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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE: AMENDED PLAN FOR THE
REPRESENTATION OF PRO SE
LITIGANTS IN CIVIL RIGHTS
ACTIONS

GENERAL ORDER 06-26

Effective June 1, 2026, the Court adopts the Amended Plan of the United States District Court for the Western District of Washington for the Representation of Pro Se Litigants in Civil Rights Actions, as reflected by the attachment to this order.

IT IS SO ORDERED.

Dated this 15th day of May, 2026.



David G. Estudillo
Chief United States District Judge

THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON'S PLAN
FOR *PRO SE* LITIGANT REPRESENTATION IN
CIVIL RIGHTS ACTIONS
(AS AMENDED, EFFECTIVE June 1, 2026)

The United States District Court for the Western District of Washington adopts the following amended plan (“Plan”) for representing *pro se* litigants in civil rights actions where the Court orders such representation. *See* 42 U.S.C. § 2000e, et seq. and 28 U.S.C. § 1915. This Plan shall govern the appointment of attorneys from the Western District Pro Bono Panel (“Panel”) to represent *pro se* litigants and other related programs.

For civil actions pending in the Western District by a *pro se* litigant, the Judge may issue an order of appointment and other orders relating to representation by the appointed attorney in accordance with this Plan. For all purposes, the term “Judge” shall include Magistrate Judge. The Pro Bono Committee of the M. Margaret McKeown Federal Bar Association shall work in conjunction with the Court and the Pro Bono Coordinator to administer this Plan. For all purposes, the term Pro Bono Coordinator also includes any Court designee made by the Clerk of the District Court to support the Pro Bono Program should the Coordinator be unavailable.

Preamble

Pursuant to Washington State’s Rule of Professional Conduct (“RPC”) 6.1, attorneys have a professional responsibility to provide legal services to low-income people and are encouraged to volunteer at least 30 hours annually. An attorney who fulfills this commitment by volunteering through the Western District of Washington’s Pro Bono Program must handle their case with the same care and competence as any billable matter. Volunteer attorneys must have the appropriate legal knowledge, skill, thoroughness, and preparation reasonably necessary to offer representation, or seek the necessary co-counsel or mentorship to do so.

To ensure compliance with RPC 1.1’s duty of competence, attorneys should complete substantive and cultural competency trainings. Volunteer attorneys should also consider obtaining a case mentor, supervisor, partnering attorney, or team to best serve their pro bono client. Under RPC 1.3 and RPC 1.4, attorneys must communicate with their pro bono clients regularly and actively work on their cases. The Western District of Washington Court cannot offer attorneys legal advice regarding how to manage pro bono cases. Volunteer attorneys should thus research and review all pertinent rules and contact the Pro Bono Committee with any questions or challenges as they arise.

Pro bono service is greatly valued considering the tremendous need for legal services. We hope your pro bono role will offer you a unique opportunity to gain experience in civil litigation in federal court while providing a crucial community service.

Section 1. Pro Bono Panel

(a) Individual Application. Attorneys who are willing to accept appointment to represent *pro se* litigants in civil rights actions must apply for designation to the Pro Bono Panel on the appropriate forms, which are available on the Court's website (www.wawd.uscourts.gov/attorneys/pro-bono-panel) and from the Pro Bono Coordinator. Each application shall set forth, among other things: (i) the attorney's prior civil trial experience; (ii) the attorney's ability to consult and advise in languages other than English; (iii) the attorney's preferred practice area(s), if any, for appointment; (iv) the attorney's interest in serving as a mentor or as co-counsel on cases, or the attorney's interest in having mentorship or co-counsel if they take a case; (v) common conflicts of interest (positional, technical, or direct); and (vi) a statement describing any other experience that would qualify the attorney for appointment to the Pro Bono Panel. Applicants shall also confirm they have read the Plan, that they have malpractice insurance, and their commitment to work on at least one case assigned through the Panel each year.

