

**IN THE CIRCUIT COURT
FOR THE THIRD JUDICIAL CIRCUIT
BOND COUNTY, ILLINOIS**

Plaintiff

vs.

Case No. _____

Defendant

**AFFIDAVIT AND APPLICATION
TO SUE OR DEFEND AS AN INDIGENT PERSON**

The undersigned as affiant, **under penalty of perjury** as provided in Section 735 ILCS 5/1-109, **certifies** that the statements in this instrument are true and correct, or made on information and belief and believed to be true:

1.) I am familiar with the facts stated herein and this Application to Sue or
Defend as an Indigent Person is brought for:

myself as Applicant

on behalf of a minor or a disabled adult, _____.

2.) The applicant is named as a defendant in a pending action or intends to file a lawsuit.

3.) The applicant receives assistance from the following benefit programs:
SSI, AABD, TANF, Food Stamps, General Assistance, State Transitional Assistance, State Children & Family Assistance.
(Circle all benefits received.)

4.) The applicant's household income is 125% or less of the current poverty level as established by the United States Department of Health and Human Services.

(Clerk will provide current chart to make this determination.)

(You must also provide the following information to confirm your eligibility.)

Number of persons in applicant's household _____

Household income: \$ _____ monthly.

The applicant's household income includes Social Security Disability Payments.

Unemployment compensation benefits.

5.) The applicant is unable to proceed in an action without payment of fees, costs, and charges and the applicant's payment of those fees, costs, and charges would result in substantial hardship to the applicant or the applicant's family.

6.) Applicant is: unemployed, or employed, and the applicant's current income is \$ _____ monthly.

7.) Applicant is married, or unmarried. The applicant's spouse's current income is \$ _____ monthly.

8.) Applicant is receiving paying child support in the amount of \$ _____ monthly.

9.) The applicant has the following assets:

money in banks, credit unions and savings & loans, in the amount of \$ _____

real estate with equity of \$ _____ located at _____

automobiles with equity of \$ _____

(Equity is the value of the property minus any mortgage or debt.)

- other financial assets, including retirement accounts, of \$ _____
- other assets _____ in the amount of \$ _____

10.) The applicant's total monthly living expenses are \$ _____ as follows:
(Do not include payments for debts or child support.)

Rent or mortgage payment: _____ Food: _____ Clothing: _____
 Car payment: _____ Car insurance: _____ Gasoline & maintenance: _____ Utilities: _____
 Telephone: _____ Child care: _____
 Medical, hospital & prescription: _____ Insurance: _____
 Other: _____

11.) The affiant, in good faith, believes that the applicant has a meritorious claim or defense.

Wherefore, the Affiant seeks permission of this Court for the Applicant to sue or defend as an indigent person.

Affiant

ORDER

Having reviewed the Application to Sue or Defend as an Indigent Person, the Court now enters its Order:

- Application **ALLOWED**. The applicant is allowed to sue or defend as a poor person without payment of fees, costs or charges. Assessment against any other party is reserved pending outcome.
- Application **DENIED** for the following reason(s):
 - Applicant is not indigent. Other: _____
- _____ Applicant granted _____ days to pay filing fees.
- Application is **INCOMPLETE**. Default Judgment may be entered if application is not completed by the answer date or extension. Applicant granted _____ day extension to submit completed application.
- RULING RESERVED**. Applicant **MUST** submit most recent Federal income tax return along with year-to-date paycheck stub or statement within _____ days. Failure to do so may result in entry of Default Judgment.

 Date

Presiding Judge

Clerk to mail copies of this Application and Order to all parties of record.