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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**IN RE:**

**CIVIL APPOINTMENTS PANEL**

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**ADMINISTRATIVE ORDER NO. 115**

**ORDER**

This Order governs the operation of the Civil Appointments Panel for the United States District Court for the Middle District of Tennessee. Before appointing counsel to represent a party in a case, the presiding judge will consider the party's financial resources, the efforts of the party to obtain counsel, and as to whether the party's claim or defense appears to have merit.

1. The Civil Appointments Panel is comprised of attorneys who have indicated a willingness to accept appointments in civil cases from the United States District Court for the Middle District of Tennessee. The Clerk of Court shall keep the roll of participating attorneys and counsel should be selected based upon a sequential rotation through the roll. Panel members are free to decline appointment based upon the inability to provide the resources necessary at the time the request is made or the existence of a conflict of interest should the case be accepted. Panel members may be provided only with general information about the case prior to their acceptance of the case in order to prevent "cherry-picking" of only the most meritorious cases, but are free to

decline representation in the event of a conflict of interest once full case information has been provided.

2. Membership on the Panel is open to all attorneys in good standing who are licensed to practice law in the State of Tennessee and admitted to practice before this Court. Applications (see Attachment A to this Order) to become a member of the Panel should be submitted by email to the Clerk of Court at [CAP@tnmd.uscourts.gov](mailto:CAP@tnmd.uscourts.gov). As a part of the application process to join the panel, the attorney must certify by signing the application form that the attorney has and agrees to maintain malpractice insurance that covers representation of the litigants for which the Court's appointment is made during the entire course of the representation. Attorneys will be asked to recertify malpractice coverage on an annual basis by December 1 of each year following their first calendar year of membership on the panel. That recertification may be made by email to the Clerk of Court at the email address listed above.

3. Parties who wish to have counsel appointed may make a motion in their case seeking appointment of counsel, and must complete the attached "Declaration of Need By Litigant" (see Attachment B to this Order) along with their motion. The Court will consider the motion and if it is granted, the Court will enter an Order directing the Clerk to locate and obtain the consent of counsel to be appointed in the case. Upon acceptance of the appointment by a Panel member, the Court will enter an Order in the case making the appointment.

4. If an attorney seeks to withdraw from a case once appointed, the standard to be applied to the withdrawal will be identical to the standard applied in any other case, although due regard for the circumstances of each case will be given.

5. Although the nature of the cases for which the Panel has been created are potentially fee generating, a Panel appointee should not expect payment of fees or recovery of expenses

beyond that which may be obtained by rule or statute, or pursuant to private agreement between the appointee and client.

6. In appropriate cases, expenses of the case may be reimbursed to counsel from the Court's Library Fund in accordance with Volume 4, Chapter 6, Section 670.20(6) of the Guide to Judiciary Policy, which provide for use of the Fund for:


“Reimbursement of pro bono counsel for out-of-pocket expenses, payment of compensation to pro bono counsel, and payment of witness fees and other expenses for indigent pro se civil litigants. In the event of an award of attorney's fees or costs to pro bono counsel in the course of such litigation, the court may order return to the fund of any payments made from the fund to counsel for fees and expenses in an amount equal to the award.”

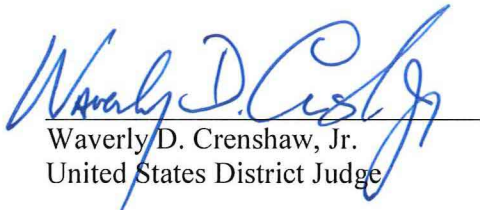
It is the responsibility of counsel to maintain appropriate records and submit a request for reimbursement. A reimbursement request may be made to the Clerk, who will obtain the consent of the presiding judge and then seek approval of the reimbursement from the Library Fund Committee. Upon such consent and approval, the reimbursement may be made to counsel.

7. A copy of this Plan will be provided by the Clerk of Court to each member of the Panel and to any attorney requesting information regarding the Panel.

**It is so ORDERED.**

  
Kevin H. Sharp  
Chief United States District Judge

  
Aleta A. Trauger  
United States District Judge

  
Waverly D. Crenshaw, Jr.  
United States District Judge

APPLICATION TO JOIN CIVIL APPOINTMENTS PANEL

United States District Court  
Middle District of Tennessee

Name:

Bar Registration Number:

Address:

Telephone Number:

Email:

Admitted to Bar (Date):

Types of Civil Cases in which Attorney is willing to accept an Appointment:

Certification of Malpractice Insurance Coverage:

By signing below, I certify that I am covered by malpractice insurance that covers my representation of litigants for whom I accept appointment and that I will continue to carry coverage for the duration of my representation and my membership on the Civil Appointments Panel.

Signature

Date

(ATTACHMENT A)

DECLARATION OF NEED BY LITIGANT

United States District Court  
Middle District of Tennessee

(To be filed by litigant in support of  
a motion for appointment of counsel)

I, \_\_\_\_\_, declare under penalty of perjury the following in  
(applicant's name)  
support of my motion for appointment of counsel by the Court:

1. My household income does not exceed 200% of the current applicable Federal Poverty Guideline (available online at <https://aspe.hhs.gov/poverty-guidelines>);
2. I lack assets sufficient to afford legal representation in this case; and
3. I will notify the Court and my appointed counsel if my financial condition materially changes before completion of this case.

Date

Signature