

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

STANDING ORDER GOVERNING IN FORMA PAUPERIS REVIEW

It appears to the Court that the orderly conduct of its business requires the establishment of a standing order for *Affidavit of Poverty* review, and the same having been developed and adopted by the Court, it is therefore:

ORDERED that upon filing of an *Affidavit of Poverty* executed by a party, as provided under OCGA 9-15-2(a)(1), together with an *Attorney's Affidavit in Support of Party Filing In Forma Pauperis*, executed by one of the attorneys from the Atlanta Legal Aid Society or the Georgia Law Center on Homelessness and Poverty, entering and appearing on behalf of the party, or by the Executive Director of the DeKalb Pro Bono, the party shall be relieved from paying any deposit, fee or other cost which is normally required in this Court, and the party's rights shall be the same as if she or he had paid the costs.

IT IS FURTHER ORDERED that as provided under OCGA 9-15-2(a)(2) and (b), any other party at interest or his agent or attorney may contest the truth of the *Affidavit of Poverty* by verifying affirmatively under oath that the same is untrue. The issue thereby formed shall be heard and determined by the Court. In the absence of a traverse affidavit contesting the truth of the *Affidavit of Poverty*, the Court may inquire into the truth of the *Affidavit of Poverty*.

After a hearing on the issue, the Court may order the costs be paid if it finds that the deposit, fee or other costs can be paid, and if the costs are not paid within the time permitted in such order, may deny relief sought. The adjudication of the issue of indigence shall not affect a decision on the merits of the pending action.

IT IS FURTHER ORDERED that, after review of an *Affidavit of Poverty* filed and executed by a party, as provided under OCGA 9-15-2(a)(1), the Court pursuant to OCGA 9-15-2(d) may find that:

“It appears to the Court that the pleading filed by the affiant shows on its face such a complete absence of any justiciable issue of law or fact that it cannot reasonably be believed that the Court could grant any relief against any party named in the pleading. It is hereby ORDERED that the affiant's request to file the pleading is hereby DENIED.”

It is therefore **ORDERED** that the above language shall be added to the standard ORDER ON AFFIDAVIT OF POVERTY issued by the Court.

IT IS SO ORDERED.

This 1st day of January, 2023.

A handwritten signature in black ink, appearing to read 'LaTisha Dear Jackson', written in a cursive style.

Honorable LaTisha Dear Jackson
Chief and Administrative Judge
DeKalb County Superior Court
Stone Mountain Judicial Circuit