

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Email Address \_\_\_\_\_

**MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

<p>In re the Marriage of:</p> <p>_____, Petitioner,</p> <p>and</p> <p>_____, Respondent.</p>	<p>Dept. No.: _____ Cause No.: _____</p> <p><b>AFFIDAVIT OF INABILITY TO PAY FILING FEES AND OTHER COSTS</b></p>
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[ANSWER ALL QUESTIONS. USE N/A IF NOT APPLICABLE.]

**[NOTE TO CLERK: REMOVE FINAL PAGE AFTER JUDGE SIGNS AND FILE ORDER SEPARATELY]**

STATE OF MONTANA )  
 : ss.  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, being first duly sworn, depose and say: That I have a good cause of action or defense but am unable to pay the costs or get security to secure the cause of action or defense. I request the court to waive the costs and approve indigence status. I declare the following:

**I. PERSONAL INFORMATION**

I am the \_\_\_\_\_ Plaintiff, \_\_\_\_\_ Petitioner or  
\_\_\_\_\_ Defendant, \_\_\_\_\_ Respondent in the above proceeding.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Birth date \_\_\_\_\_ Age \_\_\_\_\_ SSN \_\_\_\_\_

Employed: Yes \_\_\_ No \_\_\_ Self-Employed: Yes \_\_\_ No \_\_\_ Hourly wage \$ \_\_\_\_\_

Employer's name and address \_\_\_\_\_  
Type of employment \_\_\_\_\_ Length of current employment \_\_\_\_\_

If unemployed:

Month/Year last employed \_\_\_\_\_ Last hourly wage \$ \_\_\_\_\_

Why did you leave your last employment? \_\_\_\_\_

Single \_\_\_\_\_ Married \_\_\_\_\_ Divorced \_\_\_\_\_ Separated \_\_\_\_\_

Are persons dependent on you for support? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, list each person and that person's age and relationship to you:

\_\_\_\_\_

\_\_\_\_\_

Spouse's name \_\_\_\_\_

Spouse's birth date: \_\_\_\_\_ Age \_\_\_\_\_ SSN \_\_\_\_\_

Spouse's employer and address \_\_\_\_\_

Are you sharing expenses with anyone? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain: \_\_\_\_\_

Are you sharing income with anyone? Yes \_\_\_\_\_ No \_\_\_\_\_

Explain \_\_\_\_\_

## II. INCOME

Income available:

My wages or salary \$ \_\_\_\_\_ AFDC \$ \_\_\_\_\_

Other wages or salary \$ \_\_\_\_\_ SSI \$ \_\_\_\_\_

Unemployment \$ \_\_\_\_\_ Medicaid \$ \_\_\_\_\_

Food Stamps \$ \_\_\_\_\_ Retirement \$ \_\_\_\_\_

Child Support \$ \_\_\_\_\_ Other income \$ \_\_\_\_\_

Total household income:

Last month \$ \_\_\_\_\_ Previous 12 months \$ \_\_\_\_\_

## III. ASSETS

Do you or your spouse own or are you or your spouse buying any motor vehicles?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, year, make and model of vehicle(s):

\_\_\_\_\_

\_\_\_\_\_

Is/are vehicles(s) paid for? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, year, make and model of vehicle(s):

\_\_\_\_\_

\_\_\_\_\_

Do you or your spouse own or are you or your spouse buying any land or other real estate?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, what is the approximate current market value?

\$ \_\_\_\_\_ What was the purchase price? \$ \_\_\_\_\_

When did you purchase the land or other real estate? \_\_\_\_\_

Is it paid for? Yes \_\_\_\_\_ No \_\_\_\_\_ If not, how much do you or your spouse owe on the land or other real estate \$ \_\_\_\_\_

Do you or your spouse have:

Checking accounts? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, total amount \$ \_\_\_\_\_

Savings accounts? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, total amount \$ \_\_\_\_\_

List the banks where the accounts are held: \_\_\_\_\_

Do you or your spouse have stocks or bonds? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what is the total amount of the stocks or bonds? \$ \_\_\_\_\_