(b) Law Firm Application. A law firm may apply as a firm for designation to the Pro Bono Panel by submitting an application, which is available on the Court's website (www.wawd.uscourts.gov/attorneys/pro-bono-panel). In its application, the law firm must indicate the following: (i) the ability of participating firm attorneys to consult and advise in languages other than English; (ii) the firm's preferred practice areas(s), if any, for appointment;

(iii) the minimum number of cases the firm can take per year; (iv) common conflicts of interest (positional, technical, or direct); and (v) the name of the firm's designated Panel Liaison, who must be an eligible individual under Section (d).

(c) Amending/Withdrawing from the Panel. Information on an application may be amended in writing at any time by email or letter to the Pro Bono Coordinator or Chair(s) of the Pro Bono Committee. Panel members must notify the Pro Bono Coordinator if their contact information changes at any time. An attorney or firm may withdraw from the Panel at any time by written notice to the Pro Bono Coordinator except during appointment to an active case.

(d) Eligibility and Seeking Co-Counsel or a Mentor. An attorney must be admitted to practice in the United States District Court for the Western District of Washington to be eligible for designation as a member of the Pro Bono Panel. Attorneys admitted to the Panel may seek a mentor or co-counsel from the Panel by contacting the Pro Bono Coordinator or Pro Bono Committee Chair(s).

(e) Pro Bono Mentorship Program. The purpose of the mentorship component of the Court's Pro Bono Program is to assist attorneys and law firms appointed to cases outside of their normal area(s) of practice or with limited experience in federal court by pairing them with a mentor with subject matter experience or with tasks such as: complying with federal court procedures; working with people who are incarcerated; and/or drafting documents. Appointed attorneys may ask the Pro Bono Coordinator to assist in finding a mentor attorney at which time the Pro Bono Committee Chair(s) will attempt to locate a mentor. The mentor attorney will not be added as co-counsel of record on the case docket sheet or be otherwise associated with the case in any way unless the mentor attorney agrees to do so.

Section 2. Optional Civil Rights Case Screening Committee

(a) Composition of the Screening Committee. The Civil Rights Case Screening Committee shall be composed of no less than six members of the bar of this Court. The Screening Committee may be larger, however, as determined by need from time to time by the Court and/or the Pro Bono Committee Chair(s). An attorney who serves on the Screening Committee shall not simultaneously serve as a Panel member. Members of the Screening Committee may resign by sending written notice to the Pro Bono Committee Chair(s). The Court or the Pro Bono Committee may also remove members from the Screening Committee at will.

(b) Selection of Screening Committee Members. Screening Committee members shall have experience in civil rights actions. The Chief Judge and the Pro Bono Committee may consult with bar associations, not-for-profit legal aid organizations, or other groups to obtain the names of prospective Screening Committee members. The Pro Bono Committee shall contact such prospective members, interview them, and determine whether to offer them a spot on the Committee. Screening Committee members can specify whether they can review cases in all civil rights practice areas or only limited subject matters.

(c) Optional Referral to the Screening Committee. Upon receiving an application for appointment of counsel from a *pro se* litigant in a civil rights action or *sua sponte*, the Judge may order the Pro Bono Coordinator to forward the motion, copies of the pleadings and documents filed to date, and other relevant documents to the Screening Committee for further review to determine if pro bono counsel is warranted.

(d) Screening Committee Review. Upon receipt of a referral from the Pro Bono Coordinator, the Screening Committee shall, within 14 days or another agreed deadline, review the application, pleadings, and other relevant documents, including any information based upon pertinent fact gathering as part of the recommendation submitted to the Judge. Based upon its review of the case and the factors set forth in subsection (e) below, the Screening Committee shall determine whether counsel should be appointed to represent the *pro se* litigant. The Judge may extend the Screening Committee review period as needed.

