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State of Minnesota

District Court

County of: \_\_\_\_\_

Court File Number: \_\_\_\_\_

Judicial District: \_\_\_\_\_

Case Type: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner

VS/AND

\_\_\_\_\_  
Defendant/Respondent

**Inmate’s Affidavit to Request Fee Waiver (In Forma Pauperis) (FEE201)**

Minn. Stat. §§ 563.01, 563.02

1. I am a party in this action. I am not represented by counsel. I have been convicted of a felony, and I am committed to the custody of the Commissioner of Corrections. I am either confined in a state correctional facility, or I have been released from a state correctional facility under Minn. Stat. §§ 244.065 or 244.07.

In good faith, I ask for a court order waiving court fees and costs.

2. I believe that I have good reasons for making this request.

**I am including my pleadings** with this *Affidavit*.

- ➔ Examples of pleadings include the petition, complaint, answer, motion, appeal, etc.
- ➔ NOTE: If you are the person bringing the case, known as the plaintiff, Minnesota law requires you to provide the Court with a copy of the *Complaint* before serving the *Complaint* on the opposing party.

**The following information is required. You must complete each section.**

3. I have the following dependents: \_\_\_\_\_

- ➔ Dependents are people who rely on you for most of their financial support, and can include parents, children, or extended family members.

4. Income.

I receive income from the following sources (check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Job/wages     | <input type="checkbox"/> Unemployment    | <input type="checkbox"/> Social Security |
| <input type="checkbox"/> Child Support | <input type="checkbox"/> Spousal Support | <input type="checkbox"/> Trust Income    |

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Other (for example: disability, pension, rental income): \_\_\_\_\_

→ Include income from all the sources you checked above. To calculate monthly income you get from a job:

- Multiply the number of hours worked per week by your hourly pay to get the weekly amount.
- Then multiply that by 4.33 to get the monthly amount.
- In summary: hours per week x hourly pay x 4.33 = monthly income before taxes and deductions).

→ If your monthly income changes a lot from month to month, then you should answer the question below based on your *average* monthly income for the last 6 months. To calculate your average income:

- Add your total monthly income from the last 6 months.
- Then divide that number by 6
- In summary: last 6 months of income added together ÷ 6 = average monthly income.

My total **monthly** income (before taxes and deductions) is \$\_\_\_\_\_

**OR**

My **average** monthly income (before taxes and deductions) is \$\_\_\_\_\_

5. Marital Status.

I am  **not married** (skip to #6).

**OR**

I am (check all that apply):  married  separated  getting a divorce

My spouse's total **monthly** income (before taxes and deductions) is \$\_\_\_\_\_. The source of that income is \_\_\_\_\_

**OR**

I do not know my spouse's income because: \_\_\_\_\_

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6. Monthly Expenses.

I pay the following **monthly expenses**:

→ Include amounts you pay for yourself, your spouse or significant other, your minor children, and other dependents in your home; if you do not have the expense, list \$0.

Rent or mortgage:	\$ _____	Child support:	\$ _____
Utilities:	\$ _____	Childcare:	\$ _____
Food:	\$ _____	Medical insurance:	\$ _____
Car payments:	\$ _____	Cell phone:	\$ _____
Car insurance:	\$ _____	Other (explain):	\$ _____
Spousal support:	\$ _____	_____	_____

7. Debt.

I am \$ \_\_\_\_\_ in debt.

→ Do not include any car loan, real estate loan, or mortgage.

8. Cash and Accounts.

I have the following money available:

→ List \$0 if you don't have these things.

Cash:	\$ _____	Accounts:	\$ _____
		(checking, savings, and/or credit union)	

9. Other Assets.

I own the following property (list the equity value of the item, which is what you could sell the item for minus the amount you still owe on the item, if anything):

Vehicle 1  
Year and make: \_\_\_\_\_ \$ \_\_\_\_\_

Vehicle 2  
Year and make: \_\_\_\_\_ \$ \_\_\_\_\_

House I live in now \$ \_\_\_\_\_

Other real estate \$ \_\_\_\_\_

Other personal property (jewelry, stocks, bonds, etc.; list separately):

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_____	\$ _____
_____	\$ _____
_____	\$ _____

10. Other reasons why I cannot afford to pay the court fees (explain unusual medical expenses, emergencies, credit card payments, student loans, reasons that the listed money is not available to you, or other circumstances to help the judicial officer understand your situation):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. Minnesota Department of Corrections.

➔ According to Minn. Stat. § 563.02, subd. 2(1), an inmate must exhaust the inmate complaint procedure developed by the Commissioner of Corrections before starting a civil action against the Department of Corrections.

I am not asking for a fee waiver in order to start a civil action against the Department of Corrections.

**OR**

I have exhausted the inmate complaint procedure developed by the Commissioner of Corrections before starting this action against the Department of Corrections.

12. The Underlying Claim.

➔ According to Minn. Stat. § 563.02, subd. 2(2), an inmate’s request for a fee waiver must include a statement that the inmate’s claim is not substantially similar to a previous claim brought by the inmate against the same party, arising from the same facts, and in which the case was adjudicated on the merits.

My claim is not substantially similar to a previous claim brought against the same party, arising from the same facts, and which resulted in an adjudication on the merits.

13. Inmate’s Identity.

My full name is:

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First: \_\_\_\_\_

Middle: \_\_\_\_\_

Last: \_\_\_\_\_

Suffix (for example, Jr. or III): \_\_\_\_\_ or  None

I have been known by the following other names: \_\_\_\_\_

\_\_\_\_\_

OR

This is the only name I have been known by. There are no other names.

14. Inmate Account and Authorization.

**I have attached a copy of my most recent monthly statement showing the balance in my inmate account.** I authorize the Court to obtain at any time during the pendency of this action a current statement of the balance of my inmate account.

➔ NOTE: An inmate who has funds in an inmate account may only proceed as a plaintiff in a civil action by paying either the applicable court filing fee or 50% of the balance in the inmate account, whichever is less. If 50% of balance of the inmate account is used to commence the civil action, the Commissioner of Corrections will continue to draw money out of the inmate account until the filing fee is paid in full.

OR

I do not have an inmate account.

I declare under penalty of perjury that everything I have stated in this document is true and correct.  
Minn. Stat. § 358.116

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

County and state where signed:  
\_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_