

FILED

AUG 27 2019

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

IN RE:

CIVIL PRO BONO PANEL

STANDING ORDER No. DLC-47

This Order supercedes Local Rule 83.6 regarding the Appointment of Counsel and implementation of a Civil Pro Bono Panel.

(a) Civil Pro Bono Panel.

- (1) The Civil Pro Bono Panel is the court's resource for identifying attorneys willing to make a pro bono contribution to the District of Montana. Names of panel members are not available to litigants or the public.
- (2) Applications are available on the court's website.
- (3) An attorney may, by letter to the clerk of court, withdraw from the panel at any time.

(b) Request for and Appointment of Counsel.

- (1) Counsel may be appointed on a pro se party's motion or on the court's own motion with the party's consent. In social security disability cases, counsel may not be appointed unless the party

acknowledges counsel is entitled to obtain compensation from any award of benefits.

- (2) Generally, counsel will be contacted and consulted before appointment.
 - (3) With the order of appointment, the clerk will provide free courtesy copies of documents filed in the case to date.
 - (4) Unless the judge orders otherwise, counsel must represent the party only in the case in which the order is entered and through final judgment or other resolution in the district court. Counsel may but need not represent the party on appeal.
- (c) **Notice of Appearance.** On receiving an order of appointment, counsel must immediately file a notice of appearance to ensure receipt of all future filings in the case.
- (d) **Withdrawal.** An appointed attorney may move to withdraw as counsel pursuant to Montana Rule of Professional Conduct 1.16(a) or on counsel's certification that counsel and client have:
- (1) a conflict of interest;
 - (2) a substantial disagreement on litigation strategy or tactics or a disagreement about the application of Rule 11;

- (3) serious personal incompatibility that makes effective representation impractical; or
- (4) a reason that, in the judge's discretion, justifies withdrawal.


(e) Expenses.

- (1) Counsel must seek costs from the adverse party if entitled to do so.
- (2) At the conclusion of the case, appointed counsel may seek reimbursement for reasonable expenses, including expenses of associate counsel, from non-appropriated funds.

Reimbursement for expenses over \$3,000.00 must be approved by the Non-Appropriated Funds Advisory Committee.
- (3) The court will not reimburse counsel for costs personally taxed against appointed counsel or paid by the adverse party.

- (f) Fees.** An appointed attorney may seek fees from the adverse party as provided by law.

DATED this 27th day of August, 2019.



Dana L. Christensen, Chief Judge
United States District Court