

SUGGESTED FORM OF PRISONER-CLIENT ENGAGEMENT LETTER

**Note: this form is a *suggestion*. Each attorney should determine what is appropriate.
[letterhead with attorney's name, address, etc]**

[date]

**CONFIDENTIAL ATTORNEY-
CLIENT COMMUNICATION**

[name Reg. #_____]

[address of prison]

Re: [name of attorney] Engagement letter

Dear [name of client],

Per our conversation, I am sending you this letter to provide you with my address and telephone number. This letter also identifies my role and responsibilities with regard to my representation of you in this matter.

1. Scope of services. The United States District Court for the Southern District of Indiana has appointed me to provide legal services to you in the following matter:

_____, plaintiff, v. _____, defendant(s), Case #_____ in the United States District Court for the Southern District of Indiana.

I will act as your counsel in this case for the claims that are stated in your *pro se* complaint or which arise out of the facts set forth in your *pro se* complaint or that the court has identified in its screening Order.

My services will continue while the case is pending in the United States District Court. Once the case ends in that court, my representation of you will end. I will not undertake an appeal to a higher court, like the United States Court of Appeals for the Seventh Circuit, if an appeal becomes necessary.

In addition, I will not undertake to represent you on matters or claims unrelated to the matters set forth in your *pro se* complaint or any other matter or request unrelated to representation of you in the legal case for which the Court appointed me.

Other attorneys in my Firm **[if this is the case]** may assist me in this case; but each such attorney will be acting under my supervision with my knowledge and approval.

2. My responsibility as your appointed lawyer. All legal services that I furnish to you will be performed in compliance with the governing code of professional conduct. I will keep you reasonably informed of the progress and developments with the respect to the

legal services I am performing for you and will promptly comply with reasonable requests from you for information relating to the case I am handling for you.

As your case progresses, we may reach certain points where important decisions have to be made. If we come to one of those points, I will inform you of your options and provide you with my advice and opinion so that we can work together to agree upon the best decision for you to make.

As the Court issues orders on significant legal issues that have been raised by either party (plaintiff or defendant), I will inform you of those orders and what effects they might have on your case.

From time to time, you may request a legal opinion from me, or I may render an opinion on my own without your request, regarding the progress or status of the case or the performance of my legal services on your behalf. Each such opinion is necessarily limited by my knowledge of the facts at the time and is based on the state of the law at the time of such opinion or statement. Please keep in mind that any attorney's opinion, including my own, is not a guarantee of a particular outcome or the results of the legal proceeding.

Please note that I will not accept collect telephone calls from you, unless we have made prior arrangements with the prison legal liaison for a secure attorney-client call.

3. Duties of the client. Your cooperation is required in order for me to provide the legal services called for in this agreement. You have agreed to fully cooperate with me with respect to the legal services to be provided by me or my associates **[if any]**.

4. Professional Fees and Expenses.

[This is a matter of negotiation between client and attorney. For example, a contingency fee with the contingency to be calculated on balance after reimbursement of costs or before? If case is lost, no charge for services rendered and no reimbursement of costs?]

If the case goes to trial and is successful, then attorney's fees and costs will be governed by the applicable provisions of the Prisoner Litigation Reform Act.

5. Review this agreement, sign the copy and return to me. Should you have any questions about any of the terms of this agreement, please contact me. If you agree with the terms proposed in this document, please sign and deliver back to me the copy. I have enclosed a self-addressed envelope for your convenience. Please keep the original.

Sincerely yours,

[Appointed attorney]

**THE ABOVE AGREEMENT
IS ACCEPTED AND AGREED TO.**

[client's name]

Date