

EARLY SETTLEMENT CONFERENCE PROJECT
***PRO SE* LITIGANT INFORMATION**

Unlike criminal cases where there is a legal right to counsel, in a civil case, a *pro se* litigant has no legal right to have the Court appoint a lawyer. However, the United States District Court, District of Minnesota, has implemented an Early Settlement Conference Project (“ESCP”) to assist *pro se* litigants with resolving all or parts their case. In civil cases involving a *pro se* litigant, the District Judge or Magistrate Judge makes an individual judgment as to whether the case will benefit from referral to the ESCP.

If the Court refers a case to the ESCP, the Court will adopt a Scheduling Order that accommodates a period of one hundred twenty (120) days for participating in the ESCP. The Court will enter an Order of Referral to the ESCP that the Court will communicate to the *Pro Se* Project Coordinator.¹ Upon receiving an Order of Referral, the *Pro Se* Project Coordinator will contact the *pro se* litigant and attempt to locate a lawyer willing to assist the *pro se* litigant in the ESCP. The *Pro Se* Project Coordinator’s contact information is:

Jacqueline S. Bailey, Esq.
P.O. Box 24378 Minneapolis,
MN 55424 612-965-3711
coordinator@proseproject.org

The *Pro Se* Project Coordinator will notify the Court and the *pro se* litigant if a lawyer agrees to assist with the Settlement Conference. If so, the lawyer, or Special Settlement Conference Counsel, will enter a Notice of Limited Appearance to assist the *pro se* litigant in the

¹ The *Pro Se* Project is a collaboration between the U.S. District Court, District of Minnesota and the Minnesota Chapter of the Federal Bar Association to improve access to justice in our Federal Courts and to address the growing challenges civil *pro se* litigants pose to our Federal Judicial System. The goal of the *Pro Se* Project is to provide civil *pro se* litigants with an opportunity to have a meaningful consultation with a volunteer lawyer. The *Pro Se* Project Coordinator works to connect *pro se* litigants the Court refers to the *Pro Se* Project with volunteer attorneys.

preparation of and participation in a Court-annexed settlement conference. The *pro se* litigant will then meet with the Special Settlement Conference Counsel who will review, explain, and have the *pro se* litigant sign a Declaration of the *Pro Se* Party (“Declaration”). The lawyer will then enter the Declaration into the Court file, which is a requirement to participate in the Settlement Conference. In the event the *Pro Se* Project Coordinator is not able to locate a lawyer willing to assist the *pro se* litigant within the time permitted in the Scheduling Order, the case will proceed pursuant to the Pretrial Scheduling Order.

Upon Special Settlement Conference Counsel’s entrance of a Notice of Limited Appearance, the Court will schedule a Settlement Conference to occur within ninety (90) days of the filing of the Notice of Limited Appearance. The Special Settlement Conference Counsel will assist the *pro se* litigant in preparing for and participating in a Court-annexed Settlement Conference.

If the case settles at the Settlement Conference, the Court will handle it as any other settled case. If the case does not settle, the *pro se* litigant and the Special Settlement Conference Counsel will have fifteen (15) days to decide whether the Special Settlement Conference Counsel will enter full appearance. The Special Settlement Conference Counsel is under no obligation to enter a full appearance; however, if Special Settlement Conference Counsel enters a full appearance, the case proceeds. If within 15 days the Special Settlement Conference Counsel does not enter a full appearance, the Court will enter Final Order Relieving Lawyer of Limited Appearance and the case will proceed pursuant to the Pretrial Scheduling Order. Also within 15 days of the Settlement Conference, regardless of the outcome, the *pro se* litigant, the Special Settlement Conference Counsel, and opposing counsel must complete a survey regarding the ESCP.