

12. SAMPLE FORMS

FORM 1: AFFIDAVIT OF INDIGENCY (PAUPER'S AFFIDAVIT)

IN THE COURT OF APPEALS OF GEORGIA

_____)	
Appellant[s])	
)	
vs.)	Case No. _____
)	
_____)	
Appellee[s])	

AFFIDAVIT OF INDIGENCY

Comes now _____ (your name), first being duly sworn, deposes and states that I am financially unable to pay the filing fee required for filing in the Court of Appeals of Georgia, and I request that I be permitted to file Appellant's Brief or Appellant's Application without having to pay filing fees. I further swear that the responses which I have made to the questions and instructions below are true.

1. Are you presently employed either full or part time? ☐ Yes ☐ No
If the answer is "Yes", state the amount of your salary or wages per month, and give the name, address and telephone number of your employer:

If the answer is "No", state the date of last employment and the amount of the salary and wages per month which you received:

2. Have you received within the past twelve months any money from any of the following sources?

Business, profession or form of self-employment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Pensions, annuities or life insurance payments?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Rent payments, interest or dividends?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Gifts or inheritances?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
State or Federal benefit allowances?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Any other sources?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If the answer to any of the above questions is “Yes”, describe each source of money and state the amount received from each source during the past twelve months:

3. Do you own any cash, or do you have money in a checking or savings account? ☐ Yes ☐ No
If the answer is “Yes”, state the total value of the items owned:

4. Do you own any real estate, stocks, bonds, notes, automobiles or other property (excluding ordinary household furnishings and clothing)? ☐ Yes ☐ No

If the answer is “Yes”, describe the property and state its approximate value:

5. List the persons who are dependent on you for financial support, state your relationship to those persons, and indicate how you contribute toward their support:

6. Are you being represented by counsel? ☐ Yes ☐ No

If the answer is “Yes”, was counsel appointed by the State? ☐ Yes ☐ No

If counsel was not appointed by the State, is/was counsel paid by you? ☐ Yes ☐ No

If counsel is/was paid by you, please explain your ability to pay counsel but not court fees:

7. Did you apply for pauper status in the trial court? ☐ Yes ☐ No

If the answer is “Yes”, did the lower court grant your request? ☐ Yes ☐ No

If you were not considered indigent in the lower court, explain why such status should be granted in this Court:

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury and that state law provides as follows:

(a) A person to whom a lawful oath or affirmation has been administered commits the offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a false statement material to the issue on point in question.

(b) A person convicted of the offense of perjury shall be punished by a fine of not more than \$1000 or by imprisonment for not less than one nor more than ten years, or both.

OCGA § 16-10-70.

I, _____ (your name), do swear and affirm under penalty of law that the statements contained in this affidavit are true. I further attest that this affidavit is not submitted to harass or to cause unnecessary delay or needlessly increase the costs of litigation.

This the ____ (Day) of _____ (Month), ____ (Year).

(Your name printed or typed)

(Sign your name)

(Your complete address, telephone number, and e-mail address, if any)

Sworn to and subscribed before me

SEAL

This the ____ (Day) of _____ (Month), ____ (Year).

Notary Public