



## **IN FORMA PAUPERIS (IFP) STATUS FOR NONPRISONERS**

A \$402 fee (\$350 filing fee plus a \$52 administrative fee) is required when filing a civil complaint in federal court. The entire \$402 is due at the time you file your complaint.

### **What if I can't afford the fee?**

If you cannot afford to pay the full filing fee and administrative fee at the time you file your complaint, you can apply for IFP status.

### **What is IFP status?**

In forma pauperis (IFP) is Latin for “in the form of a pauper.” If you do not have the resources to pay the \$402 fee, you may ask the Court for IFP status by filing an IFP application.

### **How do I ask for IFP status?**

To apply for IFP status, you should complete a nonprisoner Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form), or an IFP application as it is often called. You can get this application on the Court's website or from the Clerk's Office.

### **How do I complete an IFP application?**

You will need to provide information about your sources of income, including governmental aid; your household expenses; your assets, including bank accounts and personal property; your debts; your employment history; persons who rely on you for support; and other personal information. If you are married, you must provide the same information about your spouse.

Fill out the IFP application accurately and completely. If you don't provide all of the required information, the Court may not grant your IFP application. If you provide information that is false or misleading, the Court may impose sanctions, or a monetary penalty, on you.

Sign and date the IFP application before filing it with the Court.

### **What happens after I file my IFP application?**

The Court will review your IFP application and determine whether you are unable to pay the filing fee and the costs of service of process.

Sometimes the Court will order you to provide more information. If this happens, be sure to follow the Court's instructions or the Court probably will deny your IFP application.

If the Court grants your IFP application, the Court will waive the \$402 fee, and your case will proceed. That means you will not have to pay any part of the \$402 filing fee.



If the Court denies your IFP application, you must pay the \$402 fee in full for your case to proceed.

You will be notified of the judge's decision by mail.

### **What happens if the Court grants my IFP application?**

The Court will direct the United States Marshal Service to serve your complaint on the defendants—at no cost to you.

The U.S. Marshal will serve only those defendants for whom you have submitted two properly completed forms: "Process Receipt and Return" (AO 285) and "Summons in a Civil Action" (AO 440). These forms are available from the Clerk's Office and are often referred to as "a service packet." It is your responsibility to provide an accurate address for each defendant and make sure that all of the defendants have been served. You can call the Clerk's Office to check on the status of service.

### **If I am granted IFP status, am I responsible for any other costs?**

Yes, pro se litigants proceeding IFP are not exempt from other fees and costs in their action. Costs may include postage, copying costs, witness fees, and deposition and transcript costs.

You are permitted to file a motion asking the Court to pay for costs other than the filing fee and service of process for the summons and complaint. For more information about what a motion is, and how to file a motion, refer to the Court's Handbook for Pro Se Nonprisoner Federal Civil Actions.

In certain types of cases, you may be required to pay the legal fees of the winning party. In all cases, if you lose your case, you may be required to pay some of the costs the winning party incurred in the course of the lawsuit, such as witness fees and copying expenses. In many cases, these fees and costs add up to thousands of dollars. For more information about costs that you may have to pay if you lose your case, see Federal Rule of Civil Procedure 54 and 28 U.S.C. § 1920.