PAUPER'S RIGHT TO WAIVER OF FILING FEES

Persons who are unable to afford to pay certain court filing fees due to poverty may ask that the filing fees be waived.

Court Rules:
Rule 3 (c) of the **Mississippi Rules of Civil Procedure,** adopted by the Mississippi Supreme Court, states:
Proceeding In Forma Pauperis. A party may proceed *in forma pauperis* in accordance with sections 11-53-17 and 11-53-19 of the Mississippi Code Annotated. The court may, however, on the motion of any party, on the motion of the clerk of the court, or on its own initiative, examine the affiant as to the facts and circumstances of his pauperism.

State Statutes:
Title 11. Civil Practice and Procedure
Chapter 53. Costs

Miss. Code Ann. § 11-53-17 Poor persons may sue without security for costs.

A citizen may commence any civil action, or answer a rule for security for costs in any court without being required to prepay fees or give security for costs, before or after commencing suit, by taking and subscribing the following affidavit:

"I, _____ , do solemnly swear that I am a citizen of the State of Mississippi, and because of my poverty I am not able to pay the costs or give security for the same in the civil action (describing it) which I am about to commence (or which I have begun, as the case may be) and that, to the best of my belief, I am entitled to the redress which I seek by such suit."

Miss. Code Ann. § 11-53-19 Court may dismiss action of poor persons.

The court may dismiss an action commenced or continued on affidavit of poverty, if satisfied that the allegation of poverty was untrue.