

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

Appointment of Counsel to Assist *Pro Se* Litigants at Settlement Conferences

***Pro Se* Litigant Information**

Unlike criminal cases where there is a legal right to counsel, in a civil case, a *pro se* litigant has no legal right to have the Court appoint a lawyer. However, the United States District Court for the District of North Dakota has implemented a Plan for the Appointment of Counsel to Assist *Pro Se* Litigants at Settlement Conferences, at no cost to the *pro se* party. The purposes of this plan is to assist *pro se* litigants with resolving their case without further court proceedings. In civil cases involving a *pro se* litigant, the assigned Magistrate Judge makes an individual judgment as to whether the case will benefit from the appointment of counsel to assist the *pro se* litigant at a Settlement Conference.

If the Court selects a case for appointment of counsel, the Court will send the *pro se* party a Request for Appointment of Counsel form to complete and return to the Court. If the *pro se* party requests appointment of counsel, the Court will either refer the case to the State Bar Association of North Dakota, including its Volunteer Lawyer Program, to locate counsel or the Court will attempt to contact counsel directly. If the case is referred to SBAND, SBAND, in consultation with the assigned Magistrate Judge, will locate counsel willing to assist the *pro se* litigant in a settlement conference, and will notify the referring Magistrate Judge's chambers when counsel agrees to assist. Counsel will then enter a Notice of Limited Appearance and confer with the *pro se* litigant to review, explain, and have the *pro se* litigant sign a Declaration of the Pro Se Party. Counsel will file the Declaration with the Court.

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

If the case settles, the Court may request counsel to assist with the preparation and filing of closing documents. 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.