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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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

**General Order  
22-013**

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In August of 2016, under [General Order 16-004](#), the Court approved the Pro Bono Discharge Assistance Program (Program) for the United States Bankruptcy Court for the District of Utah. The Bankruptcy Court then implemented the Program under a separate order, Bankruptcy Court [General Order 16-001](#).

The Program was initially designed to assist qualified debtors in defending an adversary proceeding affecting discharge under Sections 523 and 727 of the Bankruptcy Code. Due to the success of the Program and support from attorneys, the Bankruptcy Court, in coordination with the Bankruptcy Section of the Utah State Bar Association, seeks to expand the Program to include additional areas of pro bono representation. Therefore, the authority granted in [General Order 16-004](#) and Bankruptcy Court [General Order 16-001](#) remains in effect except as modified by this Order. If there is an inconsistency between [General Order 16-004](#) and this Order, this Order governs. After careful consideration, the Court approves and authorizes:

**Program Expansion and Reimbursement**

1. the expansion of the Program to include matters arising under:
  - a. Section 523 (challenges to discharge of specific debts);
  - b. Section 727 (challenges to the entire discharge of a debtor); and
  - c. Chapter 5 or matters that have the potential to arise under that chapter (generally referred to avoidance rights and remedies for a trustee in bankruptcy) related to Sections 544, 547, 548, 549 and 550 of the Bankruptcy Code.

2. the Bankruptcy Court, in conjunction with the support of an ad hoc committee organized by the Bankruptcy Section of the Utah State Bar Association, to engage in outreach efforts to identify attorneys and law firms to accept pro bono appointments under the Program, as implemented by the Bankruptcy Court.

3. disbursement from the Attorney Admission Fund (Fund) in an amount up to Utah District Court Pro Bono Program reimbursement cap per case, proceeding, or contested matter to reimburse pro bono counsel as permitted under the Utah District Court Pro Bono Program.

4. the District Court Clerk of Court to make disbursements from the Fund to reimburse pro bono counsel or a service provider (e.g., interpreter, mediator, court reporter, etc.) retained by pro bono counsel, only after the Bankruptcy Court has determined the request is reasonable, within the reimbursement cap, and approved. The Bankruptcy Court will send a copy of the approved request to the District Court's Clerk of Court for consideration, review, processing, and payment.

5. the Bankruptcy Court to 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:

6. After acceptance of the pro bono appointment, the attorney must file an appearance or response. 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.

7. A pro bono attorney may file a motion to withdraw in the Bankruptcy Court action consistent with the rules and procedures in effect in the Bankruptcy Court at the time of filing the motion.

8. If the Bankruptcy Court grants the motion, the Bankruptcy Court may request that another attorney or firm be identified to accept the pro bono appointment.

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

SO ORDERED this 10th day of August, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'RJS', is written over a horizontal line.

ROBERT J. SHELBY  
CHIEF UNITED STATES DISTRICT JUDGE