

IN THE _____ COURT OF _____ COUNTY, WEST VIRGINIA

Case No. _____

v.

Plaintiff or Petitioner

Defendant or Respondent

**FINANCIAL AFFIDAVIT AND APPLICATION:
ELIGIBILITY FOR WAIVER OF FEES, COSTS, OR SECURITY IN A CIVIL OR DOMESTIC
CASE, OR FOR COSTS ASSOCIATED WITH REQUIRED POLYGRAPH EXAMINATION OR
ELECTRONIC MONITORING**

A. Information for the Applicant:

1. You will be allowed to file and carry on your civil proceeding without giving security or paying fees or costs that would otherwise be required, if the court finds that you meet the official financial guidelines.
2. You must complete the affidavit for the court to determine if the costs of either a polygraph examination, required by *W.Va. Code § 62-11D-2*, or electronic monitoring, required by *W.Va. Code § 62-11D-3*, will be paid by the supervising entity.
3. You must file a separate affidavit and application anytime your financial situation no longer meets the official guidelines or anytime the court orders you to do so.
4. You must attach a copy of your most recent salary stub, W-2 form, or other financial documentation (with all Social Security Numbers and all dates of birth removed [you can black them out]) that verifies your income. Without the attached documentation, your application will be incomplete and not considered.
5. At any time you may request or the court may require review of your eligibility for a waiver; and at any time the court may require you to pay fees or costs previously waived or to pay future fees or costs.
6. When you sign this form, you will have to swear or affirm that you have completely and truthfully provided all information sought, to the best of your knowledge and ability. *If you knowingly give any incomplete and/or false information, you may be prosecuted for the crime of false swearing.*
7. The information you give in this form will be confidential only in a domestic violence or a divorce case.
8. Except for signatures, all information must be clearly printed.

B. Information about You and Your Case:

1a. Name: _____ 1b. Telephone Number: _____
1c. Address: _____

2. Describe what is involved in your case: _____

3a. Do you have a lawyer? Yes No

b. Have you paid or will you have to pay your lawyer? Yes No

c. Will you have to pay your lawyer only if you win? Yes No

4. Check if seeking waiver for:

Cost of required polygraph examination (*W.Va. Code § 62-11D-2*); and/or

Cost of required electronic monitoring (*W.Va. Code § 62-11D-3*).

C. Information about Your Financial Situation:

1a. What is your current yearly net (take-home) income from all sources:

Employer: \$ _____ Second Job: \$ _____ Self-Employment: \$ _____

Public Assistance: \$ _____ Food Stamps: \$ _____ Unemployment: \$ _____

Benefits: \$ _____ Disability Benefits: \$ _____ Social Security/SSI: \$ _____

Alimony: \$ _____ Pensions: \$ _____ Rental Income: \$ _____

Interest: \$ _____ Dividends: \$ _____ Annuities: \$ _____

Odd Jobs: \$ _____ Other: \$ _____ (specify): _____

YEARLY TOTAL: \$ _____

Please remember to attach financial documents which verify this information.

1b. If your listed income is zero (0), please explain below and attach some verification (i.e. DHHR or food stamp information): _____

2a. List the names and relationships to you of all the persons supported by this income, whether or not they are household members (provided, that these persons can be claimed as dependents on your federal tax return):

2b. What is the total number of dependents, including yourself? _____

3. How much money do you, individually or jointly, have in cash, checking and savings accounts, deposit certificates, and/or bonds (**liquid assets**)? \$ _____

4a. List your regular monthly household debt-payment and other expenses:

Mortgage/Rent: \$ _____	Car payment: \$ _____	Loan payments: \$ _____
Credit card payments: \$ _____	Other debt payments: \$ _____	Utilities: \$ _____
Cell phone: \$ _____	Food: \$ _____	Child-care: \$ _____
Child Support: \$ _____	Alimony: \$ _____	Medical bills: \$ _____
Other expenses: \$ _____ (specify): _____		

4b. What is the total amount of these monthly expenses? \$ _____

5a. List all cars, trucks, motorcycles, or recreational vehicles (all-terrain vehicles, motor homes, snowmobiles, boats), including their make, model, and year, that you own, individually or jointly:

5b. What is the total value of these items less any amount owed? \$ _____

6a. List all real estate (houses, lots, land, rental property, other commercial property) that you, individually or jointly, own. _____

6b. What is the total value of these items less any amount owed? \$ _____

7. What would the consequences be for you if a waiver of fees, costs, or security is denied? _____

8. This application consists of three (3) pages and _____ pages of supporting financial documents.

By signing my name on this form, I swear to or affirm: (1) the completeness and truthfulness, to the best of my ability and knowledge, of the information I have provided and (2) my belief that I have a right to a waiver.

Signature of Affiant-Applicant: _____

Taken, subscribed, and sworn or affirmed before me, by the person whose signature appears above, on this _____ day of _____, 20____, in _____ County, West Virginia.

Signature of Notary (Clerk or Deputy Clerk): _____

For Court Use Only

The affiant's application for a waiver is (clerk: initial one) _____ granted _____ denied.

Date: _____ Signature of Clerk or Deputy: _____