

Litigation Fund Guidelines for FY2025-2026 (FY26)

(issued July 2025)

Administered by: Pro Bono Resource Center of Maryland (PBRC)

Summary of Recent Updates:

- In late 2024, Maryland Legal Services Corporation awarded significant supplemental funding to PBRC, expanding the Litigation Fund and available support for volunteers handling eligible Judicare and pro bono cases.
- Individual volunteers and cases will NOT be subject to dollar amount caps. Volunteers should simply request the dollar amount they need to cover documented litigation expenses in their eligible cases.
- Volunteers are now explicitly encouraged to use the Litigation Fund for large litigation expenses (e.g. experts, depositions, transcripts, etc.).
- So that volunteers and programs can stay informed on available funding, the status of the Litigation Fund will be periodically updated at www.probonomd.org/litigation-fund.

Guidelines:

1. AVAILABILITY OF FUNDS

- The Fund covers litigation expenses incurred by **volunteer attorneys** handling MLSC-eligible Judicare and pro bono cases through legal services programs funded by MLSC.
- The FY26 Litigation Fund is available for **litigation expenses incurred July 1, 2025 to June 30, 2026**.
- **The Litigation Fund 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. Volunteers *may* seek preapproval of anticipated litigation expenses by indicating their request form is for preapproval. PBRC holds preapproved funds and disperses once the volunteer provides final documentation.
- **There is no guarantee that requests will be approved.** All requests are subject to review by PBRC.

2. SUBMISSION DEADLINES

The FY26 Litigation Fund closes on July 1, 2026. Requests for litigation expenses incurred July 1, 2025 to June 30, 2026 must be received by PBRC by July 1, 2026 in order to be considered.

Because the Litigation Fund operates on a first-come, first-served basis, volunteers should avoid waiting for an extended period to request coverage of their litigation expense(s). If the Litigation Fund is exhausted before the end of the fiscal year, PBRC will update www.probonomd.org/litigation-fund.

3. DOCUMENTATION REQUIRED

Please complete an [online Request Form](#) and attach supporting documentation for your litigation expenses. Acceptable supporting documentation includes receipts, invoices, billings of amounts payable, etc. A request that does not have complete supporting documentation cannot be processed.

4. COVERED LITIGATION EXPENSES

Historically, the Litigation Fund has been most frequently used to cover litigation expenses such as mileage, postage, copies, parking fees, process servers, and reproduction of subpoenaed records.

However, this policy document is not exhaustive; PBRC encourages volunteers to use the Fund frequently and broadly. Volunteers are also encouraged to seek pro bono or discounted services where possible, but we recognize free/discounted services are frequently unavailable.

- Routine litigation expenses including:
 - Mileage (reimbursed at \$0.50 per mile)
 - In-house black and white photocopies (reimbursed at \$0.10 per page)

- In-house faxes (reimbursed at \$1.00 per page)
 - Tolls
 - Postage
 - Parking fees
 - Process servers / expenses for service by posting
 - Copies / printing of medical, financial or other records or documentation/discovery
- Large litigation expenses including:
 - Expert witness fees
 - Depositions
 - Transcripts
 - Home appraisals
 - Business valuations
 - Bankruptcy filing fees if the waiver request was not granted
 - Custody evaluator fees
 - Court-ordered mediation fee
 - Publication fees
 - Forensic accounting services
 - QDROs
 - Significant translation costs
 - Non-typical expenses related to effectuating service such as skip tracers, service by publication, etc.
- Litigation 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 can be covered under the Litigation Fund, such as:
 - Unwaived 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.

5. **LITIGATION EXPENSES NOT COVERED**

- Volunteers should rely on available fee waivers where possible instead of the Litigation Fund (e.g., for court filing fees and appearance fees as well as probate fees for low-income clients).
 - **NOTE:** Bankruptcy filing fees will not be considered for coverage through the Litigation Fund unless a fee waiver was requested but not granted.
- PBRC will not process or issue reimbursements for requests that total \$10.00 or less.
- 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.
- The Litigation Fund is 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.
- Appellate costs will not be reimbursed without prior approval of the expenses by PBRC.

6. **POINT OF CONTACT AT PBRC**

If you have questions about a type of litigation expense not covered here or the Litigation Fund generally, please contact Liz Twigg at ltwigg@probonomd.org for assistance.