

RULE 24. PROCEEDINGS IN FORMA PAUPERIS

(a) Leave to Proceed on Appeal in Forma Pauperis.

(1) **Motion in the District Court.** Except as stated in Rule 24(a)(3) and (5)(b), a party to a district court action who desires to appeal in forma pauperis **[shall]** must file a motion in the district court. The party **[shall]** must attach an affidavit that:

(A) shows in **[the]** detail ~~**[prescribed by Form 4 in the Appendix of Forms]**~~ the party's inability to pay or to give security for fees and costs, as prescribed by the Affidavit in Support of Motion to Proceed in Forma Pauperis Form that is available on the Nevada Supreme Court website;

(B) claims an entitlement to redress; and

(C) states the issues that the party intends to present on appeal.

(2) **Action on the Motion.** If the district court grants the motion, the party may proceed on appeal without prepaying or giving security for fees and costs. If the district court denies the motion, it must state its reasons in writing.

(3) **Prior Approval.** A party who was permitted to proceed in forma pauperis in a civil district court action may proceed on appeal in forma pauperis without further authorization, unless the district court—before or after the notice of appeal is filed—certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding.

(4) **Notice of District Court's Denial.** The district court clerk **[shall]** must immediately notify the parties and the clerk of the Supreme Court when the district court does any of the following:

(A) denies a motion to proceed on appeal in forma pauperis;

(B) certifies that the appeal is not taken in good faith; or

(C) finds that the party is not otherwise entitled to proceed in forma pauperis.

(5) Motion in the Supreme Court or Court of Appeals. A party who desires to proceed on appeal in forma pauperis may file one of the following:

(A) a motion to proceed on appeal in forma pauperis in the court within 30 days after service of the notice prescribed in Rule 24(a)(4). The motion ~~[shall]~~ must include a copy of the affidavit filed in the district court and a copy of the district court's statement of reasons for its action. If no affidavit was filed in the district court, the party ~~[shall]~~ must include the affidavit prescribed by Rule 24(a)(1); or

(B) in a civil appeal, a statement of legal aid eligibility providing that the party is a client of a program for legal aid as defined by NRS 12.015(8).

~~[(b) Reserved.]~~

~~[(e)]~~ (b) **Leave to Use Original Record.** A party allowed to proceed on appeal in forma pauperis may request that the appeal be heard on the original record without reproducing any part.