(e) Factors to Determine Whether to Appoint Counsel. Factors the Screening Committee shall consider in making its determination are:

- (i) the inability of the *pro se* litigant to retain counsel by other means;
- (ii) the potential merit or lack of validity of any of the claims as set forth in the pleadings;
- (iii) the nature and complexity of the action, both factual and legal, including the need for factual investigation;
- (iv) the presence of conflicting testimony calling for a lawyer's presentation of evidence and cross-examination;
- (v) the capability of the *pro se* litigant to present the case;
- (vi) the degree to which the interests of justice will be served by appointment of counsel, including the benefit the Court may derive from the assistance of appointed counsel, including, for example, maintaining contact with the *pro se* litigant, ensuring efficient proceedings, and vetting and restating the *pro se* litigant's claims if needed;

- (vii) the degree to which an early ADR procedure under CR 39.1 may bring about an early, inexpensive, and consensual resolution of the litigation or part of it by:
 - (A) facilitating or improving communications between the parties;
 - (B) providing the parties an opportunity to be heard regarding their respective grievances, positions, concerns, goals, and interests;
 - (C) promoting the parties' understanding of the strengths and weaknesses of their respective cases;
 - (D) limiting, narrowing, or simplifying the issues in dispute;
 - (E) restoring or preserving personal or business relations;
 - (F) otherwise creating an atmosphere conducive to settlement;
 - (G) achieving settlement on terms not available through litigation;
 - (H) achieving settlement of some or all issues as between some or all parties; and
- (viii) any other factors deemed appropriate by the Screening Committee.

This list is not exhaustive, and not all factors apply in each case.

(f) Report to the Court. The Screening Committee's recommendation shall be forwarded within 14 days or within an agreed deadline to the Judge. If the Screening Committee determines that counsel should be appointed, the Committee shall specify the scope of representation it believes is warranted. This could include, but is not limited to, limited representation only for the purpose of investigating the merits of the *pro se* litigant's claims; representation for the entire case to proceed to litigation; limited representation for the sole purpose of conducting an early Alternative Dispute Resolution ("ADR") procedure under CR 39.1 (described more fully in Section 4(b)); or representation in both litigation and early ADR procedures of all or some of the claims. The Screening Committee may also offer recommendations for conditions or limits on the scope of pro bono representation for each case in their discretion. The recommendation shall not include any legal analysis or other opinions beyond whether pro bono counsel is warranted and for what scope of representation. The recommendation is not filed on the docket. The Judge can adopt, amend, or reject the Screening Committee's recommendation.

Section 3. Appointment Procedure in Civil Rights Cases

(a) Resources for *Pro Se* Litigants. The Pro Bono Coordinator shall make available to all *pro se* litigants in a civil rights action information and a template application for the appointment of counsel on the Court's public website via the "Representing Yourself" tab. The website shall notify the *pro se* litigant of: (i) the right to seek pro bono counsel for civil rights cases; (ii) the right to seek pro bono mediation; (iii) any relevant court-related legal clinics; (iv) the Federal Rules of Civil Procedure; (v) the Western District of Washington Local Rules; and (vi) any templates or forms for *pro se* litigants.

(b) Application and Affidavit of *Pro Se* Litigant. Any application for the appointment of counsel by a party appearing *pro se* in a civil rights action shall include a summary stating the party's efforts to obtain counsel by means other than appointment, including having connected with at least two other attorneys without securing representation, and identifying any prior pro bono appointments of counsel to represent the party in cases brought in this Court, including both pending and previously terminated actions. The declaration should further state whether the *pro se* litigant has already pursued another action, such as a wage claim or agency claim based on

the same facts before proceeding with their federal action. If the *pro se* litigant has not already been granted leave to proceed *in forma pauperis*, a completed copy of a financial affidavit stating the movant cannot afford to hire an attorney shall be attached to the application.

The decision to apply for appointment of counsel rests primarily with the *pro se* litigant. Failure of a party to make written application for appointed counsel, however, shall not preclude appointment if the Judge determines that appointment of counsel is warranted.

(c) Change of Circumstances. A *pro se* litigant in a civil rights action ineligible for appointed counsel at the outset of the litigation, who later becomes eligible by reason of changed circumstances, may apply for appointment of counsel using the procedures specified in section (b) above. Likewise, if an applicant is found to be ineligible after counsel has been appointed, the *pro se* litigant may be asked to retain the services of counsel through the litigant's own resources.

(d) Order of Appointment and Notices to the Parties. When the Judge concludes that the appointment of counsel is warranted, the Judge shall enter an Order directing the Pro Bono Coordinator to identify a Panelist for appointment. The Judge may direct appointment of an especially qualified attorney not on the Panel if the attorney consents.

