

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

**FREQUENTLY ASKED QUESTIONS BY ATTORNEYS ABOUT
THE BANKRUPTCY COURT'S PRO BONO PROGRAM**

What is the Bankruptcy Court's Pro Bono program?

In an appropriate adversary proceeding, the Bankruptcy Court may grant an indigent party's Application for Pro Bono Counsel. Such a motion might be granted at different stages of the proceeding, such as before discovery, before a hearing on a dispositive motion, or before a final pretrial conference. The Court's Pro Bono Coordinator will contact members of bar who have expressed a general interest in providing pro bono services to indigent litigants once the order has entered. Further information on this Plan is available through the link on the Court's web page.)

In what types of cases does the Bankruptcy Court grant an Application for Pro Bono Counsel?

At this time the program is limited to indigent parties in adversary proceedings. It is not available for any proceedings in the main bankruptcy case.

Why is an Application required under this program?

In cases where an Application has been allowed, Pro Bono Counsel may seek reimbursement from the Court for certain costs and expenses. **Reimbursement is not guaranteed, is subject to Court approval and is subject to available funding.** For more information on what costs and expenses may be recoverable, please refer to Reimbursement Guidelines available on the Court's web page.

What about recovering attorney's fees and costs from opposing parties?

Nothing in the plan prohibits or precludes Pro Bono Counsel from seeking attorney's fees and costs from an opposing party under any relevant statute providing for such awards.

How do I learn about the cases that are in need of a volunteer?

First, complete the Adversary Proceeding Pro Bono Panel Application available on the Bankruptcy Court's website and submit it to the Pro Bono Coordinator. You will receive email announcements of lists available for to volunteer. You do not incur any obligation by being on the email list, and the email list is not distributed to pro se litigants.

If I am interested in volunteering in a specific case, what do I do?

Contact the Pro Bono Coordinator and express your interest in the matter. The Pro Bono Coordinator will forward you the pleadings from the case to enable you to evaluate whether you want to take on the matter. You may also elect to meet with the potential client before deciding to represent him/her and filing an appearance.

Do I need to be a seasoned attorney to participate in this program?

No. New attorneys are strongly encouraged to participate in the program. (The pro bono program provides an opportunity for new attorneys to obtain experience in federal court while providing legal services to those unable to pay for them.) However, it is important that new attorneys have adequate resources at their disposal (e.g., mentors, research materials, etc.). At this time the pro bono program has no training program.

PRO BONO COORDINATOR

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