

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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PATRICIA ANN WILLIAMS,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF  
WORKFORCE DEVELOPMENT,

Defendant.  
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ORDER

16-cv-830-bbc

Pro se plaintiff Patricia Ann Williams is proceeding on a claim that defendant Department of Workforce Development violated the Rehabilitation Act by refusing to pay for expenses related to law school as part of her “individual plan for employment.” Within the span of one week, plaintiff has filed four separate motions for leave to amend her complaint, along with two documents that she identifies as amended complaints. Dkt. ##18-20, 22-23, 24 and 26. I am denying each motion.

In an order dated February 27, 2016, dkt. #16, the court gave plaintiff explicit instructions regarding what she must do if she wishes to file an amended complaint. Among other things, the court told plaintiff that she must file *one* document that can *replace* the original complaint. “If the complaint consists of multiple documents, the scope of the plaintiff’s claims becomes unclear and it becomes difficult if not impossible for the defendants to file an answer. To avoid ambiguity, an amended complaint must be able to

stand on its own without any reference to the original complaint.” Dkt. #16 at 4. By filing multiple amended complaints at the same time, plaintiff has violated the court’s instructions. If plaintiff wishes to seek leave to amend her complaint, she must limit herself to *one* proposed amended complaint that includes *all* of the claims that she wishes to bring and she must accompany her complaint with *one* motion in which she identifies all of the changes she wishes to make and explains why she believes she meets the standard under Rule 15 of the Federal Rules of Civil Procedure. Park v. City of Chicago, 297 F.3d 606, 612 (7th Cir. 2002)(2) (to obtain leave to amend under Rule 15, plaintiff must show that there was no undue delay in bringing new claims, that defendants will not be prejudiced by the amendment, and that new allegations state claim upon which relief may be granted under one or more legal theories).

Also before the court is plaintiff’s motion for assistance in recruiting counsel. Dkt #25. A court has no authority to require counsel to represent a pro se litigant in a civil case, but a district court has discretion to assist pro se litigants in finding a lawyer to represent them. 28 U.S.C. § 1915(e)(1). Because there is no right to counsel in civil cases, Olson v. Morgan, 750 F.3d 708, 711 (7th Cir. 2014), a party who wants assistance from the court in recruiting counsel must meet several requirements. Santiago v. Walls, 599 F.3d 749, 760-61 (7th Cir. 2010). First, she must show that she is unable to afford to hire her own lawyer. Second, she must show that she made reasonable efforts on her own to find a lawyer to represent her. Finally, she must show that the legal and factual difficulty of the case exceeds her ability to prosecute it. Pruitt v. Mote, 503 F.3d 647, 654-55 (7th Cir. 2007).

Plaintiff meets the first requirement because she is proceeding in forma pauperis. She has met the second requirement as well because she has submitted letters from several lawyers who have declined to represent her. However, I am not persuaded that this case is too difficult for plaintiff to prosecute on her own. In her motion, plaintiff says that the case is too difficult for her, but she does not identify a single reason why she believes that is so. Although plaintiff says she is disabled, she does not allege that she suffers from any mental or physical disabilities that prevent her from representing herself. The fact that plaintiff believes that defendant should assist her in attending law school suggests that plaintiff is confident in her own abilities to understand law and procedure.

In its present form, this case is a relatively simple one. There is one claim against one defendant. The claim involves legal issues with which plaintiff is deeply familiar, as is demonstrated by her filings in this case. By plaintiff's own assertion, she already has litigated this claim without counsel in administrative proceedings. She does not allege that she will need expert testimony to support her claim or that her claim will require her to engage in complicated discovery disputes.

Plaintiff's failure to follow court instructions is the only factor suggesting that the case is too difficult for her. However, at this point, I am not persuaded that plaintiff's failure is a result of an *inability* to follow instructions rather than a simple choice not to do so. Plaintiff's filings in this case and others show that she is intelligent, knowledgeable and capable of grasping concepts more complicated than following the rules for filing an amended complaint.

In sum, I am not persuaded that this is one of the relatively few cases in which a pro se litigant requires court assistance in obtaining counsel. Accordingly, I am denying plaintiff's motion.

ORDER

IT IS ORDERED that

1. Plaintiff Patricia Williams's motions for leave to amend her complaint, dkt. ##18, 19, 22, 24 and 26, are DENIED.

2. Plaintiff's motion for assistance in recruiting counsel, dkt. #25, is DENIED.

Entered this 29th day of March, 2017.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge