK PIECE OF PAPER. THEN ATTACH THE PIECE OF PAPER TO THE COMPLETED AFFIDAVIT OF SERVICE AND FILE IT WITH THE COURT (See Instructions on completing the Affidavit of Service).**

-or-

2. **ACCEPTANCE OF SERVICE:** The Defendant may accept service by filing with the Prothonotary a separate document entitled "Acceptance of Service". See forms. If the defendant returns this document to you, you must immediately file it with the Prothonotary.

-or-

3. **SHERIFF'S SERVICE:** Complete the enclosed form for Sheriff's service and take the form and the required documents listed above to the Sheriff's office. There may be an additional fee for this service.

IF SERVICE IS NOT MADE WITHIN 30 DAYS, THEN YOU MUST GO BACK TO THE PROTHONOTARY AND HAVE THE COMPLAINT REINSTATED PRIOR TO SERVICE.

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,
Plaintiff:
vs.
_____,
Defendant

:
:
: NO. _____
:
:
:
:

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF MERCER : SS:

I, _____ being duly sworn according to law, deposes and says that he/she is a competent adult over 18 years of age; that he/she served a copy of the Complaint in this action upon the Defendant, by personally handing him/her a true and correct copy thereof and informing him/her of its contents at _____ on the _____ day of _____, 20(), at _____ o'clock ___-M.

Deponent further avers that at the time of such service, the Defendant identified himself/herself to the deponent or was personally known to the deponent.

Signature of Deponent

Sworn to and subscribed before me this
_____ day of _____, 20().

Notary Public

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,
Plaintiff
vs.
_____,
Defendant
:
:
:
: NO. _____
:
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:
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:

ACCEPTANCE OF SERVICE

I, _____, Defendant in the above action, do
hereby accept service of the Divorce Complaint as if the same had been served upon me by
the Sheriff.

Date: _____

Defendant

STOP!!!

WAIT **90** DAYS FROM THE
SERVICE OF THE DIVORCE
COMPLAINT BEFORE DOING
ANYTHING ELSE!!

III. INSTRUCTIONS FOR COMPLETING THE AFFIDAVIT OF CONSENT AND WAIVER

There are two Affidavits of Consents and Waivers of Notice of Intention to Request Entry of Divorce Decree under Section 3301(c) included in this packet, one for you and one for the Defendant. THE AFFIDAVITS OF CONSENT CANNOT BE SIGNED UNTIL 90 DAYS HAVE PASSED FROM THE DAY YOU SERVED THE COMPLAINT ON THE DEFENDANT. MAKE SURE YOU COMPLETE THE CAPTION OF EACH AFFIDAVIT OF CONSENT AND WAIVER.

PARAGRAPH 1: Print or type the date on which the Complaint was filed on both affidavits (the date the Prothonotary stamped on your copy of the Complaint).

Date and Sign the forms for Plaintiff with your full legal name, including middle initial. The second Affidavit of Consent and Waiver for Defendant must be dated and signed by your spouse. Mail your spouse a copy of the Affidavit and Waiver or contact him/her personally. Instruct your spouse to return their signed Affidavit and Waiver to you for filing.

YOU AND YOUR SPOUSE MUST FILE YOUR AFFIDAVITS OF CONSENT WITHIN 30 DAYS AFTER THEY HAVE BEEN SIGNED. For example, you cannot sign your affidavits one day and file it 45 days later.

File your Affidavits and Waivers with the Prothonotary within 30 days after they have been signed and dated. Remember, both Affidavits and waivers should be filed along with the Praecepto to Transmit Record, vital Statistics Form and Decree.

IV. Praecepto to Transmit Record, Divorce Decree.

- A. These forms should be filed at the same time as the Affidavits and Waivers signed by you and your spouse. The court will not grant your divorce otherwise.

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

_____,
Plaintiff
vs.
_____,
Defendant

:
:
:
:
:
:
:
:

No.

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Pennsylvania Divorce Code was filed on _____.
2. The marriage of the Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of the filing and Complaint.
3. I consent to the entry of a final Decree of Divorce and waive service of notice of intention to request entry of the decree.

