



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS



FREQUENTLY ASKED QUESTIONS ABOUT
THE COURT'S PRO BONO PROGRAM

What is the Court's pro bono program? In an appropriate case, the Court may grant an indigent party's motion for the appointment of volunteer pro bono 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. One of the Court's pro bono coordinators will contact members of bar who have expressed a general interest in accepting appointment as pro bono counsel to see if one of them will agree to accept appointment in the particular case. (In addition, in the Eastern Division, law firms participating in the Court's Pro Bono Plan may be assigned pro bono cases. Further information on this Plan is available through the link on the Court's web page.)

In what types of cases does the Court grant a motion for appointment of counsel? Historically, more than half the cases in which the Court has granted a motion for appointment of counsel have been filed by inmates or civilly committed persons challenging some aspect of their confinement (e.g., lack of adequate medical care; failure to protect from dangerous inmates; excessive force by correction officer). However, it is not rare for the Court to seek pro bono counsel for non-prisoner litigants in a variety of cases, including housing and employment discrimination actions. Criminal proceedings and habeas corpus petitions are not part of this program.

What about expert witness fees, deposition costs, attorneys fees, etc.? The Court has authorized the use of Court funds to reimburse pro bono attorneys up to \$5,000 per case for out-of-pocket expenses. Pro bono counsel may seek attorneys fees and costs under any relevant statute providing for such awards.

How do I find out about the cases that are available for appointment of pro bono counsel? Complete the Pro Bono Registration Form available on the Court's website and mail it to the pro bono coordinator(s) of the division(s) in which you are interested in providing pro bono representation. You will receive email announcements of lists 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 as pro bono counsel, 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.

PRO BONO COORDINATORS

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