

# THE COURTS

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Family Court Division Administrative Regulation No. 00-02; Procedure for Obtaining In Forma Pauperis Status in Custody and Support Actions

*Effective Immediately*, in order to be excused from paying required filing fees for actions in custody or support, it is necessary that the person seeking such relief file a "Petition to Proceed In Forma Pauperis."

(1) Said Petition will be approved without judicial review if the petitioner can establish that he or she is a current recipient of cash or medical Public Assistance benefits by producing appropriate documentation of said benefits as provided to him or her by the Pennsylvania Department of Public Welfare or its agent.

(2) If the individual seeking In Forma Pauperis status is not currently receiving cash or medical Public Assistance benefits, the Petition must be supported by a Poverty Affidavit.

(3) The Petition to Proceed In Forma Pauperis and Poverty Affidavit shall be in the forms set forth hereafter,

or as may be modified from time to time. The Clerk of Family Court shall make the current forms available to the public at no cost.

(4) If the Petitioner is not currently receiving cash or medical Public Assistance benefits, the information set forth in the Poverty Affidavit will be reviewed by a Judge of the Family Court who will determine eligibility for In Forma Pauperis status by adhering to the National Eligibility Level that has been established for individuals seeking free legal representation from affiliates of the Legal Services Corporation.

(5) The specific income standards are set forth by 45 C.F.R. 1611, and depend on family size, and certain other circumstances.

(6) Future changes to eligibility requirements as set forth in 45 C.F.R. 1611 are effective immediately upon the effective date of the change.

(7) The relevant income levels shall be posted in the Office of the Clerk of Family Court, which shall also make 45 C.F.R. 1611 available for public inspection.

(8) This Administrative Regulation specifically supercedes Family Court Administrative Regulation 93-3.

PAUL P. PANEPINTO,  
*Administrative Judge  
Family Court Division*

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FAMILY COURT DIVISION

|           |   |                                     |  |
|-----------|---|-------------------------------------|--|
|           | : | <input type="checkbox"/> Custody    | <input type="checkbox"/> Partial Custody |
|           | : | <input type="checkbox"/> Visitation | <input type="checkbox"/> Support         |
| _____     | : | Case ID No.                         | _____                                    |
| vs.       | : | Docket No.                          | _____                                    |
| Plaintiff | : |                                     |  |
|           | : |                                     |  |
|           | : |                                     |  |
| _____     | : |                                     |  |
| Defendant | : |                                     |  |

PETITION TO PROCEED IN FORMA PAUPERIS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

(1) I am the  PLAINTIFF  DEFENDANT (check one) in the above matter and because of my financial condition I am unable to pay the required filing fee of \$ \_\_\_\_\_.

(2) I am unable to obtain funds from anyone, including my family and friends, to pay this fee.

(3) Check one:

- I am currently a recipient of the following type(s) of Public Assistance Benefits from the Pennsylvania Department of Public Welfare:
  - cash benefits; and/or
  - medical benefits
 (check one or both, and be prepared to present to the filing clerk supporting documentation that you are currently receiving the benefit(s).

- I am not currently receiving cash or medical Public Assistance benefits, but I am attaching a completed Poverty Affidavit that verifies my financial condition, and why I cannot afford to pay the aforementioned filing fee.

I verify that the statements made in this Petition, and attached Poverty Affidavit (if applicable), 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: \_\_\_\_\_

\_\_\_\_\_  
Name of Petitioner

\_\_\_\_\_  
Address

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, upon consideration of the foregoing Petition, and attached Poverty Affidavit (if applicable), it is hereby ORDERED that the petitioner be excused from payment of the filing fee in this matter.

BY THE COURT:

\_\_\_\_\_  
J.

[Pa.B. Doc. No. 00-837. Filed for public inspection May 19, 2000, 9:00 a.m.]

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