The Pro Bono Coordinator or Pro Bono Committee Chair(s) shall identify a qualified Panelist and advise them they have been selected for appointment. This informal notice shall state the Panel member has seven days to decline the appointment for a conflict of interest or good cause only (*i.e.* conflict of interest, true unavailability, or lack of requisite knowledge).

The Court expects representation to be accepted if a conflict of interest or good cause does not exist and the pro se litigant has a factual and legal basis to prevail on any claim or defense.

Acceptance. Upon confirmation of no conflicts and affirmative acceptance of the case by the appointed Panelist, the Pro Bono Coordinator will provide the name of the Panelist to the Judge who will then enter an Order of Appointment in CM/ECF and ensure all parties to the action are informed of the appointment, including the name, address, telephone number, and email address of the appointee. This Order will add the appointed attorney or law firm panel liaison to the docket as counsel of record, allowing the appointed attorney to access case documents electronically and receive Notices of Electronic Filing for docket entries. Within seven days, the appointed attorney must make their Notice of Appearance.

Declination. Upon declination of a case by a Panelist for conflict of interest of good cause, the Pro Bono Coordinator or Pro Bono Committee Chair(s) may identify another qualified attorney and use the appointment process described above until Panel resources have been exhausted or until any deadline imposed by the Judge has passed. Panel attorneys who decline appointments (other than for a conflict of interest) three times in a row may be asked to resign from the Panel.

No response. If no response is received from the Panelist selected for appointment, the Pro Bono Coordinator will provide the name of the appointed Panelist to the Judge. The Judge has discretion to contact the Panelist directly, or may enter an Order of Appointment in CM/ECF. Within seven days from the date an order is entered, the appointed attorney must make their Notice of Appearance or file a Motion to Withdraw per Section 9(a) of the Plan. If one of these actions is not made within seven days of appointment, an Order to Show Cause will be issued. In no event shall the Panel attorney be ordered to accept the representation.

(e) Expedited Appointment Process. In the rare circumstances when representation is needed in less than seven days, for example if the immediate health or safety of an individual is at risk, the Court may determine that expedited appointment of pro bono counsel is warranted. In such situations, a Judge shall direct the Pro Bono Coordinator to identify pro bono counsel on an expedited basis and enter an Order reflecting this referral. The Pro Bono Coordinator and Pro Bono Committee Chair(s) may use processes other than provided in Section 3(d) to identify and appoint counsel, including contacting multiple attorneys contemporaneously. Acceptance of a case through the expedited process remains voluntary and declinations and lack of responses through the expedited process do not carry the same consequences as provided in Section 3(d).

(f) Record of Attorney Appointments. The Pro Bono Coordinator shall maintain a record of all appointments.

Section 4. Procedures Following Appointment for Limited Representation

(a) When counsel is appointed to provide limited representation for any limited purpose, the order of appointment shall include a finding to the effect that, under the circumstances of the case and in the judgment of the Screening Committee and/or the Court, limited representation is reasonable and appears reasonably calculated to serve the interests of the parties and further the administration of justice. The order for a limited representation appointment shall be entitled “Order of Appointment and Interim Notice of Appearance” and shall include a statement that, pursuant to Rules 4.2(b) and 4.3(b) of Washington’s Rules of Professional Conduct, counsel for the other parties are to communicate only with the appointed attorney, and not with the *pro se* litigant, as to the subject matter of the appointment.

(b) Procedures Following Appointment for Limited Representation for the Purpose of Conducting Early ADR Under CR 39.1

- (i) Upon issuance of the Court’s Order of Appointment and Interim Notice of Appearance under subsection (a), the provisions of CR 16(a) requiring a scheduling conference and a joint status report and the provisions of CR 16(b) requiring the entry of a scheduling order shall be suspended, unless otherwise ordered by the Court.
- (ii) If the parties are unable to agree on the form of ADR to utilize, the Court shall resolve the dispute by ordering the parties to proceed in the manner the Court considers most likely to encourage and promote an early, inexpensive, and consensual resolution of some or all issues as between some or all parties.
- (iii) Unless otherwise ordered by the Court, the ADR procedure agreed by the parties or ordered by the Court shall be completed not later than 70 days following issuance of the Court’s Order of Appointment and Interim Notice of Appearance under subsection (a).
- (iv) Upon completion of the ADR procedure, the appointed counsel shall provide the Judge, the Pro Bono Coordinator and the parties with a report stating: (i) when the ADR procedure occurred, and (ii) whether the case settled as to some or all issues as between some or all parties; provided, however, that if the ADR procedure was a mediation, the mediator’s report required by CR 39.1(c)(6) will serve in lieu of the report required by this section.

