

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**



Robert H. Jackson
United States Courthouse
2 Niagara Square
Buffalo, New York 14202
Phone: 716-551-1700
Fax: 716-551-1705

Kenneth B. Keating
Federal Building
100 State Street, Room 2120
Rochester, New York 14614
Phone: 585-613-4000
Fax: 585-613-4035

To: All Members of the Western District of New York Bar
From: Chief United States District Judge Frank P. Geraci, Jr.
Date: February 10, 2020
Re: Call for volunteer attorneys for the Court's Volunteer *Pro Bono* Panel

Dear Attorney:

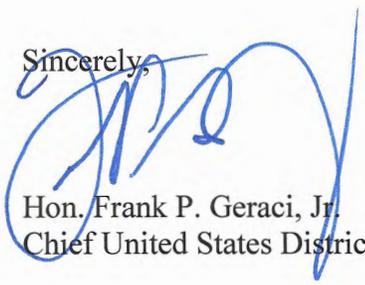
The Western District of New York has a long history of providing *pro bono* representation to eligible litigants in civil cases, and on behalf of the Court I would like to thank those of you who have performed or are currently providing *pro bono* service to the Court. Despite these laudable efforts, currently on average, only about 3% of our *pro se* cases receive counsel. I believe that we as a Court and bar have an obligation to do better. The use of *pro bono* counsel ensures equal access to justice, permits the Court to more effectively address these cases, and often provides valuable experience to younger attorneys. To date, the lack of a formal *pro bono* appointment system has inhibited the use of this tool. A committee, including practicing members of the federal bar from Buffalo and Rochester, was empaneled to determine how to reinvigorate the Court's *pro bono* program. As a result, the Court enacted L.R. Civ. P. ("Local Rule") 83.8 to encourage more members of this Bar to accept *pro bono* appointments in this Court and to create a more equitable distribution of assignments among the active members of the bar.

Pursuant to Local Rule 83.8, which is available on Court's website (www.nywd.uscourts.gov), the Court will establish a panel of *pro bono* volunteer attorneys. Attorneys who sign-up for the "Volunteer Panel" may elect to volunteer for a full-scope appointment (*i.e.* - through the completion of the case), limited-scope appointment (*i.e.* - for a targeted portion of the case, including mediation, amendment of pleadings, motion practice, etc.), or both. When appointing *pro bono* counsel, the Court will select an attorney from the Volunteer Panel. If the Volunteer Panel is exhausted, the Court will randomly select an attorney from the "Assignment Wheel," comprised of any member of this bar with an office in this District who has entered an appearance in at least one case (criminal or civil) in the Court within the last two calendar years of the appointment. An attorney selected from either the Volunteer Panel or the Assignment Wheel will have an opportunity to seek relief from an impending appointment. Attorneys who accept an appointment will not be assigned another *pro bono* matter for at least one year following the conclusion of an assignment (unless the attorney expressly requests another assignment). With your help, the Court hopes to generate a robust Volunteer Panel of attorneys prepared to accept *pro bono* assignments, thereby limiting reliance on the Assignment Wheel.

By accepting an appointment, an attorney not only fulfills their ethical obligations and ensures equal access to the courts, but can also gain valuable federal court experience. To encourage less experienced federal practitioners to accept assignments, the Court has established a “Senior *Pro Bono* Panel” comprised of experienced federal court practitioners to provide guidance and assistance to appointed *pro bono* attorneys in appropriate cases. Additionally, the Erie County Bar Association Volunteer Lawyers Project, Inc. and the Volunteer Legal Services Project of Monroe County, Inc., have partnered with the Court to provide benefits to volunteer attorneys including primary malpractice insurance coverage and CLE credits for *pro bono* service in this Court. To increase the quality of *pro bono* representation and make such appointments less financially onerous, the Court has also increased the presumptive limit on reimbursable expenses incident to *pro bono* representation from \$1,800 to \$5,000.

Please give serious consideration to joining the Volunteer Panel. If you are willing and able serve the Court and the community in this capacity, please complete the attached form and e-mail it to: probono@nywd.uscourts.gov. If you have questions, please contact Amanda Williams, Esq., the Court’s *Pro Bono* Program Administrator, at (716) 551-1511. Thank you in advance for your consideration.

Sincerely,



Hon. Frank P. Geraci, Jr.
Chief United States District Judge