

**State of Minnesota**

**District Court**

County \_\_\_\_\_

Judicial District: \_\_\_\_\_  
Court File Number: \_\_\_\_\_  
Case Type: \_\_\_\_\_ Guardianship/Conservatorship

In Re:

- Guardianship
- Conservatorship

and

- \_\_\_\_\_
- Respondent
  - Person Subject to Guardianship
  - Person Subject to Conservatorship

**ORDER**

- DENYING
- GRANTING

**In Forma Pauperis Application  
(Minn. Stat. § 563.01; § 524.5-502)**

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**Order Denying In Forma Pauperis Application**

Based on the affidavit of the Petitioner \_\_\_\_\_ and the authority of Minn. Stat. § 563.01, the court FINDS:

- The action is frivolous.
- The Respondent / Person Subject to Guardianship / Person Subject to Conservatorship is not found to be indigent and is not entitled to proceed in forma pauperis.

**IT IS ORDERED THAT:** The Petitioner’s request to proceed in forma pauperis is **DENIED**.

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

\_\_\_\_\_  
Judge of District Court

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**Order Granting In Forma Pauperis Application**

The Petitioner, \_\_\_\_\_, proceeding on behalf of the proposed Respondent / Person Subject to Guardianship / Person Subject to Conservatorship, has moved this court for an order permitting the Petitioner to proceed in forma pauperis without prepayment of filing fee, certified copy and photocopy fees, and for payment of reasonable attorney's fees for the attorney appointed to represent the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship, and the court finds that the Petitioner is entitled to the relief requested,

Now, therefore, **IT IS ORDERED THAT:**

1. The Petitioner herein is authorized to proceed in forma pauperis without prepayment of filing fee, and certified copy and photocopy fees.
2. The District Court Administrator shall perform the duties of the office without requiring the Petitioner to pay filing fee, certified copy and photocopy fees.
3. The District Court Administrator shall pay all costs, expenses, and fees mandated by statute.
4. The county of financial responsibility shall pay reasonable attorney's fees for the attorney appointed to represent the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship pursuant to Minn. Stat. § 524.5-502.
5. If the court finds upon motion that the allegation of poverty contained in the affidavit is untrue, or if following the commencement of the action, the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship becomes able to pay the fees, costs and security for the costs, the court may rescind its permission to proceed in forma pauperis and may direct the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship to pay the county of financial responsibility any costs allowing the action to proceed.
6. The court may rescind permission to proceed and order reimbursement of in forma pauperis expenses paid if the court determines that the petition or the actions of the Petitioner are not in the best interest of the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship.
7. If, following commencement of the action, the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship no longer meets the eligibility criteria under Minn. Stat. § 563.01, subd. 3(b) or becomes able to pay a higher amount than previously ordered, the court may order reimbursement of all or a portion of the fees, costs, and security for costs.
8. If funds are recovered by either settlement or judgment to the benefit of the Respondent / Person Subject to Guardianship / Person Subject to Conservatorship, the costs deferred and expenses directed by the court to be paid in this order shall be included in such settlement or judgment and shall be paid directly to the District Court Administrator by the opposing party.

This order shall remain in effect for the duration of the case unless otherwise amended or altered by the court.

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

**BY THE COURT:**

\_\_\_\_\_  
Judge of District Court