

In re the marriage of:  _____ <div style="text-align: right;">Petitioner</div> and  _____ <div style="text-align: right;">Respondent</div>	<p style="text-align: center;"><b>Respondent's Petition For Waiver Of Guardian Ad Litem Fee Deposit Requirement, Affidavit Of Indigency, And Order</b></p> Case No. _____
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### PETITION

I state under oath that I am the Respondent in this action.

I am presently unable to make the required guardian ad litem fee deposit, submit the following affidavit in support of this petition, ask the Court to make a finding of indigency, and petition the Court for an order waiving the deposit requirement for as long as I am indigent.

I understand that the Court may order either or both parties to pay all or any part of the guardian ad litem fees.

I understand that if the court grants this petition, the other party may be required to pay the guardian ad litem fees while this case is pending for as long as I am indigent.

I understand that **if both parties are indigent**, the Court may order Manitowoc County to advance the payment of guardian ad litem fees for as long as both parties are indigent.

I understand that I have a duty to inform the Court of any change in my financial circumstances while this action is pending that could result in my no longer being considered to be indigent.

I understand that in a divorce action the Court may order that assets from the marital estate be used to make the required guardian ad litem deposits and to reimburse Manitowoc County for any guardian ad litem fees that it pays. I understand that a judgment may be entered against me requiring that I reimburse Manitowoc County for all or part of any guardian ad litem fees that it pays.

I understand that I may be permitted or required to enter into a payment plan to reimburse Manitowoc County for any guardian ad litem fees that it pays.

I understand that Manitowoc County may take legal action against me if I fail to make payments as agreed or ordered.

### AFFIDAVIT

I provide the following personal and financial information under oath to assist the Court in making its determination on my petition:

1. I  am  am not married.

2. I  am  am not employed.

Name of employer: \_\_\_\_\_

Address of employer: \_\_\_\_\_

3. My gross pay is usually \$ \_\_\_\_\_ per pay period.

I am paid  weekly  every 2 weeks  twice a month  monthly.

My take-home pay is \$ \_\_\_\_\_ per pay period.

4. I receive aid from the following programs:

- Food Stamps \$ \_\_\_\_\_ per  week  month
- Medical Assistance \$ \_\_\_\_\_ per  week  month
- Relief funded under public assistance \$ \_\_\_\_\_ per  week  month
- Relief under Wis. Stat. § 59.23(21) \$ \_\_\_\_\_ per  week  month
- Supplemental Security Income (SSI) \$ \_\_\_\_\_ per  week  month
- Veteran's Benefits under Wis. Stat. § 45.351(1) or 38 U.S.C. §§ 501-562 \$ \_\_\_\_\_ per  week  month

5. I have the following other sources of income:

- Child Support \$ \_\_\_\_\_ per  week  month
- Disability \$ \_\_\_\_\_ per  week  month
- Pension \$ \_\_\_\_\_ per  week  month
- Social Security \$ \_\_\_\_\_ per  week  month
- Student loans/grants \$ \_\_\_\_\_ per  week  month
- Support/Maintenance \$ \_\_\_\_\_ per  week  month
- Unemployment Insurance/Compensation \$ \_\_\_\_\_ per  week  month
- Other: \_\_\_\_\_ \$ \_\_\_\_\_ per  week  month

6. I have the following cash assets:

- Cash on hand \$ \_\_\_\_\_
  - Checking account \$ \_\_\_\_\_
  - Savings account \$ \_\_\_\_\_
  - Money Market account \$ \_\_\_\_\_
  - Other assets: \_\_\_\_\_ \$ \_\_\_\_\_
  - Money owed me by others \$ \_\_\_\_\_
- Name of each person and amount owed: \_\_\_\_\_

7. I am entitled to receive or have received the following income tax refunds during the past year:

Federal in the amount of \$ \_\_\_\_\_  Received on \_\_\_\_\_  Not yet received  
 State in the amount of \$ \_\_\_\_\_  Received on \_\_\_\_\_  Not yet received

8. I own the following vehicles (including, but not limited to, ATVs, boats, cars, motorcycles, tractors, and trucks):

YEAR/MAKE/MODEL	VALUE	LOAN BALANCE	EQUITY
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

9. I own the following real estate:

ADDRESS: \_\_\_\_\_ VALUE: \$ \_\_\_\_\_  
 Residence  Rental Property  Land Only MORTGAGE BALANCE: \$ \_\_\_\_\_  
 EQUITY: \$ \_\_\_\_\_

ADDRESS: \_\_\_\_\_ VALUE: \$ \_\_\_\_\_  
 Residence  Rental Property  Land Only MORTGAGE BALANCE: \$ \_\_\_\_\_  
 EQUITY: \$ \_\_\_\_\_

10. I own household furnishings with a total value of \$ \_\_\_\_\_.

11. I own the following other individual assets valued over \$200 each:

ITEM	VALUE
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

12. I have the following debts:

PURPOSE	AMOUNT	MONTHLY PAYMENT
Mortgage	\$ _____	\$ _____
Auto loan	\$ _____	\$ _____
Credit cards	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

13. I have the following monthly expenses:

EXPENSE	AMOUNT
Auto Loan	\$ _____
Credit Card	\$ _____
Cable TV	\$ _____
Cell Phone	\$ _____
Child Care Expense	\$ _____
Child Support Paid to Another	\$ _____
Groceries	\$ _____
Installment/Revolving Loans	\$ _____
Insurance	\$ _____
Internet Service	\$ _____
Meals Outside Home	\$ _____
Medical/Dental	\$ _____
Mortgage	\$ _____
Recreational Activity	\$ _____
Rent	\$ _____
Student Loans	\$ _____
Telephone (land line)	\$ _____
Tuition/Books	\$ _____
Transportation	\$ _____
Utilities	\$ _____
Other: _____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL:	\$ _____

14 I  do not smoke.  
 smoke and I spend the following amount on smoking each month: \$ \_\_\_\_\_.

15. I  do not drink alcohol,  
 drink alcohol and I spend the following amount on alcohol each month: \$ \_\_\_\_\_.



**COURT FINDINGS AND ORDER**

- This petition is GRANTED. Based on the information provided, the Court finds that the Respondent is indigent. The guardian ad litem fee deposit requirement is waived for the Respondent while this action is pending or until otherwise ordered by the Court. The Respondent is required to inform the Court of any change in financial circumstances while this action is pending. The Respondent may be found in contempt for failure to comply with this Order.
  
- This petition is DENIED. The Court finds that the Respondent has insufficient funds to make a lump sum payment of the guardian ad litem fee deposit, but has the capacity to satisfy the deposit requirement by making installment payments. The Respondent is ordered to contact the Clerk of Court office **within 10 days** and arrange a payment plan to satisfy the guardian ad litem fee deposit requirement. The Respondent may be found in contempt for failure to comply with this Order.

BY THE COURT:

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Circuit Court Judge/Court Commissioner

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Date