
(full name, include prisoner number if incarcerated)

(complete mailing address)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
_____ DIVISION**

_____,

Plaintiff,

vs.

_____,

Defendant(s).

Case No. _____
(to be assigned by Court)

**MOTION FOR APPOINTMENT
OF COUNSEL**

I am a _____ Plaintiff _____ Defendant [Select which side you are in your case] in this case and am currently not represented by counsel. I believe that I am unable to proceed with the assertion of my _____ claims _____ defenses [Select what is appropriate to your case] in this case without the assistance of counsel. I believe I qualify for the appointment of counsel from the Civil Pro Bono Panel.

Under the Court’s Civil Pro Bono Representation rule, D.C. Mont. L.R. 83.6(b)(1), a judicial officer of this Court may enter an Appointment Order authorizing appointment by the Clerk of a member of the Court’s Civil Pro Bono Panel. I believe the following considerations weigh in favor of appointment of counsel in my case:

1. The nature and complexity of the action: **[Describe why your case is complex and why you cannot pursue your case without the help of a lawyer]**

2. The potential merit of my claims or defenses: **[Describe why you think you will your case or succeed in your defense]**

2. (continued):

3. The following demonstrate my inability to retain an attorney by other means: **[Describe what you have done to find an attorney and why you have not succeeded in finding an attorney]**

4. The interests of justice, including the benefits to the Court, will be served by appointment of counsel in my case: **[Describe any other reasons you think the Court should consider in this case]**

5. Describe anything else you would like the Court to know about your situation:

I am aware that **I am obligated, as a party in this case representing myself, to meet all obligations and deadlines imposed** under the law and the rules of procedure, Local Rules, and the practice of standards of this Court until appointed counsel formally enters an appearance in this case. I also confirm that I understand that, in the event this motion is granted, **there is no guarantee that appointment of counsel results in an attorney(s) automatically entering an appearance in this case** – only that a member of the Civil Pro Bono Panel will review the case for possible representation.

Please check one or both of the following options:

_____ **General Representation** – I request that appointment of volunteer counsel be granted by the Court for *general* representation in this civil action.

_____ **Limited Representation** – I request that appointment of volunteer counsel be granted by the court for the *limited* representation purpose of (describe what you want your appointed lawyer to do. Examples of purposes for limited representation include amending a pleading / drafting a motion / appearing at a conference, hearing, or trial / assisting with a settlement conference / etc.):

I understand that counsel’s *limited* representation may be allowed under the auspices of the Civil Pro Bono Panel program and its benefits.

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I confirm that I have conferred with the opposing counsel in good faith regarding this motion, as required under Local Rule D. Mont. L.R. 7.1(c)(1).¹

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the foregoing is true and correct.

(signature of [Plaintiff/Defendant])

(month, date, year)

¹ [**Note:** D. Mont. L.R. 7.1(c)(1) requires a party (including an unrepresented party) to confer or make reasonable efforts to confer with any opposing counsel or unrepresented party about the subject of their motion before filing the motion and to describe the specific efforts to fulfill this duty. **However, the duty to confer is not required under the Local Rules for a motion filed in a case involving an unrepresented incarcerated person.**]