

Notice of Opportunity for Federal Trial Experience

The Western District of Arkansas has a number of civil rights cases filed pursuant to 42 U.S.C. § 1983 by state or federal prisoners, who are proceeding *pro se* and *in forma pauperis*. In this district, most cases concern conditions of confinement in a county detention facility or a claim of excessive force. Except in cases in which the plaintiff has a disability of some type, the Court does not ordinarily appoint counsel at the outset of the case and never before the claims are reviewed to determine if they are frivolous, malicious, or fail to state claims upon which relief may be granted. Counsel are generally appointed after discovery has been completed and motions for summary judgment denied. Appointment is generally for the limited purpose of presenting the case to a jury. The appointment of counsel assists the Court and gives the plaintiff a sense that he is being given a fair opportunity to present his claims.

While, the Court may appoint counsel pursuant to the provisions of 28 U.S.C. § 1915 it **cannot** pay appointed counsel attorney's fees. However, the Court **may**, pursuant to Rule 83.6 of the Local Rules for the Eastern and Western Districts of Arkansas, reimburse attorneys for out-of-pocket expenses. Additionally, if the plaintiff prevails, the appointed attorney can apply for a statutory award of fees against the defendant(s) pursuant to 42 U.S.C. § 1988.

This is a unique opportunity to gain experience litigating federal constitutional or statutory claims and to fulfill your obligations to perform *pro bono* work at the same time. The Court would like to compile a list of attorneys interested in being appointed to represent *pro se* plaintiffs in § 1983 actions. Before any appointment is made, the attorney asked to accept appointment would be contacted to determine if he or she is willing to accept the appointment and in order to perform a conflicts review.

Please inform the Court by emailing FSM_Info@arwd.uscourts.gov if you are interested in being placed on our list for civil appointments.