

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In Re:

Chapter:

Case No.:

Debtor.

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Plaintiff,

Adv. Pro. No.:

-against-

Defendant.

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ORDER APPOINTING MEDIATION ADVOCATE

WHEREAS, the U.S. Bankruptcy Court for the Eastern District of New York (the “Court”) has instituted a Pilot Pro Bono Mediation Project (the “Project”); and

WHEREAS, where appropriate, the Project intends to make available pro bono representation of parties by “mediation advocates” for the limited purpose of providing Court-annexed mediation to unrepresented, low-income litigants who qualify under the Project’s guidelines in order to promote fairness and effectiveness of the mediation process; and

WHEREAS, in order to participate in this project, any counsel serving as a “mediation advocate” will need to be able to enter limited appearances, not expressly recognized in the Federal Rules of Civil Procedure or Federal Rules of Bankruptcy Procedure, but authorized by this Court’s inherent power to regulate proceedings before it, which appointment will automatically expire at the conclusion of the mediation; and

WHEREAS, the Court has concluded that the above-referenced matter be referred to the Project; and

WHEREAS, the Court has concluded that the appointment of a “mediation advocate” on behalf of _____ will help promote the fairness and effectiveness of the mediation; and

WHEREAS, _____, Esq., has consented to serve as “mediation advocate” on behalf of _____.

NOW, THEREFORE, it is by the Court,

ORDERED, _____ is hereby authorized to file a limited appearance titled, “Limited Appearance for the Purpose of Mediation” (suggested form attached to this Order), with the understanding that such appearance will automatically expire at the conclusion of the mediation, without necessity of filing a motion to withdraw; and it is further

ORDERED, that, within ten (10) days after entry hereof, the mediation advocate designated herein shall file a letter with this Court advising the Court of any reason known to him/her why he/she cannot serve as mediation advocate, including any conflict of interest¹; and it is further

ORDERED, nothing in this order shall preclude counsel appearing under its provisions from subsequently entering a general appearance for the duration of the litigation; and it is further,

ORDERED, that this Order shall remain in effect until further Order of the Court.

¹ In the event a conflict of interest exists, the mediation advocate need only represent that a conflict exists, but need not divulge of the names or identities of the client(s) whose representation causes the conflict to exist.