



Poor Person Application Procedure for Erie County



What if I can't pay the filing fees?

If you cannot afford the fees for an action or special proceeding because of special financial problems you can ask the Court for an order to file without paying the filing fees.

How do I apply?

You must fill out the following papers, printing neatly and using black ink:

- Application for an Index Number
- Affidavit in Support of Application to Proceed as a Poor Person
- Poor Person Order
- Request for Judicial Intervention
- Summons with Notice or Summons and Complaint or Petition

FORMS ARE AVAILABLE AT THE COURT RESOURCE CENTER. Check with the Court Resource Center staff to see if you need to make any additional copies.



Do not sign the Affidavit, Complaint, or Petition until you are in front of a Notary Public!

A Notary is available at the Court Resource Center.

What do I do with the papers?

Take completed RJJ forms to the Court Resource Center 92 Franklin Street, Rm. 105, Buffalo, NY to be reviewed and approved.



Once approved, take all papers to the Erie County Clerk's Office, Actions & Proceedings Department, at 92 Franklin Street, Buffalo, NY.



What happens at the County Clerk's Office?

The County Clerk's Office will give you a no fee Index Number until the Court decides if fees will be waived. You will receive the bottom portion of the Index Number form. The Index Number must be filled in on all your papers. The County Clerk's Office will give you a date & time-stamped copy of your papers for your records. They will keep the rest of the papers and forward them to the Court for assignment to a Supreme Court Justice.

Who else do I give the papers to?

You must send a copy of each set of papers to the County Attorney according to CPLR Article 11, by mailing to:
Erie County Attorney
95 Franklin Street, Room 1634
Buffalo, New York 14202

The County Attorney will review your papers and tell the Court if they agree with your financial hardship.

How will I know if I have to pay the filing fees?

You will receive a letter from the Judge stating if your fees have been waived. If the Judge waives your fees, you do not have to pay. If the Judge denies your request, you must pay the filing fees within 120 days from the date of the Order, or the action will be dismissed.

Current filing fees:

- \$210.00 for Index Number
- \$95.00 for Request for Judicial Intervention
- \$30.00 for Note of Issue
- \$45.00 for Motion Fee

What if I have more questions?

Come to the Eighth Judicial District Court Resource Center with any questions you may have.

92 Franklin Street, Room 105
Buffalo, New York 14202

Open Monday through Friday
9:00 a.m. to 5:00 p.m.