- (v) It shall be the responsibility of the appointed attorney to present the Court with a proposed order finding that such representation has been completed and terminating the representation.

(c) Withdrawal Upon Completion of Limited Purpose Representation. To the extent the case will proceed upon completion of a limited purpose appointment, the appointed Panelist may move to withdraw in accordance with Section 9(a) and note in the motion that the limited purpose has been completed. The appointed Panelist can also choose to continue with the case beyond the scope of the limited purpose appointment and continue to receive the benefits provided to counsel under the Plan.

Section 5. Responsibilities of the Appointed Attorney

(a) Initial Communication. Upon receiving a notice of appointment and entering an appearance in the action, the appointed attorney shall promptly communicate with the newly represented litigant concerning the action. The appointed attorney should discuss fully the merits of the dispute with the litigant and should explore with the litigant the possibilities or requirement of resolving the dispute in other forums, including but not limited to in mediation or in an administrative forum, such as the National Labor Relations Board or an immigration court.

(b) Scheduling Order Extension. Within ten (10) days of receiving a notice of appointment and entering an appearance in the action, the appointed attorney may request an extension of the scheduling order upon written application to the Court with service on all parties. The Court will consider this request but is not required to grant it.

(c) Duration of Representation. If the litigant desires to pursue the action after consultation with the appointed attorney, the appointed attorney shall proceed to represent the litigant in the action, unless or until the attorney-client relationship is terminated as provided by Section 9. An appointed attorney shall represent the litigant in the action from the date the appearance is entered until a final judgment or appealable interlocutory order is entered in the action.

(d) Representation on Appeal. If the litigant desires to take an appeal from a final judgment or appealable interlocutory order, if such judgment or order is appealed by another litigant, or if the matter is remanded to an administrative forum, the appointed attorney is encouraged, but not required, to represent the litigant in the appeal and in any proceeding, judicial or administrative, that may ensue upon an order of remand.

(e) Nonrepresentation on Appeal. Where the appointed attorney elects not to represent the litigant on appeal or in a proceeding on remand, the attorney shall advise the litigant of all required steps to be taken in perfection of the appeal or in appearing in the proceeding on remand. Such advice shall include resources available to appointed counsel including referrals to an appropriate alternative counsel, and/or pamphlets, presentations, or example forms or pleadings counsel is able to share.

Section 6. Expenses

(a) The appointed attorney or firm shall seek payment from the *pro se* litigant for expenses incurred in litigating the action to the extent the *pro se* litigant is able to bear such expenses.

(b) If the *pro se* litigant is unable to bear the expenses of litigation, the appointed attorney may contact the Pro Bono Coordinator to request payment of expenses from the Western District of Washington's Bench Bar Fund as specified below. If payment is not available from the *pro se* litigant or the Bench Bar Fund, the appointed attorney, or the firm which the attorney is affiliated with, may be required to bear the expenses of litigation.

(c) Limitations of Expense Amounts. The Judge is authorized to approve the payment of expenses totaling up to \$10,000 for the entire case, inclusive of pre-trial and trial expenses. Judges may authorize payment of expenses in excess of \$10,000 in extraordinary circumstances.

(d) Timing for Expense Requests.

- (i) Requests for expense payment may be made at any time during the pendency of the proceedings and up to 30 days following the entry of judgment in the proceedings. The Judge may, for good cause shown, extend the time for making a request.
- (ii) Where an appointed Panelist is permitted to withdraw from representing the party in a proceeding, and the attorney has incurred expenses which may be reimbursable under this section, they shall submit a request for payment within 90 days of the date of the entry of the order allowing the withdrawal. Except for good cause shown, the Court will not allow payment of expenses where the request was submitted more than 90 days after the entry of the order of withdrawal.
- (iii) Payment of expenses is never guaranteed. Accordingly, if the appointed attorney wants to know whether an expense will be paid under this Section before paying the actual expense, the attorney shall use the process identified in Section 6(e)(iii).

