

FY 2018-2019 Pro Bono / Judicare Litigation Fund Guidelines

Administered by: PRO BONO RESOURCE CENTER OF MARYLAND, INC. (PBRC)

1. AVAILABILITY OF FUNDS

Please be aware:

- Funds are available to Judicare and pro bono attorneys handling cases through MLSC-funded agencies **ONLY**.
- Funds are limited and may be exhausted before the end of the fiscal year. Reimbursement is subject to the availability of funds and is disbursed on a first come, first served basis. **There is no guarantee that requests will be approved**, and reimbursements are subject to review by PBRC.
- **The FY 2018-2019 Litigation Fund is available only for eligible expenses incurred July 1, 2018 to June 30, 2019.**
- ***PLEASE NOTE: PBRC will not issue reimbursements for requests that total \$10.00 or less.***

2. SUBMISSION DEADLINES

Requests must be submitted within 60 days of the incurred expense. **However, please note that the FY 2019-2019 Litigation Fund closes on July 1, 2019.** Requests for reimbursement of expenses incurred on or before June 30th **must** be received at PBRC by July 1, 2019 in order to be considered.

3. MAXIMUM ALLOWABLE LIMIT

There are two caps:

- \$1,000 per attorney per fiscal year (July 1 – June 30), whether single fee or aggregate.
- \$1,500 over the lifetime of a case, whether single fee or aggregate.

4. REQUEST PRO BONO OR DISCOUNTED SERVICES PRIOR TO SUBMISSION

Because funds are limited, all legal service programs and pro bono attorneys are encouraged to seek pro bono or discounted services prior to requesting reimbursement.

5. CONTRIBUTIONS FROM OPPOSING PARTY

The Litigation Fund was not intended to subsidize costs for the opposing party. Unless court rules indicate otherwise, pro bono attorneys are encouraged to seek contribution for discovery and other litigation costs from the opposing party.

6. DOCUMENTATION REQUIRED

For each individual case: Fill out a separate Reimbursement Request Form, Mileage Tracking Sheet (Attachment A) (if applicable), and attach all receipts/documentation of your expenses. Required documentation includes receipts, invoices, billings of amounts payable, etc. Copies are acceptable, but no request will be approved without full documentation.

7. COURT COSTS

Starting July 1, 2015, under Maryland Rule 1-325, indigent clients in an original action in a circuit court or the District Court became entitled to an automatic waiver of prepaid costs (e.g., fee to file an initial complaint or a motion to reopen a case, a fee for entry of the appearance of an attorney, and any prepaid compensation, fee, or expense of a master, examiner, or family magistrate) if their attorney is representing them through an organization identified by the Maryland Legal Services Corporation under section (d) of the amended rule. **Volunteers should review and follow 1-325 instead of requesting reimbursement from the Litigation Fund for prepaid costs like filing fees and appearance fees.** Visit <http://mdcourts.gov/courts/feewaiverprocedures.html> for more information. At present, bankruptcy filing fees **will not** be reimbursed.

8. OFFICE EXPENSES

The expenses involved must be non-routine cash expenditures outside the normal scope of office operations. There will be no reimbursement for such items as the value of secretarial time, local phone calls, minor numbers of copies made on office copiers or postage for routine correspondence. PBRC reserves the right to deny requests that are excessive. The following is the list of routine reimbursable items:

- Mileage: \$0.50 per mile
- Substantial photocopies: up to \$0.10 per page
- Faxes: \$1.00 per page
- Large mailings and registered mail
- Courthouse copies

9. **SERVICE OF PROCESS**

All legal service programs and attorneys are encouraged to seek pro bono or discounted services prior to requesting reimbursement. Please contact Caitlin Goldblatt, Project Coordinator, at 443-703-3047 or cgoldblatt@probonomd.org for discounted process server information. If pro bono/discounted services are not available, costs to hire a company in your area for service of process **may be** reimbursed.

10. **DEPOSITIONS AND EXPERT WITNESSES**

Costs of expert witnesses are reimbursed *only* where the attorney supports the request with a statement that there were no less costly alternatives available that would have been acceptable under general standards of professional practice. Every effort should be made to negotiate a reduced fee from an expert witness. ***Prior approval of these expenses by PBRC is required to be considered for full reimbursement.***

11. **APPEALS**

Appellate costs **will not** be reimbursed without prior approval of the expenses by PBRC.

12. **SMALL ESTATE EXPENSES IN "TANGLED TITLE" CASES**

Expenses in "tangled title" cases for which resolution has been delayed due to a client's inability to pay the various costs associated with opening an estate and/or re-titling a property may be covered under the Litigation Fund. The following is a list of small estate expenses PBRC anticipates considering for coverage in FY19. Please contact PBRC regarding possible coverage of a small estate expense not listed below.

- Probate fees for opening a small estate (under \$100K)
- Bonding
- Publication fees
- Lien certificate
- Deed recordation fees
- Certified mailing fees
- Copies of death certificate

NOTE: The Litigation Fund **cannot** be used toward a client's unpaid bills such as water bills or property taxes. Additionally, if the client previously covered some of the necessary estate administration fees in their case, those fees will not be eligible for reimbursement.

13. **ATTORNEY TIME**

The Litigation Fund does not cover attorney time. ***Judicare volunteers must direct their requests for payment of time to the agency through which they accepted the Judicare case.***

14. **OTHER EXPENSES**

This policy does not specify all allowed expenses, and the Litigation Fund has been used in the past to cover expenses like transcripts, reproduction of subpoenaed records, parking, and publication fees, for example. If you have an eligibility question about an expense, please contact Annie Speedie, Director of Programming, at 443-703-3051 or aspeedie@probonomd.org.

How to Request Reimbursement from the Litigation Fund

For each individual case: Fill out a separate Reimbursement Request Form, a Mileage Tracking Sheet (Attachment A) (if applicable), and attach all receipts/documentation of your expenses. Copies are acceptable. You can find these forms 1) online at <https://www.probonomd.org/for-lawyers/litigation-fund/>; 2) at your local MLSC-funded pro bono referral program by request; or 3) at the Pro Bono Resource Center by request. Submit your request to PBRC at the below address or via fax or email:

Pro Bono Resource Center of Maryland, Inc.

ATTN: Pro Bono / Reduced Fee Litigation Fund

520 West Fayette Street, Suite 300

Baltimore, MD 21201

Fax: 410-385-2616; E-mail: cgoldblatt@probonomd.org

**Questions? Contact Caitlin Goldblatt at:
443-703-3047 or cgoldblatt@probonomd.org**