

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA**

**Frequently Asked Questions
Civil *Pro Bono* Program**

What is the Court's civil *pro bono* program? In an appropriate case, the Court may grant an indigent party's motion for the appointment of counsel. Such a motion might be granted at different stages of the case, such as before discovery, before a hearing on a dispositive motion, or before a final pretrial conference. The *Pro Bono* Coordinator will contact members of bar who have expressed a general interest in accepting appointment as *pro bono* counsel to see if one will agree to accept appointment in the case.

In what types of cases does the Court grant a motion for appointment of counsel? Currently, inmate civil rights cases (e.g., lack of adequate medical care; excessive force by correction officer) comprise the majority of the appointments. Criminal proceedings and habeas corpus petitions are not part of this program.

What about expert witness fees, deposition costs, attorney's fees, etc.? The Court has authorized the use of Bench and Bar funds to reimburse *pro bono* attorneys up to \$2,500 per case for out-of-pocket expenses. *Pro bono* counsel may seek attorney's fees and costs under any relevant statute providing for such awards. Also, Court appointed *pro bono* counsel may, upon a showing of cause, be exempted from electronic public access fees when acting in the matter to which they were appointed.

How do I find out about the cases that are available for appointment of *pro bono* counsel? Complete the *Pro Bono* Application available on the Court's website and email it to the *Pro Bono* Coordinator. Once the application has been reviewed, you will be added to the list of available *pro bono* counsel. You will receive email announcements of cases available for the appointment of *pro bono* counsel. You do not incur any obligation by being on the email list, and the email list is not distributed to *pro se* litigants.

If I am interested in accepting appointment as *pro bono* counsel in a specific case, what do I do to get appointed? Contact the *pro bono* coordinator and express your interest in the matter. The *pro bono* coordinator will forward you pleadings from the case so that you can evaluate whether you want to take on the matter. You may also elect to meet with the potential client before deciding to represent him/her. Once you alert the *pro bono* coordinator that you will accept appointment, an order of appointment will issue.

Do I need to be a seasoned attorney to participate in this program? No. New attorneys are strongly encouraged to participate in the program. The *pro bono* program is a good opportunity for new attorneys to get experience in federal court while providing legal services to those unable to pay for them. However, it is important that new attorneys have adequate resources at their disposal (e.g., mentors, research materials, etc.). The *pro bono* program does not at this time have a training program.