

# COMPLETING THE ORDER TO PROCEED IN FORMA PAUPERIS (Order to Proceed without Payment of Fees)

Use this form to give the court a proposed Order to allow you to file your case without paying the filing fees and costs.

In a new case, such as a case for divorce or paternity, you are the plaintiff, and the other party is the defendant. In a case that is for a modification or for enforcement of an existing order, the plaintiff and the defendant are the same as they are listed on the original case. In a case for emancipation or name change, you are the petitioner.

## Page 1 of 2 for Divorce, Paternity, Modification, or Enforcement

Choose the court and the county using the drop-down list.

Enter the name of the plaintiff.

Enter the name of the defendant.

Check the first box if this is a civil case.

Enter the case number.

Enter the name of the county.

Check the box in front of what your role is in the first paragraph and on numbers 1-3.

Enter the type of case.

Type of Case - Check only one: ☒ Civil (includes divorce, child support, custody, modification, enforcement, etc.) ☐ Name change - Adult ☐ Emancipation The items in this box will NOT print on your form.

IN THE COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
Choose the court (County or District) Choose the court (county where original action filed)

\_\_\_\_\_  
Plaintiff/Petitioner. Case No. \_\_\_\_\_  
(case number assigned by clerk of court)

vs.

\_\_\_\_\_  
Defendant/Respondent. ORDER TO PROCEED IN FORMA PAUPERIS

THIS MATTER came before the court upon the Affidavit and Application to Proceed In Forma Pauperis and to permit commencement of the above-captioned action without prepayment of fees, costs, and expenses, or provision of security and for an Order directing \_\_\_\_\_ County,  
(name of county where filed)

Nebraska, to pay the ☐ plaintiff's/ ☐ defendant's/ ☐ petitioner's/ ☐ \_\_\_\_\_ costs, fees, and other expenses related to this action.

The court, being fully advised in the premises, finds and orders as follows:

1. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ brings this action to/for \_\_\_\_\_ in good faith.  
(Type of case being filed)
2. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ cannot commence with the action to/for \_\_\_\_\_ if required to prepay fees, costs, and expenses, or provide security.  
(Type of case being filed)
3. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ is without adequate income or resources to pay such costs, fees, and expenses, or to provide security.
4. Pursuant to Neb. Rev. Stat. §§ 25-2301 to 25-2310, such costs, fees and expenses may be paid by the county in which the action is filed.

## Page 1 of 2 for Name Change

Check the second box if this is a case for name change

Choose the court and the county using the drop-down list.

Enter the case number.

Enter your name.

Enter the name of the county.

Check the box in front of what your role is in the first paragraph and on numbers 1-3.

Enter the type of case.

Type of Case - Check only one: ☐ Civil (includes divorce, child support, custody, modification, enforcement, etc.) ☒ Name change - Adult ☐ Emancipation The items in this box will NOT print on your form.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
Choose the court (County or District) Choose the court (county where original action filed)

IN RE NAME CHANGE OF \_\_\_\_\_  
Petitioner

Case No. \_\_\_\_\_  
(case number assigned by clerk of court)

**ORDER TO PROCEED  
IN FORMA PAUPERIS**

THIS MATTER came before the court upon the Affidavit and Application to Proceed In Forma Pauperis and to permit commencement of the above-captioned action without prepayment of fees, costs, and expenses, or provision of security and for an Order directing \_\_\_\_\_ County,  
(name of county where filed)

Nebraska, to pay the ☐ plaintiff's/ ☐ defendant's/ ☐ petitioner's/  
☐ \_\_\_\_\_ costs, fees, and other expenses related to this action.

The court, being fully advised in the premises, finds and orders as follows:

1. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ brings this action to/for \_\_\_\_\_ in good faith.  
(Type of case being filed)
2. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ cannot commence with the action to/for \_\_\_\_\_  
(Type of case being filed) if required to prepay fees, costs, and expenses, or provide security.
3. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ is without adequate income or resources to pay such costs, fees, and expenses, or to provide security.
4. Pursuant to Neb. Rev. Stat. §§ 25-2301 to 25-2310, such costs, fees and expenses may be paid by the county in which the action is filed.

## Page 1 of 2 for Emancipation

Choose the court and the county using the drop-down list.

Enter your name.

Check the third box if this is a case for emancipation.

Enter the case number.

Enter the name of the county.

Check the box in front of what your role is in the first paragraph and on numbers 1-3.

Enter the type of case.

Type of Case - Check only one: ☐ Civil (includes divorce, child support, custody, modification, enforcement, etc.) ☒ Emancipation The items in this box will NOT print on your form.

☐ Name change - Adult

IN THE COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
Choose the court (County or District) Choose the county (county where original action filed)

IN RE EMANCIPATION OF: \_\_\_\_\_  
Petitioner.

Case No. \_\_\_\_\_  
(case number assigned by clerk of court)

**ORDER TO PROCEED  
IN FORMA PAUPERIS**

THIS MATTER came before the court upon the Affidavit and Application to Proceed In Forma Pauperis and to permit commencement of the above-captioned action without prepayment of fees, costs, and expenses, or provision of security and for an Order directing \_\_\_\_\_ County,  
(name of county where filed)

Nebraska, to pay the ☐ plaintiff's/ ☐ defendant's/ ☐ petitioner's/  
☐ \_\_\_\_\_ costs, fees, and other expenses related to this action.

The court, being fully advised in the premises, finds and orders as follows:

1. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ brings this action to/for \_\_\_\_\_ in good faith.  
(Type of case being filed)
2. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ cannot commence with the action to/for \_\_\_\_\_ if required to prepay fees, costs, and expenses, or provide security.  
(Type of case being filed)
3. The ☐ plaintiff/ ☐ defendant/ ☐ petitioner/ ☐ \_\_\_\_\_ is without adequate income or resources to pay such costs, fees, and expenses, or to provide security.
4. Pursuant to Neb. Rev. Stat. §§ 25-2301 to 25-2310, such costs, fees and expenses may be paid by the county in which the action is filed.

Page 2 of 2 for all case types

Enter the name of  
the county.

Enter the name of  
the county.

Check the box  
next to what  
your role is on  
numbers 5 and 6.

**STOP!** The judge  
will date and sign  
the Order if  
they approve.

5. The clerk of the district court of \_\_\_\_\_ County,  
(name of county where filed)  
Nebraska, shall permit the ☐ plaintiff's/ ☐ defendant's/ ☐ petitioner's/  
☐ \_\_\_\_\_ action to proceed without prepayment of fees,  
costs, and expenses, or provision of security.
6. The responsible officer of the court shall issue and serve all writs, process,  
and proceedings without cost to the ☐ plaintiff/ ☐ defendant/ ☐ petitioner/  
☐ \_\_\_\_\_.
7. \_\_\_\_\_ County, Nebraska, shall initially pay costs,  
(name of county where filed)  
including the cost of publication, and other expenses related to this action.

Dated: \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
Judge