

PRO BONO PANEL PERIODICAL

Welcome to the Winter 2019 edition of the Panel Periodical!

On behalf of the U.S. District Court for the District of Colorado's Standing Committee on Pro Se Litigation (U.S. Magistrate Judge Kristen L. Mix, Chair), please enjoy this second edition of the Civil Pro Bono Panel's "Panel Periodical." Information about joining the Panel, Local Attorney Rule 15 governing Pro Bono Procedures, a limited scope representation guide, a list of cases that need pro bono counsel, and more information are available on the Court's website:

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

The U.S. District Court for the District of Colorado offers its thanks for your participation in the Civil Pro Bono Panel. "We educated, privileged lawyers have a professional and moral duty to represent the underrepresented in our society, to ensure that justice exists for all, both legal and economic justice." – Justice Sonia Sotomayor

VOLUNTEER MEDIATORS NOW AVAILABLE FOR PANEL PRISONER CASES

The Standing Committee is pleased to announce that pro bono mediation is available for both non-prisoner and prisoner Panel cases, thanks to the Pro Bono Mediator Panel (Jane Michaels of Holland & Hart and Scott Barker of Wheeler Trigg O'Donnell, co-chairs) who have agreed to accept such cases, and also thanks to Magistrate Judge Michael E. Hegarty, who has offered his insights and agreed to shepherd the volunteer mediators in this exciting development.

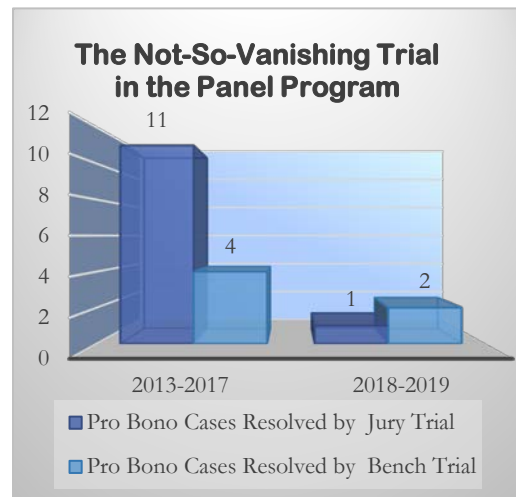
If you have a current Pro Bono Panel case, prisoner or non-prisoner, and believe the case is ripe for mediation, please contact **Edward Butler, Legal Officer at 303-335-2043 or e-mail COD_ProBonoPanel@cod.uscourts.gov**. There is no charge for mediation, and the Court and the mediators are flexible as to schedules, locations, and availability.

PARTICIPATING IN THE CIVIL PRO BONO PANEL By JOHN L. SKARI, JR. and EDWARD T. RAMEY

The Panel Periodical offers the opportunity for Panel lawyers to share their insights about working on a Panel case. (The views of such attorneys do not represent the views of the U.S. District Court for the District of Colorado.) Panel Attorneys [John L. Skari, Jr.](#) of Hassan and Cables, LLC and [Ed Ramey](#) of Tierney Lawrence LLC share the following information.

Taking a Civil Pro Bono Panel case provides lawyers with more than a means to fulfill their annual pro bono aspirations and requirements. These cases offer attorneys a way to gain experience, build confidence, and form lasting professional relationships with other attorneys.

The Court, opposing counsel and, of course, the clients, welcome the opportunity to work with pro bono counsel. The interesting and complex legal and constitutional questions presented by many of these cases can be a welcome refresher to more a routine civil litigation practice. A Tenth Circuit Appeal on many of these issues is a real possibility and the experience gained through the process is invaluable.



While these cases have not always proceeded in a manner in which counsel would have preferred, many pro se individuals have done a commendable job in their attempts to comply with Court procedures and understand the often complex underlying legal and factual issues associated with their claims. I've found these clients to be interested and involved in their cases, knowledgeable about the facts, and responsive to requests and suggestions from counsel. While these cases may not always result in a favorable outcome, my pro bono clients have been among the most appreciative of clients.

Points to keep in mind:

1. Don't let unfamiliarity with a new area of the law scare you away from a pro bono panel case! That's why experienced mentoring co-counsel and panel consultants are available. This is a great way to learn something new, broaden your practice experience, and gain experience in federal court!
2. Before stepping into a pending case, you'll have an opportunity to review the pertinent filings, check conflicts, and gain any necessary internal approval. You'll then have another 30 days after initial appointment to decide whether to enter an appearance or decline the appointment. That's a very good

time to explore (with the Clerk's office's assistance) involvement of mentor/mentee co-counsel or panel consultants. It's also a good time to meet your potential client – which itself can be a new logistical adventure, particularly if your client is incarcerated. And get to know the protocols for arranging legal visits or phone calls with those clients.

3. Once you're in the case, get to know opposing counsel. Stop by their office or meet for coffee. Our experience has been that most opposing counsel – especially in the U.S. Attorney's or Colorado Attorney General's office – are glad to have you in the case and anxious to work with you to avoid unnecessary squabbles and quagmires going forward.

4. Pay close attention to the Local Rules and the individual Judges' and Magistrate Judges' Practice Standards. The Practice Standards, particularly, are neither static nor uniform among the Judicial Officers – so don't rely on your memory (even during a single case). Our experience has been that things go a lot more smoothly for attorneys who have read and attempt to honor the applicable Standards.

5. Visit and get to know the Tenth Circuit Library (4th floor of the Byron Rogers Courthouse). You'll be amazed by the resources available there.

6. Become familiar with the evolving technology available in the USDC courtrooms – especially before a trial. There's a technology manual on the USDC website – http://www.cod.uscourts.gov/Portals/0/Documents/AttInfo/Courtroom_Technology_Manual.pdf - and the courtroom deputies are uniformly happy to schedule small group or one-on-one sessions with attorneys for demonstration and practice.

7. Don't forget that limited reimbursement for out-pocket costs – including expert fees and expenses – incurred by civil pro bono panel attorneys is available by petition to the Faculty of Federal Advocates – <https://facultyfederaladvocates.org/Pro-Bono-Programs/>. Additionally, participating members of the Colorado Court Reporters Association have graciously offered to provide pro bono deposition services in pro bono panel cases – <https://facultyfederaladvocates.org/resources/Documents/CCRA%20Pro%20Bono%20Guidelines.pdf>.

**ANNOUNCEMENT - 24/7/365 FREE PACER ACCESS TO
ALL PRO BONO CASE DOCUMENTS**

To assist all Panel members in their reviews of prospective cases a shared and FREE account in the PACER system has been created – contact Edward Butler (see above) for the account login and password.