(e) How to Request Payment.

- (i) All requests for expense payment must be made on the request form provided by the Pro Bono Coordinator. The Pro Bono Coordinator will send all requests to the assigned Judge for consideration. Requests for payment of expenses may be made ex-parte and need not include the other party.
- (ii) The completed request shall be submitted to the Pro Bono Coordinator and must be accompanied by sufficient documentation to permit the Judge to determine that the request is appropriate and reasonable and complies with this section.
- (iii) Appointed counsel may request payment for expenses not yet performed or paid by submitting invoices or other sufficient documentation to support the amount requested. If the Judge approves the request, appointed counsel will notify the Pro Bono Coordinator whether the Court should pay the service

provider directly or whether the appointed counsel will pay the service provider and submit proof of payment to the Pro Bono Coordinator.

- (iv) Appointed counsel may request payment in the form of a reimbursement for expenses that have already been paid. Such requests must be submitted to the Pro Bono Coordinator and include proof of payment.
- (v) All payments and reimbursements approved by the Judge will be promptly paid by the Court to the extent sufficient funds are available.

(f) Expenses Eligible for Payment and Limits for Certain Categories:

- (i) Deposition and Transcript Expenses. Costs of depositions shall be reasonable. Costs of transcripts shall not exceed the Ordinary Transcript rate established by the Judicial Conference of the United States in effect at the time the transcript was prepared (see <http://www.wawd.uscourts.gov/transcr-orders-and-fee-rates>). Only the cost of the original of any transcript or deposition taken together with the cost of one copy each shall be allowed. Variations on the transcript rate (such as expedited or real-time transcripts) or the number of copies of depositions or transcripts will be subject to payment only upon specific approval of the Court.
- (ii) Investigative, Expert, Computer-Assisted Research, or Other Services. Appointed counsel may obtain investigative, expert paralegal, computer-assisted legal research, or other services necessary for the adequate preparation of the case.
- (iii) Travel Expenses. Travel by privately owned automobile may be claimed at the rate currently prescribed for federal judiciary employees who use a private automobile to conduct official business, plus parking fees, tolls, and similar expenses. Transportation other than by privately owned automobile may be claimed on an actual expense basis. Per Diem in lieu of subsistence is not allowable; only actual expenses are eligible for payment. Actual expenses reasonably incurred shall be guided by the prevailing limitations placed upon federal judiciary employees in accordance with existing government travel regulations (<https://www.gsa.gov/travel>). **Federal government travel limitations are strict and counsel are expected to familiarize themselves with applicable limitations before requesting payment for these expenses.**
- (iv) Service of Papers; Witness Fees. Those fees for service of papers and the appearances of witnesses that are not otherwise avoided, waived, or recoverable are eligible expenses.
- (v) Interpreter Services. Costs of interpreter services not otherwise avoided, waived, or recoverable are eligible expenses.
- (vi) Photocopies, Photographs, Telephone Calls. Actual out-of-pocket expenses incurred for items such as outside photocopying services, photographs, and telephone calls necessary for the preparation of a case are eligible expenses.
- (vii) Postage. Payment may be made for the actual cost of case-related U.S. postage. There will be no payment for expedited delivery costs.

(g) Expenses Not Eligible for Payment:

- (i) Overhead. General office expenses are not eligible for payment from the Bench Bar Fund. These include personnel costs, rent, telephone services, subscription costs including internet or other research tools, secretarial help, word processing, office photocopying equipment, and any general expense that would not normally be reflected in the fee charged to a client.
 - (ii) Costs Awarded Against a Party. Under no circumstances shall any payments be authorized from the Bench Bar Fund to pay for costs or fees taxed as part of a judgment obtained by an adverse party against a party for whom counsel was appointed pursuant to the rules of this Court.
 - (iii) Personal Costs. The costs of items or services of a personal nature purchased for or on behalf of the person represented are not reimbursable. These include purchasing new clothing or having clothing cleaned, getting a haircut, furnishing personal sundries, and providing services of a personal nature that cannot be considered legal representation.
- (h) Other Expenses Not Identified:** If a cost is not discussed in this section, appointed counsel may still request payment by submitting a request form to the Pro Bono Coordinator and the Judge may use their discretion to consider the request.
- (i)** Where appointed counsel prevails on an award of costs and attorney fees, the Court may order reimbursement to the Bench Bar Fund of payments made under this Section.

