

## EOLDN Legal Matching Service: Requestor Conditions

The following are the EOLDN Legal Matching Service: Requestor Conditions (“Conditions”). These apply to any individual submitting a request to the Election Official Legal Defense Network (“EOLDN”) to be matched with a pro bono lawyer. EOLDN is a project of the nonpartisan, nonprofit Center for Election Innovation & Research (“CEIR”). Participation in this service is free of charge.

Definitions:

- a) **“Participating Lawyers”** or **“PLs”** are individual lawyers who sign up to participate in EOLDN. If they work for a firm, they are signing up independent of their firm as a whole, and regardless of whether their firm is a **Participating Law Firm**. PLs are subject to the [EOLDN Rules for Participating Lawyers and Law Firms](#).
- b) **“Participating Law Firms”** or **“PLFs”** are law firms that sign up to participate in EOLDN, subject to the [EOLDN Rules for Participating Lawyers and Law Firms](#).
- c) **“PLF Assigned Attorney(s)”** are lawyers who are assigned to a matter by a PLF.
- d) **“Requestor”** is the individual submitting a lawyer match request to EOLDN.
- e) **“Request Intake”** is a procedural meeting with an Intake Volunteer to review the request with Requestor.
- f) **“Intake Volunteer(s)”** are EOLDN volunteers who will perform Request Intake with Requestor.
- g) **“Initial Meeting”** refers to one or more meetings between a PL or PLF Assigned Attorney and a matched Requestor, before any engagement letter is agreed upon.

### Requestor Conditions for submitting a legal match request to EOLDN:

1. **Definition of Election Official.** Requestor must be a current or former election official. An election official is either (a) someone recognized as a governmental election authority, or (b) someone acting under the supervision of a recognized governmental election authority. Poll workers are considered to be election officials and are eligible to submit requests. Anyone acting under the supervision of a political party (e.g., a partisan poll watcher) is not eligible.
2. **Scope of Request.**
  - a) **Request Subject Matter.** The request must relate to the Requestor’s work in elections administration.
  - b) **Equitable Relief vs. Monetary Damages.** EOLDN PLFs/PLs agree to handle, pro bono, matters seeking equitable relief. Equitable relief generally means that a party wants the opposing party/parties to do, or stop doing, something. However, EOLDN PLs/PLFs are not required to handle matters seeking monetary damages. Though no match is guaranteed, if Requestor seeks monetary damages, it may be more difficult to identify and match a PL/PLF. If EOLDN is unable to match a Requestor with a PL/PLF willing to handle claims

for monetary damages, EOLDN could attempt a match with a PL/PLF to consult on the situation. For example, a PL/PLF might be able to suggest other options, such as equitable remedies.

### 3. Requestor's Ability to Accept Services

- a) **Private Funding Restrictions.** Some states have enacted laws that may restrict the ability of election officials and agencies to receive private funds and/or donated services to support the administration of elections (“**Private Funding Restrictions**” or “**PFRs**”). Requestors from PFR states shall discuss the Restrictions with their matched PL/PLF – Assigned Attorney during Initial Meeting in order to determine if they are permitted to accept this service under their state’s PFRs. If Requestor needs **factual** information about EOLDN to make this assessment, Requestor is encouraged to contact EOLDN at [help@eoldn.org](mailto:help@eoldn.org). EOLDN cannot provide legal advice to Requestor, but EOLDN might be able to answer questions about how the service works to assist Requestors with their evaluation. If Requestor proceeds with a match after the Initial Meeting, then the Requestor is representing that they are permitted to do so under their state’s PFRs. Learn more about state PFRs [here](#).
- b) **Gift, Ethics, and Other Laws.** Requestors might be subject to laws, rules, and regulations, other than Private Funding Restrictions, that could affect their ability to accept services from third parties, including services provided without charge. Requestor, whether a current or former government official, must be permitted to accept pro bono legal services under applicable gift, ethics, and other laws, regulations, rules, policies, or procedures. If Requestor needs **factual** information about EOLDN to make this assessment, Requestor is encouraged to contact EOLDN at [help@eoldn.org](mailto:help@eoldn.org). EOLDN cannot provide legal advice to Requestors, but EOLDN might be able to answer questions about how the service works to assist Requestors with their evaluation. If Requestor proceeds with a match after the Initial Meeting, then the Requestor is representing that they are permitted to do so under their state’s applicable gift, ethics, and other laws, regulations, rules, policies or procedures.

