

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**



The Civil Rights Volunteer Attorney Panel Program

1. What is the Civil Rights Volunteer Attorney Panel?

In 1995, the judges of the Dallas Division of the U.S. District Court for the Northern District of Texas asked the Dallas Bar Association (DBA) for assistance in finding volunteers to handle civil rights cases on a *pro bono* basis in federal court. Through the DBA Judiciary Committee, an informal panel of volunteers was formed. The panel has taken on numerous cases since its formation. The panel is now managed by the U.S. District Clerk's Office.

2. Where do the volunteers come from? Is there a formal application process?

Panel volunteers have come from all over the Dallas area and have a broad range of experience. Many have never handled a civil rights case before or have never had a trial in federal court. Some are sole practitioners. Others are with large firms.

While there is an application/information form modeled on the more formal Criminal Justice Act panel form, the Civil Rights panel form serves primarily as an aid in finding the right attorney for a particular case. A judge may be looking for someone with experience in a particular area (e.g., employment law) or may be looking for the second member of a team whose skills complement those of the attorney already assigned to the case. Application forms are available in the District Clerk's Office (contact **Tammy Shipley** at 214/753-2209).

3. How are cases assigned?

Assignments will be made through the court from a list kept by the District Clerk's Office. Some of the more time-consuming and complicated cases will be assigned to teams. This helps with sharing of expenses, time, and resources.

4. What types of cases are assigned?

A variety of cases are assigned by the court. All cases have been screened by a judicial officer. The cases assigned in the past two years have ranged from prisoner cases to employment discrimination cases for indigent plaintiffs. The judges have also asked for short-term help. For example, one assignment was to help a plaintiff evaluate a case before mediation and discovery.

5. How often will a case be assigned to a panel member?

Unless the panel member requests otherwise, no panel member should be called upon to handle more than two cases per year.

6. How much of a time commitment is involved? Do panel members have a say about scheduling?

The time commitment required is driven by the type of assignment given by the court. Advice in evaluating a case will take much less time than conducting discovery, responding to motions, and representing the client through a jury trial. The judges may be flexible in allowing the volunteer to move existing deadlines or to have input in establishing deadlines in the first instance.

7. What about fees and expenses?

The panel member should take a case strictly on a *pro bono* basis. While the civil rights statutes allow recovery of attorneys' fees to a prevailing party (and it is permissible for panel volunteers to be awarded those fees) the case should not be taken with expectation of remuneration. Rarely will a volunteer recover anything close to a reasonable hourly fee for work performed. The rewards in these cases are not monetary; rather, helping an indigent person who needs counsel, getting to know local federal judicial officers, and gaining trial experience in federal court are some of the benefits.

The court's "Plan for the Reimbursement of Attorney Expenses in Civil Cases" allows for reimbursement of certain expenses incurred in the preparation and presentation of a case (e.g., expenses for experts, depositions, and transcripts). According to the plan, the total amount that may be reimbursed cannot exceed \$2,500 unless an exception is granted by the court's Non-Appropriated Fund Committee. A copy of the plan is available in the District Clerk's Office (specifically ask for a copy of Miscellaneous Order No. 16) and on the court's web site at www.txnd.uscourts.gov/pdf/misc_orders/misc16_03-08-06.pdf.

8. What resources are available to panel members?

Attorney Contacts

Mary Spector and **Maureen Armour** at the Southern Methodist University Civil Clinic are available to answer questions, particularly ones regarding discovery. They may be reached at 214/278-2562.

Mediators

Jerry Grissom of JAMS/Endispute has volunteered to mediate some civil rights cases. He can be reached at 214/827-7841.

Law Student Volunteers

Assistance from law students is available through Southern Methodist University's Public Service Program. You may be contacted directly by a law student who wants to volunteer, or you may call the District Clerk's Office and ask that a law student, when available, be assigned to you. If you accept assistance from a law student, you must agree to supervise the student in accordance with guidelines established for the Public Service Program. The guidelines require that you sign a Confirmation Agreement and complete a simple one page Supervisory Report form when the volunteer work is finished.

Court Reporters

A number of court reporters are willing to do *pro bono* work through the Texas Court Reporters' Association Pro Bono Project. Most prefer not to be used for an entire day. **Dale Guedry** is the contact for the Texas Court Reporters' Association Pro Bono Project. He can be reached at 972/669-4080.

	<i>Federal Court</i>	<i>State Court</i>
Jury Trials	_____	_____
Bench Trials	_____	_____
Court Hearings	_____	_____
Depositions	_____	_____

Briefly describe your trial experience in both federal and state court (including criminal trial work).

Please indicate your experience with civil rights cases by listing the number of cases you have handled in each category below.

<i>Nature of Suit Category</i>	<i>Number of Cases</i>
Voting [441]	_____
Employment [442]	_____
Housing/Accommodations [443]	_____
Welfare [444]	_____
Prisoner Civil Rights (General) [550]	_____
Prison Conditions [555]	_____
Other Civil Rights [440]	_____

Please note any other legal experience you believe would be helpful in handling civil rights cases:

Please list the names and phone numbers of two judges and/or attorneys who know of your ability as a trial attorney:

Name:

Telephone No:

How many appointments are you willing to accept per year? _____

Are you fluent in any foreign language(s)? If so, list: _____

Are you willing to take appointments based on your foreign language proficiency? _____

Have you already handled a case through this panel? _____

If so, when? _____ Are you currently working on it? _____

If you have completed work on the case, how was it resolved (jury trial, settlement, etc.)?

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT:

Signature

Date