

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: : NO. 443
: :
: JUDICIAL ADMINISTRATION
PILOT PROGRAM FOR PRO BONO :
REPRESENTATION : DOCKET

ORDER

PER CURIAM

AND NOW, this 5th day of March, 2015, **IT IS ORDERED** that:

There is hereby established a pilot program to provide *pro bono* representation to indigent criminal defendants, as well as indigent civil litigants who have a right to appointed counsel (such as a parent whose rights are subject to termination in an involuntary termination proceeding, 23 Pa.C.S. §2313(a.1));

The pilot program is to be loosely modeled on a similar one employed by the United States Court of Appeals for the Third Circuit;

Participation is limited to indigent *pro se* litigants who are petitioners or respondents relative to a petition for allowance of appeal in the above substantive areas which has been granted;

David R. Fine, Esquire, is appointed as *pro bono* coordinator for the pilot program;

Similar to the procedure pertaining in the Third Circuit, the *pro bono* coordinator will gather a list of experienced appellate attorneys in the Western, Middle, and Eastern Districts who are willing to participate in this Court's pilot program by providing *pro bono* legal services;

The list will be transmitted to the Chief Justice and Prothonotary of the Supreme Court for approval, with periodic updates as appropriate;

Upon issuance of an order allowing appeal on a qualifying *pro se* petition or *pro se* answer, the Prothonotary shall contact the *pro bono* coordinator and provide him with a copy of such order and the underlying petition for allowance of appeal;

The *pro bono* coordinator will then contact potential volunteers on the list previously provided to the Court to locate an appropriate volunteer;

Upon provisional selection by the *pro bono* coordinator, the coordinator will convey the volunteer's name and contact information to the Prothonotary;

The Prothonotary will determine whether the appointment is acceptable to the *pro se* litigant;

If the appointment is acceptable to the *pro se* litigant, the Prothonotary will issue an appointment order;

In the interim, the Prothonotary will defer issuance of a briefing schedule and/or scheduling of oral argument pending the appointment of counsel;

If the appointment is unacceptable to the *pro se* litigant, the Prothonotary will implement the existing procedure for the appointment of counsel;

Upon issuance of an appointment order, the Prothonotary will issue a briefing schedule and/or schedule argument, providing a reasonable amount of time for *pro bono* counsel to become familiar with the case;

Participation of less-experienced attorneys in the pilot program as volunteers is permissible, but in such circumstances, careful supervision from an experienced appellate lawyer is required to ensure consistent, high-quality representation;

Approximately nine months after the date of this order, the *pro bono* coordinator will furnish a report to the Court concerning the progress of the pilot program, as well as recommendations for its continued longevity and/or improvement;

The Administrative Office of Pennsylvania Courts will issue a press release to give notice to the bar and the public of the availability of this pilot program.