### 4. Matching Process.

- a) **Request Intake.** EOLDN will perform a preliminary review of the request. Requestors will generally be contacted by Intake Volunteer to discuss the request. The meeting with Intake Volunteer is purely informative and meant only to assist with understanding Requestor’s issue. **Intake Volunteer does not and cannot give any legal advice.** Intake Volunteer will share the information they collect from Requestor with EOLDN.
- b) **PL/PLF Matching Procedures.** EOLDN will attempt a match of eligible requests with a PL/PLF. If EOLDN is unable to identify a PL/PLF, EOLDN may try to identify lawyers outside the network who could assist Requestor. EOLDN will notify Requestor if the matched attorney

is not a PL/PLF. EOLDN will notify Requestor if, after attempts to find a PL/PLF, a match is unlikely.

- c) **Engagement Letters.** If representation proceeds beyond Initial Meeting, the matched PL/PLF is required to enter into an engagement letter with Requestor. CEIR is not a party to this agreement and cannot assist with negotiating the agreement.
- d) **Additional Legal Personnel Assigned to Representation.** If a matched PL works in a law firm, other lawyers, paralegals, or support staff might be involved in the representation, but PL will supervise the representation unless PL and Requestor agree otherwise.
- e) **Post-Initial Meeting Procedures.** Requestor is not obligated to move ahead with a matched PL/PLF post-Initial Meeting. Similarly, a matched PL/PLF is not obligated to provide further legal services post-Initial Meeting. If a PL/PLF declines to provide further legal services, PL/PLF shall hand the request back to EOLDN, and EOLDN will attempt another match if Requestor asks. EOLDN cannot guarantee that a match will lead to ongoing representation. If Requestor declines to be represented by a PL/PLF or decides to no longer pursue a match, EOLDN will not attempt another match unless requested by Requestor.
- f) **Post-Resolution Procedures.** PLs/PLFs are expected to inform EOLDN of the resolution of a request within thirty (30) days of the resolution, including a summary of how the matter was resolved; for example, settlement, court order, mediated or arbitrated result. EOLDN will not request information covered by the attorney-client privilege and will not disclose individual-level information without prior written consent.
- g) **Confidentiality of Information.** EOLDN cannot guarantee confidentiality or privacy of submitted information. However, EOLDN will take reasonable steps to protect the confidentiality of information it obtains from a Requestor, Intake Volunteer, and matched PL/PLF. EOLDN will not share this information except with PLs/PLFs, Intake Volunteers, and/or those assisting with the administration of EOLDN, unless required by law.
- h) **Attorney Fees vs. Attorney Expenses.** A matched PL/PLF will provide services pro bono, meaning that a PL/PLF will not charge fees for the time they spend representing Requestor. However, a PL/PLF has the right to require reimbursement for expenses such as court costs and travel expenses, as negotiated between Requestor and a PL/PLF and reflected in the engagement letter.

5. **Miscellaneous Conditions.**

- a) **No EOLDN Endorsement of a PL/PLF Qualifications.** EOLDN matches requests based on a PL/PLF subject-matter expertise, willingness to accept requests, and ability to practice law in Requestor's jurisdiction. EOLDN does not endorse a matched PL/PLF's qualifications or abilities.
- b) **No Endorsement of Request or Requestor.** EOLDN takes no position on the substance or merits of any request or legal matter, does not guarantee a result or outcome, and does not endorse a Requestor in any capacity.
- c) **No Statement that EOLDN Endorses Any Request.** Requestor must not state or otherwise suggest in communications, public or private, that CEIR or its EOLDN project has in any way endorsed Requestor or Requestor's request or legal position.
- d) **Illegal Campaign Intervention.** As a public charity exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, CEIR may not participate or intervene in any political campaign on behalf of, or in opposition to, candidates for public office. CEIR shall deny any request that it, in its sole discretion, believes constitutes prohibited campaign intervention.
- e) **CEIR/EOLDN Does Not Practice Law.** CEIR, which runs EOLDN, is not an organization engaged in the practice of law and is therefore not in an attorney-client relationship with Requestors. CEIR cannot and will not provide legal advice.

6. **Post-Resolution Surveys.** To help CEIR assess the efficacy of its work, CEIR may ask Requestors to voluntarily participate in surveys about their experiences with EOLDN and their matched PL(s)/PLF(s). EOLDN will not request information covered by the attorney-client privilege and will not disclose individual-level information without prior written consent.

7. **Rule Changes.** CEIR reserves the right to amend these Conditions. The date of any amendment will be reflected in the "Last Updated Date" above. EOLDN will notify Requestors of substantive changes by email.