

INSTRUCTIONS FOR AFFIDAVIT AND ORDER TO WAIVE FEES AND COSTS

These instructions are only intended to provide information on how to fill out this form. It is not intended to substitute legal advice. There may be additional documents and procedures for your particular type of civil action. If you have any legal questions regarding the specific facts of your case, please consult with an attorney.

For other questions, you may contact the Trial Court at (715) 284-2722.

Do not include these instruction sheets when you file the completed form.

Affidavit and Order to Waive Fees and Costs:

An Affidavit and Order to Waive Fees and Costs allows you to file a Complaint or Petition in the Ho-Chunk Nation Trial Court without paying the Court's filing fee. You may only use this form if you are unable to afford the payment of the filing fees and costs due to economic hardship.

The Affidavit and Order to Waive Fees and Costs form consists of two (2) parts: (1) an affidavit that states you are unable to pay the filing costs associated with your case, and (2) an Order for the Court to fill out.

Instructions:

- **Page 1 (Left Side), Lines 5-16:** Enter your full, legal name on the line provided.
- **Page 1 (Left Side), Lines 8-9:** Enter the name of the person/agency/company/party to whom you are filing an action against.
- **Page 1 (Right Side), Line 9:** Leave this section blank. The Court's clerk will assign a case number to it.
- **Page 1, Lines 18-27:** Check the corresponding box that applies to your situation.
- **Page 2, Lines 1-2:** Provide details about your monthly household income, including how many people are in your household and your source of income.
- **Page 2, Lines 3-4:** Indicate how much money you receive each quarter, month or week if you receive either child support or alimony. You may leave this question blank or write "N/A" on the space provided if you do not receive either child support or alimony.
- **Page 2, Lines 5-6:** Indicate whether you receive per capita distribution from the Ho-Chunk Nation or other Indian Tribe. Provide the frequency of these payments and the amount of the per capita if you receive such income.

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- **Page 2, Lines 7-11:** Provide your household expenses for rent/mortgage, child care/child support, and work expenses. For childcare or child support, please draw a circle to indicate which expense applies to you. Please also indicate whether you pay this expense weekly or quarterly. You may circle both childcare and child support if you pay both types of payments and add them together in the space provided.
- **Page 2, Lines 12-15:** Provide the Court with any additional expenses you want the Court to know about. Please also indicate how often you make these additional expenses.
- **Page 2, Lines 16-21:** You may provide the Court with any other extraordinary expenses that support your request to waive the filing fees and deferment of other costs associated with your case. Such expenses may include, but are not limited to, emergencies, medical expenses, pending divorce, or separation. You should provide supporting documentation of these types of expenses.
- **Page 2, Lines 22-23:** Include this form with your complaint or petition.
- **Page 3, Lines 1-22:** After you complete the form, you must sign and date the form before a notary. If represented, your attorney will help you fill this part of the form out.

DO NOT FILL OUT THE ORDER ON PAGE 4. The Order on Page 4 is for the Court to grant your request to waive the filing fees and costs associated with your case.