

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

In the Matter of the Pro Bono  
Program

General Order 15-001

The Court adopts the following program to implement DUCiv R 83-1.1 (b) (3) which requires members of the bar to provide pro bono representation.

1. The Court and the Utah Chapter of the Federal Bar Association will solicit volunteer attorneys and firms to accept pro bono assignments.
2. The Federal Bar Association will recruit law firms to agree to accept a reasonable number of pro bono assignments participating on the Federal Assignment Wheel. Participating law firms accepting pro bono assignments may select the attorney(s) to enter appearances on the case and may substitute counsel during the case. The law firm will continue to appear on the case unless relieved by court order.
3. Individual attorneys may also volunteer to participate by completing an application and filing it with the Clerk of Court. Individual attorneys who accept a pro bono assignment continue on the case unless relieved by court order.
4. The Federal Bar Association will support pro bono attorneys by sponsoring Continuing Legal Education Programs for participating attorneys and by recognizing exceptional service.
5. Upon entry of an order appointing pro bono counsel, the Clerk of Court shall select a participant in the program to accept the assignment. The clerk shall distribute the cases so that no individual or firm will be assigned more than one case per calendar year, barring extraordinary circumstances.
6. The court will reimburse litigation expenses for eligible costs up to \$2,000 from the Court's Attorney Admission Fund. A pro bono attorney may, in advance of an expenditure, request additional reimbursement in extraordinary cases by written request to the judge presiding over the case.

The amounts and types of costs eligible for reimbursement shall be governed by the


guidelines for administration of the Criminal Justice Act. Allowable expenses include depositions and transcripts, travel expenses, service of papers and witness fees, interpreter services, cost of copies, photographs, long distance charges and fax transmission, computer assisted legal research, investigative expense and other expenses approved in advance by the court. The following costs are non-allowable: General office expenses, personnel costs, rent, secretarial assistance, equipment costs, costs awarded against a party, and sanctions.

7. On receiving notice of appointment, the participating attorney(s) shall file an appearance, unless the attorney (or law firm) is precluded from acting in the action. If precluded, the attorney shall promptly notify the clerk. Following the filing of an entry of appearance, the pro bono attorney shall communicate with the party and explore all possibilities of resolving the matter. The pro bono attorney shall continue in the case until the attorney client relationship is ended.

8. A pro bono attorney may move the Court for relief from the appointment if:
- a. a conflict of interest precludes the attorney from representing the client;
  - b. the attorney does not feel competent to represent the party in the type of action assigned;
  - c. personal incompatibility or substantial disagreement exists between the attorney and the client; or
  - d. in the attorney's opinion, the party is proceeding for purposes of harassment or malicious injury, or the party's claims or defenses are not warranted under existing law and cannot be supported by a good faith argument for extension, modification or reversal of existing law.

9. If the Court grants the motion for relief from the appointment, the Court may either direct that another attorney or firm be appointed in the matter or may decline to make an additional appointment in which case the party shall be permitted to prosecute or defend the action pro se.

IT IS SO ORDERED

  
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Chief Judge David Nuffer

February 13, 2015

Date