

PRO BONO PANEL PERIODICAL

WELCOME TO THE FIRST EDITION OF THE PANEL PERIODICAL!

This newsletter contains updates pertinent to your participation on the U.S. District Court for the District of Colorado's Civil Pro Bono Panel of attorneys. Information about the Panel, answers to frequently asked questions, helpful forms, and a list of available cases are available on the Court's website at:

<http://www.cod.uscourts.gov/AttorneyInformation/CivilProBonoPanel-Details,andAvailableCases.aspx>

The U.S. District Court for the District of Colorado offers its sincere thanks for your participation. As stated in the Colorado Rules of Professional Conduct, “[e]very lawyer has a professional responsibility to provide legal services to those unable to pay.” Your efforts are important and valued by the court and the public.

MEDIATION FOR PANEL CASES

The Standing Committee on Pro Se Litigation is pleased to announce that pro bono mediation is available for nonprisoner Panel cases. Twenty-one mediation specialists have volunteered to provide services on a pro bono basis. For more information, please contact Edward Butler, Legal Officer at 303-335-2043 or e-mail COD_ProBonoPanel@cod.uscourts.gov.

FEDERAL PRO SE LEGAL CLINIC

The Federal Pro Se Legal Clinic is operating and assisting pro se litigants. The Clinic is implementing a limited scope volunteer program and may offer training for lawyers. This is a great way for lawyers who may be conflicted out of Panel cases to offer pro bono services. Please contact the Clinic for additional information: lkelly@cobar.org, fpesc@cobar.org or (303) 380-8786.

FEATURED CASE: *BROADUS V. CHAPDELAINE*

The Panel Periodical is pleased to share with you a “featured case” from other Panel lawyers. The following is presented as a guest column authored by attorney Michael Silhasek and does not represent the views of the U.S. District Court for the District of Colorado.

In *Broadus v. Chapdelaine*, Case No. 15-cv-00182-WJM-KLM, a team from WilmerHale represented John Broadus in his lawsuit against various Colorado Department of Corrections (“CDOC”) officials. Broadus charged that, in 2013, prison officials sprayed his face, head, and neck with mace as they were trying to quell an inmate disturbance—one in which Broadus was not involved. The officials then refused to let him shower immediately, as required by prison regulations, and instead sent him to suffer in segregation for 48 hours before allowing him to wash off the mace. In a rare positive outcome for an inmate bringing charges against law enforcement officials, the WilmerHale lawyers secured a monetary settlement from the CDOC after two days of trial.

The benefits of taking this case were obvious to the three WilmerHale attorneys who led this case—Nora Passamaneck, Michael Hazel, and Michael Silhasek. Under the mentorship of Natalie Hanlon Leh, these three attorneys had the rare opportunity to lead and handle all aspects of a case from nearly the beginning all the way through trial. Ms. Passamaneck, Mr. Hazel, and Mr. Silhasek, whose typical cases rarely see trial and are generally led by much more senior attorneys, had complete control over all aspects of case strategy from deciding what discovery to serve to taking direct and cross examinations at trial.

Representing Mr. Broadus was not without its challenges. While most clients are generally accessible, getting access to Mr. Broadus, who is an inmate at Sterling Correctional Facility in Sterling, Colorado, was not an easy thing to do. Aside from the 129 miles that separate Denver and Sterling, strict CDOC regulations restrict communications with an inmate. Inflexible guidelines regarding the sending of attorney mail and the protocol for scheduling a phone call were additional obstacles on top of the normal challenges of managing a case. Despite these hurdles, the opportunity to serve as pro bono counsel was an invaluable experience, and WilmerHale looks forward to taking on more pro bono cases through the Civil Pro Bono Panel in the future.

Have you recently completed a Panel case? Please share your experience with other Panel lawyers!

Please contact Edward Butler, Legal Officer at 303-335-2043 or e-mail

COD_ProBonoPanel@cod.uscourts.gov with your observations. Please also provide notable work product that could be helpful for other Panel lawyers in providing representation, such as a response to a dispositive motion.