Do you or your spouse have wages due but not received? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, total amount owed to you or your spouse \$ \_\_\_\_\_

Value of your or your spouse's personal property:

Sporting Equipment \$ \_\_\_\_\_ Guns \$ \_\_\_\_\_ Boats \$ \_\_\_\_\_

Trailers \$ \_\_\_\_\_ Campers \$ \_\_\_\_\_ Tools \$ \_\_\_\_\_

Stereos \$ \_\_\_\_\_ TVs \$ \_\_\_\_\_ Furniture \$ \_\_\_\_\_

Appliances \$ \_\_\_\_\_ Other personal property \$ \_\_\_\_\_

Describe and value other personal property you or your spouse own or are buying:

\_\_\_\_\_

Do you or your spouse have in your possession or in your house any property worth over \$200.00 that belongs to another person? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes:

Type of property: \_\_\_\_\_

Value of property: \$ \_\_\_\_\_

Name the owner of the property \_\_\_\_\_

Reason the property is in your possession: \_\_\_\_\_

\_\_\_\_\_

#### **IV. MONTHLY EXPENSES**

List your or your spouse's monthly expenses:

Rent or house payment \$ \_\_\_\_\_

Clothes \$ \_\_\_\_\_ Food \$ \_\_\_\_\_

Miscellaneous items (List each item) \$ \_\_\_\_\_

\_\_\_\_\_

#### **V. OBLIGATIONS/DEBTS**

Do you or your spouse have any debts or obligations that you owe?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe the debts or obligations and list the amounts:

\_\_\_\_\_

\_\_\_\_\_

Have you sold, given away, or put in the name of another person or entity, or otherwise transferred any property of a value over \$200 within the preceding 12 months?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe the property:

\_\_\_\_\_  
\_\_\_\_\_

Value of property \$ \_\_\_\_\_

Name(s) to whom you transferred property: \_\_\_\_\_

Reason for transfer of property: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Please Check one of the following and complete all information:**

\_\_\_\_\_ I have paid or will pay a total of \$ \_\_\_\_\_ for the preparation or processing of the documents or blank forms that will be filed in this entire case (from the beginning of the case to the end of the case) and agree that an equal amount is to be paid to the Clerk of District Court at the time of the entry of decree or final judgment in this case.

**or**

\_\_\_\_\_ I prepared all of the pleadings and papers to be filed in this case myself, and no one has been, or will be, paid on my behalf. I have not paid anyone or any organization for the preparation and processing of these documents or for the forms to be used in this case.

I further declare that I am the person above named, that I have read the foregoing questions and information and know the same to be true to the best of my knowledge, and that IF ANY PART OF THE ABOVE IS MADE FALSELY, I AM SUBJECT TO PROSECUTION FOR PERJURY.

\_\_\_\_\_  
(Signature of Affiant)

SUBSCRIBED AND SWORN TO before me, a notary public, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Notary Seal)

\_\_\_\_\_  
Notary Public for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

Hon. \_\_\_\_\_  
Fourth Judicial District  
Missoula County Courthouse  
200 West Broadway  
Missoula, Montana 59802  
(406) 258-4780  
Fax (406) 258-4899

**MONTANA FOURTH JUDICIAL DISTRICT COURT,  
MISSOULA COUNTY**

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In re the Marriage of:

\_\_\_\_\_,  
Petitioner,  
and  
\_\_\_\_\_,  
Respondent.

Dept. No.  
Cause No.: DR-

**ORDER ON INABILITY TO  
PAY FILING FEES AND  
OTHER COSTS**

Having considered the information contained in [Petitioner's] [Respondent's] Affidavit of Inability to Pay Filing Fees and Other Costs, IT IS HEREBY ORDERED that, pursuant to §25-10-404, MCA et seq., all officers of the Court shall perform all services associated with this action, including filing, issuance and service of all pleadings and Court orders, without demanding or receiving fees in advance. Leave to file the Petition expires thirty (30) days from the date of this Order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

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DISTRICT COURT JUDGE