

Smyrna Municipal Court General Sessions Rutherford County Tennessee	<h1 style="margin:0;">UNIFORM AFFIDAVIT OF INDIGENCY</h1> <p style="margin:0;">page 1 of 2</p>	Case Number
Hearing date: _____ @ _____ am/pm Court date: _____ Reset for PD: _____ State of Tennessee vs. _____ Co-Defendants: _____		



ADA Coordinator Rutherford County Sonya Stephenson (615)494-4480 sstephenson@rutherfordcounty.org

Comes the defendant and, subject to the penalty of perjury, makes oath to the following facts (please list, circle, complete, etc.):

PART I

1. Full Name: _____ Any other names ever used: _____
2. Address: _____ Birth date: _____ Social Security No.: _____
3. Do you have a place to live? yes If NO, are you homeless and reside in a shelter or with others _____
4. Telephone Nos.: (Home) _____ (Work) _____ (Other) _____
5. Are you working anywhere? Yes () No () Where _____ How much do you make? _____ (weekly, monthly, etc.)
6. Do you receive any governmental assistance or pensions (disability, SSI, AFDC, etc.)? Yes () No ()
What is its value? _____ (weekly, monthly, etc.)
7. Do you own any property (house, car, bank acct., etc.): Yes () No () What is its value? _____
8. Are you, or your family, going to be able to post your bond? Yes () No ()
9. Are you now in custody? Yes () No () If so, how long have you been in custody? _____
(If you are in custody unable to make bond and the answers to questions one (1) through eleven (11) make it clear that the defendant has no resources to hire a private attorney, skip Part II and complete Part III & IV. If Part II is to be completed, do not list items already listed in Part I.)
10. I am out of jail on bond of \$ _____ made by (bond company) _____. The money to make bond
(% paid to bond), \$ _____ was paid by (person) _____.

PART II

11. Names & ages of all dependents: _____ age _____ relationship _____
_____ age _____ relationship _____
_____ age _____ relationship _____
12. Do you receive child support \$ _____ per _____ (week, month)
13. Are you, or your family, going to hire a private attorney? Yes () No ()
14. I have met with following lawyer(s), have attempted to hire said lawyer(s) to represent me, and have been unable to do so:
Name _____
Address _____
15. All my income from all sources (including, but not limited to wages, interest, gifts, AFDC, SSI, social security, retirement, disability, pension, unemployment, alimony, worker's compensation, etc.):
\$ _____ per _____ from _____
\$ _____ per _____ from _____
\$ _____ per _____ from _____
16. All money available to me from any source:
A. Cash _____ B. Checking, Saving, or CD Account(s), balance _____
C. Debts owed me _____ D. Credit Card(s), credit limit, and type (Visa, Mastercard, American Express, etc.) _____

Uniform Affidavit of Indigency

Smyrna Municipal Court – General Sessions Rutherford County, Tennessee

State of Tennessee vs. _____

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17. All vehicles/vessels owned by me, solely or jointly, within the last six months (including but not limited to cars, trucks, motorcycles, farm equip., boats etc.):

_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____

18. All real estate owned by me, solely or jointly, within the last six months (including land, lots, houses, mobile homes, etc.):

_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____

19. All assets or property not already listed owned within the last six months or expected in the future:

_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____

20. The last income tax return I filed was for the year _____ and it reflected a **net income (not refund)** of \$ _____.
I will file a copy of same within one week if required.

PART III

21. Do you rely on someone else to earn an income for you? ___NO ___YES If YES, how much income does that person earn weekly, monthly or annually? \$ _____ (circle one) weekly, monthly or annually

22. How many people live in the household? _____ children _____ adults

23. What is the **TOTAL household** income (include all from spouse, boyfriend, girlfriend, relative and anyone else who earns money)? \$ _____

24. Do you do odd jobs, construction work, painting, or something other work-for-hire (this includes work that you are paid by in cash)? ___NO ___YES If YES, what is your average weekly, monthly, or annually income from this work? \$ _____

25. When was the last time you were employed and received **any** compensation for the work? _____

PART IV

26. Acknowledging that I am still under oath, I certify that I have listed in Parts I and II all assets in which I hold or expect to hold any legal or equitable interest.

27. I am financially unable to obtain the assistance of a lawyer and request the court to appoint a lawyer for me.

28. I understand that it is a **Class A misdemeanor** for which I can be sentenced to jail for up to 11 months 29 days or be fined up to \$2500.00 or both if I intentionally or knowingly misrepresent, falsify, or withhold any information required in this affidavit. I also understand that I may be required by the Court to produce other information in support of my request for an attorney.

This _____ day of _____, 20_____.

Defendant

Sworn to and Subscribed before me this _____ day of _____, 20_____.

Order Appointing Legal Counsel

It appearing, based upon the affidavit of indigence filed in this cause, and after due inquiry made, the Defendant is an indigent person and thereby qualifies for appointed legal counsel. IT IS THEREFORE ORDERED, that District Public Defender / Special Attorney _____ is hereby appointed as counsel for the Defendant as provided by law. \$ _____ fee _____ fee waived

Keta J. Barnes Judge/ _____, Judicial Commissioner

Determination of Non-Indigence

It appearing, based upon the affidavit of indigence filed in this case, and after due inquiry made, that the Defendant is not an indigent person as defined by law, IT IS THEREFORE ORDERED, that the defendant does not qualify for Court appointed Counsel.

Keta J. Barnes Judge/ _____, Judicial Commissioner