

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 12 - 0004**

The full Court met in executive session on Wednesday, January 25, 2012 and approved an amendment to Local Rule 83.35 regarding Pro Bono Program. The proposed amendment was published with comments due on December 30, 2011. No comments were received from the Public.

The Court's Rules Advisory Committee reviewed the rule at its meeting on January 10, 2012 and approved the amendment as published.

The Court's Rules Committee discussed the rule at its meeting on January 19, 2012. It recommended that the full Court adopt the proposal as published, with some modification.

The full Court considered the recommendation of the Rules Committee at its meeting on January 25, 2012 and agreed to modify Local Rule 83.35. Therefore,

By direction of the full Court, which met in executive session on Wednesday, January 25, 2012,

IT IS HEREBY ORDERED that Local Rule 83.35 Pro Bono Program be amended as follows (additions shown thus, deletions shown ~~thus~~):

LR83.35. Pro Bono Program

(a) DEFINITIONS. The following definitions shall apply to the *pro bono* rules:

(1) The term "appointment of counsel" shall mean the appointment of a member of the trial bar to represent a party who lacks the resources to retain counsel by any other means. Such appointment shall only be in a civil action or appeal and shall not include any appointment made pursuant to the Criminal Justice Act of 1964, 18 U.S.C. §3006A.

(2) The term "judge" shall mean the judge to whom the action is assigned. It shall include a magistrate judge where the appointment is made in a civil case assigned to a magistrate judge for all purposes pursuant to 28 U.S.C. §636(c) or referred for evidentiary hearings pursuant to 28 U.S.C. §636(b)(1)(B).

(3) The term "panel" shall mean those members of the trial bar who have volunteered for appointment and those whose names were selected pursuant to section (b).

(4) The terms “*pro bono* rules” and “*pro bono* program” shall refer to LR83.35 through 83.49.

(b) CREATING THE PANEL. From time to time, the clerk shall select names at random from the trial bar to create a panel. ~~There shall be a panel for each division of the District.~~ Except as otherwise provided by the *pro bono* rules, the clerk shall select members from the trial bar who have not been included on an earlier panel.

(c) NOTIFICATION TO PANEL. Following the selection of a panel the clerk shall notify each member and obtain from each the following information:

(1) counsel’s prior civil trial experience, including a general indication of the number of trials and areas of trial experience;

(2) counsel’s ability to consult and advise in languages other than English;

~~(3) counsel’s preferences for appointment among the following types of matters:~~

~~(A) Social Security appeals;~~

~~(B) employment discrimination actions;~~

~~(C) civil rights actions filed by persons in custody; and~~

~~(D) other civil rights actions.~~

~~(4) whether counsel would be willing to accept an appointment to serve in one or both of the Court’s divisions; and~~

~~(5) whether counsel would be willing to accept an appointment to serve in one or more of the other districts of the Seventh Circuit.~~

Such information as is supplied by counsel may be amended at any time by letter.

(d) EXEMPTIONS. A member of the trial bar

(1) whose principal place of business is outside of this District, or

(2) who is employed full-time as an attorney for an agency of the United States, a state, a county, or any sub-division thereof, or

(3) who is employed full-time as an attorney by a not-for-profit legal aid organization shall, when selected for a panel, be removed from it and returned to the pool. However, such action shall not preclude counsel from being selected for a subsequent panel.

(e) VOLUNTEERS. A member of the trial bar may volunteer to be included in a panel. Whenever a volunteer is appointed, the clerk as part of the notification process will ask the volunteer to elect one of the following options:

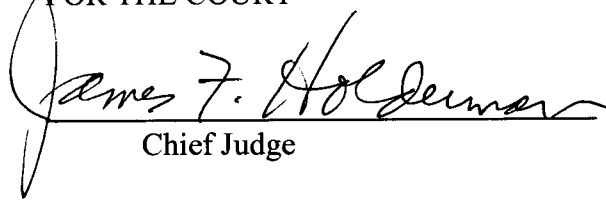
(1) the volunteer’s name will be moved to the end of the list of names on the panel, or

(2) the volunteer’s name will be removed from the panel and either replaced after a specified time period or at the request of the volunteer. The clerk will make a similar request of any volunteer whose name has been on a panel for 12 months and who has not been appointed during that time.

Committee Comment: Pursuant to LR83.11(g) each member of the trial bar has the responsibility to serve as an appointed attorney in *pro se* matters. The *pro se* rules provide for the reimbursement of expenses of counsel appointed under those rules. The admission fees collected when counsel join the trial bar form a major source of the funds used to pay the expenses.

The procedures for appointment involve selecting from a current panel. The ~~panels are~~ panel is formed annually, ~~one for each of the two divisions of the District.~~ The names are selected in such a manner that no member of the trial bar is selected for a subsequent panel until all other members have been selected. The only exemption from being included on a panel is the limited one granted to members of the groups specified in section (d).

ENTER:
FOR THE COURT


Chief Judge

Dated at Chicago, Illinois this 26th day of January, 2012