

ROSEBUD SIOUX TRIBAL COURT)
 ROSEBUD INDIAN RESERVATION) SS IN TRIBAL COURT
 ROSEBUD, SOUTH DAKOTA

 IN THE MATTER OF COURT RULE) COURT RULE 17-04
 REGARDING WAIVER FOR FILING AND)
 SERVICE OF PROCESS FEE)

RULE FOR WAIVER OF FILING AND SERVICE OF PROCESS FEES

There are no rules or regulations in the Rosebud Sioux Tribe Law and Order Code to provide for waiver of filing fees and service of process fees. This rule will provide sufficient information for the court to determine whether or not to grant the motion for waiver of filing and service fees. The Plaintiff shall submit the completed Motion to Waive Filing and Service of Process Fees along with the completed Affidavit of Financial Condition to the Clerk of Courts who shall present the same to the judge assigned to the case. The judge will review the motion and affidavit and grant or deny the motion.

The Rosebud Sioux Tribal Court hereby adopts this local court rule pursuant to RST Constitution Article XI Sec. 4 on July 17, 2017.

/S/ Sherman J. Marshall, Chief Judge
 Rosebud Sioux Tribal Court

I, Denita Whipple, Chief Clerk of Courts, certify that the forgoing is a true and correct copy of the Court Rule entered by this Court on July 17, 2017.

/S/ Denita Whipple, Chief Clerk of Courts

ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD INDIAN RESERVATION) SS IN CIVIL COURT
ROSEBUD, SOUTH DAKOTA)

Docket No: _____

Motion for Waiver of Filing and Service of Process Fees

I, _____, hereby move that the Tribal Court waive the filing fee and service of process fee in the above entitled matter. I am financially unable to pay the fees at this time.

My address is: _____

My telephone number is: _____

I hereby submit the attached Financial Affidavit in support of my application for a fee waiver, which shall be incorporated by reference to this request.

If Affiant does not have the full fees or has a partial fee on the date of request and is able to pay the fee at a later date, the fee or balance of the fee, can be paid as follows: _____

_____.

I hereby certify that the above information is true and correct.

Dated this _____ day of _____ 20__.

Affiant/Plaintiff

Subscribed and sworn to before me this _____ day of _____ 20__.

Clerk of Courts

ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD INDIAN RESERVATION)
ROSEBUD, SOUTH DAKOTA)

Docket No. _____

ORDER

Based upon the foregoing Motion and Affidavit, the Court hereby Grants _____ Denies _____ the above request for fee waiver: (if applicable) the fee shall be paid in full on the date of _____.

_____.

Dated this _____ day of _____ 20__.

BY THE COURT:

Attest:

Tribal Judge, Rosebud Sioux Tribal Court

Clerk of Courts

Affidavit of Financial Condition

Affiant, _____, being first duly sworn on oath, deposes and states: I am financially unable to (pay the required filing fee), (pay for service of process) at this time.

1. I am (check one) Employed _____ Unemployed _____ Self-employed _____
2. (If employed) my monthly take home pay is \$ _____.
3. Retirement, S.S. disability or insurance benefits _____ per _____.
4. Social Security, Veterans Benefits, etc. \$ _____.
5. My total income before deductions for 20__ is \$ _____.
6. The following amounts accurately represent my assets and liabilities.

1. Assets (property I own or am buying)

- | | |
|--|----------|
| a. Cash (on hand or in bank) | \$ _____ |
| b. Accounts and notes receivable (IOU's and other money payable to me) | \$ _____ |
| c. Investments (stocks, bonds, savings bonds, etc.) | \$ _____ |
| d. Real Estate (houses, land/tribal lease land, rental property, etc.) | \$ _____ |
| e. Automobile(s) make, model, year: _____ | |
| f. Household Goods (furniture, appliances, TV, stereo, etc.) | \$ _____ |
| g. Other Personal Property (tools, sports equipment, etc.) | \$ _____ |
| h. Any other assets (anything that could be sold or borrowed money on) | \$ _____ |
| Total Assets | \$ _____ |

2. Liabilities (money I owe)

- | | |
|--|----------|
| a. My regular monthly expenses are: (housing, utilities, food, etc.) | \$ _____ |
| b. Loans: I owe _____ this amount | \$ _____ |
| I owe _____ this amount | \$ _____ |
| I owe _____ this amount | \$ _____ |
| Total Liabilities | \$ _____ |

3. Anticipated Income (money or property that I am expecting)

- a. Total money or income from sale of house or land, alimony, gifts, inheritances, allotments, trust funds, lease money, etc.: \$ _____

Dated this _____ day of _____ 20__.

Signature: _____.