



Application in a Residential Foreclosure Case for Waiver of Court Fees and Costs and Discretionary Assignment of a Lawyer
[CPLR 1101, 1102, and 3408(b)]

POOR PERSON AFFIRMATION
(07/2024)
Page 1 of 3
nycourthelp.gov

Supreme Court

County of _____

Plaintiff(s)
-against-

Defendant(s)

Index Number:

Property Address:

Notes & Instructions:

- You must complete Section A and submit this form to be considered for what is called “poor person” status.
- As part of this “poor person” application, you are requesting that the court waive the fees and costs associated with your case, and you are also requesting that the court assign a lawyer to represent you. It is solely within the judge’s discretion whether a lawyer is assigned.
- You are not automatically disqualified from getting “poor person” status just because you are a homeowner.
- You may be asked to provide additional financial documentation before the judge makes a decision. For example, bank statements, paystubs, etc.

State of New York, County of _____

I have read the notice provided to me by the court explaining my rights under CPLR 3408(b), and (check one):

I wish to submit this affirmation in support of my application for a waiver of court fees and costs under CPLR 1101 and for a court-assigned lawyer to represent me in this case under CPLR 1102 (complete Sections A and B).

I wish to withdraw my application for a waiver of court fees and costs under CPLR 1101 and for a court-assigned lawyer to represent me in this case under CPLR 1102 (skip Section A and complete Section B).

Section A: Financial Information and Request for Court-Assigned Lawyer

1. I am a defendant in this residential foreclosure case.
2. I am not represented by a lawyer.
3. I make this statement in support of my request for a waiver of all court fees and costs and for a court-assigned lawyer to represent me.
4. The property address given above, which is the subject of this case, is my primary residence.
5. The estimated value of my primary residence is: \$_____.
6. The total outstanding principal balance (not including interest, late fees, etc.) of any mortgage(s) and/or other liens on this property is: \$_____.

9. I am responsible for financially supporting other people (check one): Yes or No
 If yes, list each dependent's age and provide details about your relationship with each dependent
NOTE: Do not include dependents' names or dates of birth.

Age	Relationship

- 10. I have no other income, savings, real property, or assets other than those listed above.
- 11. I am unable to pay the court fees and costs necessary to defend my rights in this residential foreclosure case.
- 12. I cannot afford to hire an attorney to represent me in this case.
- 13. No one else who is able to pay the required court fees and costs has a beneficial interest in the outcome of this case.
- 14. I intend to assert certain rights and defenses in this case.
- 15. I have not made a prior application for a waiver of court fees and costs and the assignment of a lawyer in this case.
- 16. I understand that the court must consider my application but has discretion in deciding whether to grant it.
- 17. I request that the court allow all confidential personal and financial information to be redacted according to any applicable statutory requirements and rules if this application is made available to the public. I understand that, if the court grants this relief, I must provide additional copies with the proposed redactions.

Section B: Affirmation and Signature

I affirm this _____ day of _____, _____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Signature

Print Name

For Court Use Only
 (optional: check and complete if applicable)

As of the initial settlement conference, the defendant has not submitted a completed application and/or any required supporting documents
 Application provided to the defendant and settlement conference adjourned to _____