Section 7. Compensation for Services

(a) Upon appropriate application by the appointed attorney, the Judge may grant attorney's fees to the appointed attorney for services rendered in the action, as authorized by applicable statute, regulation, rules, or other provisions of law, and as the Judge deems just and proper. In deciding whether to award attorney's fees, the Judge shall consider the relevant statutes and prevailing legal standards.

(b) If, after appointment, the appointed attorney discovers the party can pay for legal services, the attorney shall bring this information to the attention of the Judge. The Judge may thereupon: (i) approve a fee arrangement between the party and the attorney; or (ii) relieve the attorney from the responsibilities of the order of appointment and permit the party to retain another attorney or to proceed *pro se*.

Section 8. Educational Panels and Pilot Projects

(a) Educational committees of attorneys and others experienced in the preparation and trial of civil rights actions involving *pro se* litigants may be created to assist Panel members.

- (i) The committees are authorized to conduct educational programs for attorneys on the Pro Bono Panel to train and assist said attorneys in the preparation and trial of civil rights actions involving *pro se* litigants and in ADR procedures available under CR 39.1.

- (ii) The Pro Bono Coordinator is authorized to maintain a list of attorneys experienced in the preparation and trial of civil rights actions involving *pro se* litigants, whether or not such attorneys serve on an educational panel. Such attorneys may be consulted by attorneys on the Pro Bono Panel as necessary and appropriate.
- (iii) Each attorney appointed to a civil rights *pro se* litigant case may request a copy of materials prepared for training purposes.

(b) Pilot projects may be developed that augment and enhance the Plan for the purpose of assisting *pro se* litigants. If approved by the Court, the Plan may be amended to incorporate any successful pilot project.

Section 9. Relief from Appointment

(a) Withdrawal Procedures. An appointed attorney may move to withdraw as counsel pursuant to LCR 83.2(b). In a motion to withdraw as counsel, an appointed attorney may indicate whether any of the following factors are present: (i) a conflict of interest precludes the attorney from accepting the responsibilities of representing the party in the action; (ii) a personal incompatibility exists between the attorney and the party; (iii) a substantial disagreement exists between the attorney and the party on litigation strategy; (iv) the party's claims are not warranted under existing law and cannot be supported by good faith argument for extension, modification, or reversal of existing law, or (v) any other good cause exists for the withdrawal.

(b) Discharge. A represented litigant shall be permitted to ask the Court to discharge the attorney from the representation for any reason. Such a request must be made within twenty (20) days after the litigant's initial consultation with the appointed attorney or within such additional period permitted by the Court. Once the request has been made, the Court shall issue an order discharging the appointed attorney from further representation of the litigant in the action. Litigants shall support their request for discharge by good cause if they intend to request a new appointment of counsel. Good cause may include, but is not limited to: (i) a conflict of interest that the litigant has discovered or that the attorney has reported to the litigant that precludes the attorney from accepting the responsibilities of representing the litigant in the action; (ii) a personal incompatibility exists between the attorney and the litigant; or (iii) a substantial disagreement exists between the attorney and the litigant regarding the litigation strategy.

(c) Appointment of New Counsel. If a motion for relief from an order of appointment or discharge is granted, the Court may issue an order directing appointment of another attorney to represent the litigant. Such appointment shall be made in accordance with the provisions of Section 3 of this Plan.

The Court shall have the discretion not to issue a further order of appointment in which case the litigant shall be permitted to pursue the action *pro se*. In actions where (i) the litigant's request for discharge was not supported by good cause, or (ii) the litigant seeks discharge of a second appointed attorney, no additional appointments shall be made absent extenuating circumstances.