

NEWS RELEASE

ARIZONA SUPREME COURT

COURT OF APPEALS

ADMINISTRATIVE OFFICE OF THE COURTS

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Court of Appeals Announces Pro Bono Representation Program for Civil Cases

PHOENIX – The Arizona Court of Appeals today launches a new program that seeks to improve access to justice for self-represented litigants while also creating opportunities for attorneys to brief and argue cases in the Court of Appeals. The Court of Appeals will identify specific civil cases in which one or more parties are self-represented and offer the litigant(s) in those cases an opportunity to be paired with a volunteer lawyer.

The Court of Appeals expects to select cases for the new program that are complex, cases that involve a new issue of law, or cases that require specialized legal research. The Court will select cases that fit these criteria and refer them to one of two volunteer attorney coordinators. The coordinators will work to find a volunteer lawyer to serve as counsel for the unrepresented party.

“This program will directly benefit the litigant, but it will also benefit our court in that we will receive briefs and hear arguments that have been prepared by trained lawyers,” Court of Appeals Division One Presiding Judge Diane Johnsen said. “It will also give young lawyers, or attorneys who rarely argue cases on appeal, a chance to have oral argument at the court.”

“It is important to distinguish this program from other pro bono programs. The assessment of which civil cases qualify for the program will be conducted exclusively by the court. The court will not be accepting motions for the appointment of counsel from civil pro se litigants, nor will the court be accepting motions for a particular case to be included in the program,” Division Two Presiding Judge Peter Eckerstrom said. “We aren’t forcing the unrepresented party to work with a volunteer attorney. The person involved in the case has final say, but we think they will welcome the free legal help.”

Judges Eckerstrom and Johnsen are hoping that attorneys will welcome the chance to offer their services for free because they will get to brief a case and participate in an oral argument at the Court of Appeals while providing representation to a pro se party.

The program is modeled after a similar program at the United States Ninth Circuit Court of Appeals. Presiding Judge Johnsen said that Judge Samuel Thumma developed the program for the state court of appeals.

“This program meshes nicely with the statewide goal of increasing access to justice for self-represented parties,” Division One Judge Thumma said. “The crucial step now is to recruit attorneys who would be willing to help advance this program.”

Arizona’s Court of Appeals is divided into two divisions. Division One is based in Phoenix and serves the counties of Apache, Coconino, La Paz, Navajo, Maricopa, Mohave, Yavapai and Yuma. Division Two hears appeals from Cochise, Gila, Greenlee, Graham, Pima, Pinal and Santa Cruz Counties. Both divisions will be participating in the program. The Court of Appeals has identified attorney coordinators for each division.

Division One Pro Bono Attorney Coordinator:

Kimberly A. Demarchi, Esq.
Lewis Roca Rothgerber LLP
201 East Washington Street, Suite 1200
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(602) 262-5728 or KDemarchi@LRRLaw.com

Division Two Pro Bono Attorney Coordinator:

Andrew M. Jacobs, Esq.
Snell & Wilmer LLP
One South Church Avenue, Suite 1500
Tucson, AZ 85701-1630
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Attorneys who want to volunteer for the program are encouraged to contact the coordinator nearest to them. The coordinators are not accepting requests from pro se litigants; they only will coordinate counsel for specific cases referred to them by the Court of Appeals.

For more information on specific aspects of the program, visit <http://www.azcourts.gov/coal/probonorepresentationprogram.aspx> .