
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

IN THE MATTER OF THE
PRO BONO PROGRAM
FOR THE DISTRICT COURT

**General Order
22-017**

In February 2015, under [General Order 15-001](#), the Court implemented a Pro Bono Program (Program) consistent with the requirement of DUCivR 83-1.1(a)(3) that active attorneys accept a reasonable number of pro bono appointments. As a means of increasing access to justice for those litigants who are unable to retain counsel, this Order expands the categories of reimbursement available for pro bono counsel.

Therefore, the authority granted in [General Order 15-001](#) remains in effect except as modified by this Order. If there is an inconsistency between [General Order 15-001](#) and this Order, this Order governs. After careful consideration, the Court approves, authorizes, and directs:

Appointment and Reimbursement

1. The District Court, in conjunction with Federal Bar Association, Utah Chapter, to engage in outreach efforts to identify attorneys and law firms to accept pro bono appointments under the Program.
2. When a judge requests appointment of pro bono counsel, the Clerk's Office will identify counsel who will accept the appointment and enter a staff note in the docket.
3. Disbursement from the Attorney Admission Fund (Fund) in an amount up to \$3,500.00 per case (the reimbursement cap) to reimburse pro bono counsel for:
 - a. out-of-pocket expenses including but not limited to awardable costs;
 - b. compensation for fees;

- c. payment of witness fees and other expenses for indigent pro se litigants; and
- d. the preparation and presentation of the case, contested matter, or adversary proceeding to the extent they are reasonable, necessary, and otherwise recoverable under this Order. The assigned judge will determine the reasonableness of reimbursements on a case-by-case basis.

4. The following expenses may also be reimbursed in addition to the expenses or costs identified above and in 28 U.S.C. § 1920:

- a. an investigator or paralegal not to exceed \$100.00 per hour;
- b. pre-authorized travel (limited to accommodations and transportation with a mileage at the rate for official government travel in effect at the time of the travel);
- c. mediation; and
- d. other preapproved costs/expenses.

5. Pro bono counsel must file a Motion for Authorization of Travel and Related Expenses or Costs or a Motion for Reimbursement of Expenses or Cost in the case before requesting reimbursement from the Fund. Form motions are located on the court's [website](#).

6. The Clerk of Court to make disbursements from the Fund to reimburse pro bono counsel or a service provider (e.g., interpreter, investigator, mediator, court reporter, etc.) retained by pro bono counsel, only after the assigned judge has determined the request is reasonable, within the reimbursement cap, and approved the request. The assigned judge will send a copy of the order granting the motion to the Clerk of Court for processing and payment.

7. The assigned judge must order repayment of any payments made from the Fund to counsel for fees or expenses in an amount equal to fees, expenses, and costs awarded. Repayment amounts will be deposited into the Fund.

Attorney Appearance and Withdrawal

IT IS FURTHER ORDERED that:

8. After acceptance of the pro bono appointment, the attorney must file an appearance or response consistent with the scope of the appointment. Thereafter, the pro bono attorney must communicate with the party and, if authorized by the appointment, explore all avenues to resolve the matter. The pro bono attorney must continue representation until the purpose and scope of the appointment has been fulfilled.


9. A pro bono attorney may file a motion to withdraw from the case consistent with the rules and procedures in effect at the time of filing the motion.

10. If the assigned judge grants the motion, the judge may request that another attorney or firm be identified to accept the pro bono appointment.

11. The Clerk of Court must provide a copy of this Order to the pro bono attorney after the appointment has been accepted.

SO ORDERED this 23rd day of September, 2022.

BY THE COURT:



ROBERT J. SHELBY
CHIEF UNITED STATES DISTRICT JUDGE