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____
_____ Plaintiff

WAIVER OF NOTICE OF INTENTION TO REQUEST
ENTRY OF A DIVORCE DECREE UNDER
§ 3301(c) OF THE DIVORCE CODE

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

I VERIFY that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

DATE: _____
_____ Plaintiff

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

_____,
Plaintiff
vs.
_____,
Defendant

:
:
:
:
:
:
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:
:
:
:

No.

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Pennsylvania Divorce Code was filed on _____.

2. The marriage of the Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of the filing and Complaint.

3. I consent to the entry of a final Decree of Divorce and waive service of notice of intention to request entry of the decree.

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____
Defendant

WAIVER OF NOTICE OF INTENTION TO REQUEST
ENTRY OF A DIVORCE DECREE UNDER
§ 3301(c) OF THE DIVORCE CODE

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the Prothonotary.

I VERIFY that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

DATE: _____
Defendant

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs. _____
Defendant
: : : : : :
: NO. _____
: : : : : :

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the Court, for entry of a divorce decree:

1. Ground for Divorce: Irretrievable breakdown of the marriage under §3301(c)(1) of the Divorce Code.
2. Date and manner of service of the complaint: The Complaint in Divorce was filed on _____ and accepted by the Defendant on _____, said Acceptance of Service being filed with the Prothonotary on _____.
3. Complete either paragraph (a) or (b):
 - (a) Date of execution of the plaintiff's affidavit of consent required by §3301(c) of the Divorce Code: by Plaintiff: _____; by Defendant: _____
 - (b) (1) Date of execution of Plaintiff's affidavit of required by §3301(d) of the Divorce Code: N/A.
4. Complete the appropriate paragraphs:
 - (a) Related claims pending: None.
 - (b) Claims withdrawn: None.
 - (c) Claims settled by agreement of the parties: None.

Plaintiff

Date

IV. NOTICE OF INTENT TO RETAKE PRIOR NAME

After the Divorce Decree has been issued, a woman may resume her maiden name. To do this, she must go to the Prothonotary's Office and file a statement indicating that she intends to resume her maiden name.

If the IFP is not granted, the cost of this filing is currently \$7.50.

Make sure you sign in the presence of a Notary Public.

You cannot retake a Prior Name until after you are divorced. You must reference the date of your divorce decree in the Petition to Retake Prior Name.

NOTES:

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs.

Defendant

:
:
:
: NO. _____
:
:
:

NOTICE OF INTENTION TO RESUME PRIOR SURNAME

Notice is hereby given that _____, plaintiff in the above matter, having been granted a Final Decree in Divorce on the _____ day of _____, 20__ hereby elects to resume the prior surname of _____, and gives this written notice avowing her intention in accordance with 54 Pa. C.S. § 704.

Date:

(Signature of Marital Name)

(Signature of Maiden Name)

Sworn to and subscribed before me this _____ day of _____ 20__.

Notary Public

IFP FORM

Instructions

If you want to file a **Complaint or Appeal**, and you cannot afford the filing fee, you will need to fill out an **IFP Form**.

Please be sure to read these instructions as carefully as you can. If you have any trouble understanding them, get someone to help you.

Step 1. using the **SAMPLE IFP FORM** on page 2 as a guide, fill out the **IFP FORM** as follows (**please type or print neatly**):

- (1) If you are the Plaintiff (if you are suing someone), put your name here. If you are the Defendant (if someone is suing you), insert the name of the Plaintiff,
- (2) If you are the Plaintiff, insert the name of the person you are suing. If you are the Defendant, put your name here.
- (3) Put your name here.
- (4) Indicate whether you are a Plaintiff or Defendant.
- (5) Sign your name.
- (6) and (7) Insert your name and the name of the opposing party, as you did on lines (1) and (2).
- (8) Indicate whether you are a Plaintiff or Defendant.
- (9) Answer everything that applies to you.
- (10) Sign your name and insert the date.

O R D E R

- (1) Plaintiff's name.
- (2) Defendant's name.

Step 2. File the completed **IFP Form** along with your **Complaint or Appeal**.

