

**UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA**

**PLAN FOR THE APPOINTMENT OF COUNSEL TO ASSIST PRO SE LITIGANTS AT
SETTLEMENT CONFERENCES**

I. Overview

The United States District Court for the District of North Dakota adopts this Plan for the Appointment of Counsel to Assist Pro Se Litigants at Settlement Conferences to assist the Court in expediting its civil docket and to improve access to justice for *pro se* litigants, at no cost to the *pro se* party.

II. Referral

- A. The assigned Magistrate Judge will, in every case involving a civil *pro se* litigant, make an individual judgment regarding whether the case may benefit from the appointment of counsel to assist the *pro se* litigant at a settlement conference.
- B. If the Court determines a case may benefit from the appointment of counsel to assist the *pro se* litigant at a settlement conference, the Court will send the *pro se* party a Request for Appointment of Counsel form to complete and return to the Court.
- C. If the *pro se* party request appointment of counsel, the Court will either refer the case to SBAND, including its Volunteer Lawyer Program, to locate counsel or the Court will attempt to contact counsel directly.

III. Volunteer Lawyer Participation

- A. If the matter is referred to the SBAND, the SBAND, in consultation with the assigned Magistrate Judge, will locate counsel willing to assist the *pro se* litigant in a settlement conference.
- B. If the matter is referred to the SBAND, the SBAND will notify the referring Judge's chambers when counsel agrees to participate and assist the *pro se* litigant in the settlement conference.
- C. Counsel will enter a Notice of Limited Appearance.

- D. Counsel will confer with the *pro se* litigant to review, explain, and have the *pro se* litigant sign a Declaration of the *Pro Se* Party. Counsel must file the Declaration in CM/ECF.
- E. Counsel who wish to represent a *pro se* litigant but are not admitted to practice in the United States District Court for the District of North Dakota may be admitted in a particular case *pro hac vice* by filing a motion seeking admission *pro hac vice* in accordance with D. N.D. Gen. L.R. 1.3(D). The admission fee will be waived for counsel appointed to represent *pro se* litigants in a settlement conference.
- F. Compensation and expense reimbursement for appointed counsel may be available through the Court's Non-Appropriated Fund.

IV. The Settlement Conference

- A. After the filing of the Notice of Limited Appearance and the Declaration of the *Pro Se* Party, the Court will schedule a Settlement Conference.
- B. All parties must attend with counsel, unless excused by the court, as with any Settlement Conference.

V. After the Settlement Conference Concludes

- A. If the case settles, the Court may request counsel to assist in the preparation and filing of closing documents. Upon the filing of closing documents, the Court must enter a Final Order Relieving Counsel of further representation.
- B. If the case does not settle, within thirty (30) days or upon the request of counsel, the Court must enter a Final Order Relieving Counsel of further representation.