

Additional Instructions for Form CA 106A

Form CA 106A and SCR-Civ. 54-II provide that if an applicant receives Interim Disability Assistance (IDA), Medicaid, or the D.C. HealthCare Alliance, the court may grant the Application without requiring additional information from the applicant. Because Medicaid eligibility standards have been relaxed, if Medicaid is the only public or healthcare benefit the applicant is receiving, Civil Division judges require applicants provide additional information. Therefore, if Medicaid is the only public or healthcare benefit you are receiving, you should also complete Questions 3-7 on Form CA 106 A.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT and CIVIL DIVISION

Plaintiff/Petitioner

v.

Case no: _____

Defendant/Respondent

**APPLICATION TO PROCEED WITHOUT PREPAYMENT
OF COSTS, FEES, OR SECURITY (*In Forma Pauperis*)**
Form 106A

I, _____ am the (check one)
☐ Plaintiff/Petitioner ☐ Defendant/Respondent

I need an interpreter for this case. I speak the following language:
_____ [Insert Language].

I respectfully ask permission to proceed in this case without pre-paying costs or fees and without giving security for them because I am not able to do so without substantial hardship to myself or to my family. In support of this request, I state the following:

Check and answer only those that apply.

INCOME

1. I receive the following public benefits, and the law presumes that I am eligible to proceed without prepayment of costs, fees, or security (see D.C. Code § 15-712):

- ☐ Temporary Assistance for Needy Families (TANF)
- ☐ General Assistance for Children (GAC)
- ☐ Program on Work, Employment and Responsibility (POWER)
- ☐ Supplemental Security Income (SSI)

2. Even though I do not receive the above public benefits, I receive the following similar benefits and, therefore, request that my Application be approved:

- ☐ Interim Disability Assistance (IDA) because my SSI application has not been approved/certified
- ☐ Medicaid
- ☐ DC Healthcare Alliance or the following similar health benefits (describe)_____.

If you checked any of the above boxes, you do not need to answer any more questions and may skip to the section called "Declaration." Otherwise, you must answer the rest of the questions on this form. If additional information is required, you will be notified.

3. My total income over the past 12 months from all sources (including, but not limited to, my job, other wages or business income, rental income, pensions, annuities or life insurance payments, worker's compensation, unemployment compensation or insurance, annual interest or dividends, gifts, alimony or spousal support, inheritance or trust income) is \$_____.

4. I am presently unemployed. The last date I worked was on _____'_____.
Month Year

DEPENDENTS

5. How many people live in your household and depend on you for support: _____. Of these people, how many are minor children or elderly? _____.

ASSETS

6. I state the following about my property:

I have \$_____ in cash, including money in savings or checking accounts.

I own the vehicles, personal home, other real estate, stock, bonds, or other valuable property, besides household furnishings and clothing, listed below:

List the Property

EXPENSES

7. This is my best estimate of the monthly expenses for myself and the people in my household who depend on me for support:

Housing (rent, mortgage, taxes, & insurance): \$_____

Public Transportation and Gasoline: \$_____

Automobile Loan, Insurance, Maintenance: \$_____

Health (medical, dental, vision, prescriptions, insurance): \$_____

Food and other Household Necessities: \$_____

Utilities (including gas, electric, water, phone, internet): \$_____

Clothing: \$_____

Child Support: \$_____

Childcare (including diapers, daycare): \$_____

Other (explain in detail): \$_____

Total Estimated Monthly Expenses: \$_____

OTHER SPECIAL CIRCUMSTANCES

- ☐ 8. (Optional) Explain any other special circumstances that you want to have considered in support of your request, including any large monthly expenses, debts, wage or bank account garnishments, and/or judgments.

DECLARATION

REQUIRED: I solemnly swear or affirm under criminal penalties for the making of a false statement, which includes 180 days in jail or a \$1,000 fine or both, that I have read this Application and that the factual statements made in it are true to the best of my personal knowledge, information and belief.¹

Signature

Address

Phone Number

Date

POINTS AND AUTHORITIES IN SUPPORT OF APPLICATION TO PROCEED WITHOUT PREPAYMENT OF COSTS, FEES, OR SECURITY

1. D.C. Code § 15-712.
2. D.C. Code § 22-2405.
3. Civil Rule 54-II, Domestic Relations Proceedings Rule 54-II, and Family Rule R.
4. *Adkins v. E.I. Du Pont de Nemours & Co., Inc.*, 335 U.S. 331 (1948).
5. *Harris v. Harris*, 137 U.S. App. D.C. 318, 322, 424 F.2d 806 (1970), *cert. denied*, 400 U.S. 826 (1970) (“*in forma pauperis* relief not limited to those who are public charges or absolutely destitute”).
6. *Green v. Green*, 562 A.2d 1214 (D.C. 1989) (statute “effectuates the fundamental principle that every litigant should be provided equal access to the courts without regard to financial ability”).
7. *Herbin v. Hoeffel*, 727 A.2d 883, 887 (D.C. 1999) (court officers serve process in *in forma pauperis* cases).
8. *Cabillo v. Cabillo*, 317 A.2d 866, 866 (D.C. 1974) (per curiam) (reversing denial of *in forma pauperis* status and mandating granting of petition where litigant’s income “only slightly above the welfare standard”).

¹ When you come to court, you may be asked questions about this Application. If your responses are not truthful, you could face additional criminal penalties.

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FAMILY COURT and CIVIL DIVISION

Plaintiff/Petitioner

v.

Case No. _____

Defendant/Respondent

ORDER

Having considered ☐ Plaintiff/Petitioner's ☐ Defendant/Respondent's Application to Proceed without Prepayment of Costs, Fees, or Security, it is hereby ordered that the Application is:

- ☐ **GRANTED** in this Family Court case and, pursuant to Domestic Relations Rule 54-II, witnesses will be subpoenaed without prepayment of witness fees;
- ☐ **GRANTED** in this Civil Division case and, pursuant to Civil Rule 54-II, the officers of the Court will issue and serve all process; witnesses will be subpoenaed without prepayment of witness fees;
- ☐ **DENIED**
 - ☐ For the following reasons: _____

 - ☐ For the reasons stated on the record in open court and in the presence of the applicant or his or her counsel;

Date

Judge