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

(6) _____, :
Plaintiff :
vs. : No. :
(7) _____, :
Defendant :

AFFIDAVIT TO PROCEED IN FORMA PAUPERIS

1. I am the (8) _____ in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(9) (a) Name: _____
Address: _____

(b) Employment:

If you are presently employed, state:

Employer: _____
Address: _____

Salary or wages per month: _____
Type of work: _____

If you are presently unemployed, state:

Date of last employment: _____
Salary or wages per month: _____
Type of work: _____

(c) Other income within the past twelve months:

Business or profession: _____

Other self-employment: _____

Interest: _____

Dividends: _____

Pension and annuities: _____

Social Security Benefits: _____

Support Payment: _____

Disability payments: _____

Unemployment Compensation: _____

Workman's Compensation: _____

Public Assistance: _____

Other: _____

(d) Other contributions to household support:

(Wife/husband) name: _____

If your spouse is employed, state:

Employer: _____

Salary or wages per month: _____

Type of work: _____

Contributions from children: _____

Contributions from parents: _____

Other contributions: _____

(e) Property owned:

Cash: _____

Checking account: _____

Savings account: _____

Certificates of deposit: _____

Stocks, bonds: _____

Real estate (including home): _____

Motor Vehicles:

Make: _____

Year: _____

Cost: _____

Amt. Owed: _____

Other: _____

(f) Debts and obligations:

Mortgage: _____

Rent: _____

Loans: _____

Other: _____

(g) Persons dependent upon you for support:

(Wife/husband) name: _____

Children, if any:

Name: _____ Age: _____

Other persons:

Name: _____ Relationship: _____

Name: _____ Relationship: _____

4. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

(10)

Petitioner, Pro-Se

Date: _____

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

(1) _____,	:	
Plaintiff	:	
	:	
vs.	:	No.
	:	
(2) _____,	:	
Defendant	:	

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the Petitioner's Application to Proceed In Forma Pauperis, said Application is hereby **GRANTED** and all costs associated with the above-captioned proceeding are hereby **WAIVED**.

BY THE COURT:

_____, **J.**
Judge

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff	:	
vs.	:	No.
Defendant	:	

PRAECIPE TO PROCEED IN FORMA PAUPERIS

To the Prothonotary:

Kindly allow _____, the _____ in
this matter to proceed In Forma Pauperis.

I, hereby certify that I am unable to pay the costs associated with this action. My affidavit showing inability to pay the costs of litigation is attached hereto.

Respectfully submitted:

Petitioner, Pro-Se

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff	:	
vs.	:	No.
Defendant	:	

AFFIDAVIT TO PROCEED IN FORMA PAUPERIS

1. I am the _____ in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: _____
Address: _____

(b) Employment:

If you are presently employed, state:

Employer: _____
Address: _____

Salary or wages per month: _____
Type of work: _____

If you are presently unemployed, state:

Date of last employment: _____
Salary or wages per month: _____
Type of work: _____

(c) Other income within the past twelve months:

Business or profession: _____
Other self-employment: _____
Interest: _____
Dividends: _____
Pension and annuities: _____
Social Security Benefits: _____
Support Payment: _____
Disability payments: _____
Unemployment Compensation: _____
Workman's Compensation: _____
Public Assistance: _____
Other: _____

(d) Other contributions to household support:

(Wife/husband) name: _____

If your spouse is employed, state:

Employer: _____

Salary or wages per month: _____

Type of work: _____

Contributions from children: _____

Contributions from parents: _____

Other contributions: _____

(e) Property owned:

Cash: _____

Checking account: _____

Savings account: _____

Certificates of deposit: _____

Stocks, bonds: _____

Real estate (including home): _____

Motor Vehicles:

Make: _____

Year: _____

Cost: _____

Amt. Owed: _____

Other: _____

(f) Debts and obligations:

Mortgage: _____

Rent: _____

Loans: _____

Other: _____

(g) Persons dependent upon you for support:

(Wife/husband) name: _____

Children, if any:

Name: _____ Age: _____

Other persons:

Name: _____ Relationship: _____

Name: _____ Relationship: _____

4. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

Petitioner, Pro-Se

Date: _____

IN THE COURT OF COMMON PLEAS OF MERCER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff	:	
vs.	:	No.
Defendant	:	

ORDER

AND NOW, this _____ day of _____, 20____,

upon consideration of the Petitioner's Application to Proceed In Forma Pauperis, said Application is hereby **GRANTED** and all costs associated with the above-captioned proceeding are hereby **WAIVED**.

BY THE COURT:

_____, **J.**
Judge