

REQUEST TO FILE A CASE OR MAKE AN APPEAL AS AN INDIGENT

In a court case in North Carolina, any person may ask to be granted status as an *indigent*, or low-income person. An indigent person does not have to pay sheriff's fees or court filing fees. To make the request, a person must file a court form.

The form. The court form is called the *Petition to Proceed as an Indigent*. Free forms are available at the clerk's office at the courthouse. The form is on the internet at <https://www.nccourts.gov/documents/forms/petition-to-proceed-as-an-indigent>

Indigent status by law. By law, a person is indigent if she or he gets Food and Nutrition Services benefits *or* SSI benefits *or* Work First Family Assistance. If a person gets any of those benefits, and if the clerk is authorized to review and decide about the Petition, the clerk must grant the petition. If the clerk is not authorized, a judge will decide whether to grant the status.

Indigent status based on clerk's decision. If you do not get FNS or SSI or Work First benefits, the court staff may require you to complete more forms. The court will decide whether you may be granted indigent status.

→ **STEP ONE:** Get the *Petition* form. Do not sign or date it.

- ▶ Check the box for ● *Petition to Assert Claims* if you wish to start a court case.
- ▶ Check the box for ● *Petition to File Motions* if you are making a Motion in a case.
- ▶ Check the boxes for ● *Petition to File Motions* and ● *Petition to Appeal* if you are making an *appeal* in a case.
- ▶ Check the box for ● *Petition to File Expunction Petition* if that is what you are filing.
- ▶ Check the box(es) that apply if you get FNS ("food stamps") or Work First ("AFDC") or SSI.
- ▶ Check the box beside ● *Although I am not a recipient ...* if you do not get any of the benefits.
- ▶ In the space for ● *Name and Address of Petitioner*, print your name and address.

→ **STEP TWO:** Take the *Petition* to a notary public. Ask the notary to witness your signature. A notary may charge you a \$5 fee for her or his service. You may find a notary at most banks.

Your signature on the *Petition* must be witnessed by a notary public. You must show the notary your photo ID.

→ **STEP THREE:** Take the witnessed *Petition* to the clerk's office at the courthouse. Write the date on the *Petition*, and then file it and your other court documents.

When you file the *Petition*, you must show the clerk a photo ID and if you get benefits, you must also show the clerk your EBT card or other proof that you get the benefits.