

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

IN RE: INMATE ELECTRONIC FILING
PILOT PROJECT

Standing Order No. 2017-9

The United States District Court for the District of Oregon ("the Court") and the Oregon Department of Corrections ("ODOC") have agreed to participate in a pilot project to facilitate the electronic filing of prisoner litigation documents with the Court ("Pilot"). The Pilot is expected to increase efficiencies in pro se inmate filings and save costs to unrepresented inmate litigants, the ODOC, and the Court by reducing expenses for paper, envelopes, copying, postage, and staff time. This Order sets forth the rules for managing the Pilot.

IT IS HEREBY ORDERED:

1. The Pilot includes all prisoner civil rights and habeas corpus cases brought under 42 U.S.C. § 1983, and 28 U.S.C. §§ 2241, 2254, and 2255.
2. Participation in the Pilot is limited to unrepresented inmate litigants housed at the Snake River Correctional Institution ("SRCI") located in Ontario, Oregon. Participation in the Pilot is **mandatory** for those inmate litigants.
3. **Papers submitted to the Court:** Filings submitted by inmate litigants to the Court include correspondence, complaints, petitions, motions, and briefs (hereafter "filings") and must be submitted electronically. If, after making an electronic filing in a case, an inmate litigant is transferred to an institution other than SRCI, the inmate shall resume submitting all subsequent filings by mail during the period that the inmate litigant remains assigned to another institution.

4. **Papers submitted to opposing parties or counsel:** Correspondence and requests for discovery between an inmate litigant and any defendant or respondent shall not be submitted electronically but will continue to be exchanged by mail.

5. **Service of Process:** An inmate may not electronically serve a complaint. The Court will seek waiver of service of a complaint on behalf of inmates proceeding in forma pauperis. The Court will advise an inmate if waiver of service cannot be obtained from some or all defendants. However, inmates who have paid the Court's filing fee must effect service of a complaint on their own in accordance with the Federal Rules of Civil Procedure.

6. Electronic filings will be processed as follows:

a. **Inmate Litigant Submission of Filing:** The inmate litigant will provide designated SRCI staff with the original filing. The filing must comply with the requirements set forth in the "Electronic Filing Requirements for U.S. District Court," a copy of which shall be posted or distributed with this Order consistent with ODOC practices. SRCI staff will scan the filing on a digital scanner and will e-mail the resulting Portable Document Format ("PDF") document file to the Court at an e-mail address designated by the Court. After the original filing has been scanned and sent to the Court, SRCI staff will return the original to the inmate. The inmate litigant is expected to keep the original filing and produce it at a later time, if ordered to do so by the Court.

b. **Docketing:** After the Court receives the filing by e-mail, it will perform a quality review and docket the filing electronically.

c. **Notice of Electronic Filing ("NEF"):** When a filing is docketed, an NEF is issued. The NEF confirms the date of docketing and contains an electronic link to the filing. The NEF will be transmitted to an e-mail address established by the Court and ODOC at SRCI. ODOC staff will print and provide copies of the NEF to the inmate litigant through SRCI's existing mail system. The Court will not issue an NEF for a document that is not a "filing" in a case (see item 3, above).

d. **Defendant/Respondent Submission of Court Filing:** After a defendant or respondent has electronically submitted a filing, SRCI staff will print the NEF and the filing and provide a copy of both to the inmate litigant through SRCI's existing mail system. In habeas cases filed pursuant to 28 U.S.C. § 2254, the Oregon Department of Justice must serve a paper copy of the transcript and the record of state court proceedings on the inmate litigant in accordance with the Court's Scheduling Order, when the inmate is proceeding pro se at the time the transcript and the record are due. SRCI is required to print only the NEF for those filings for the inmate litigant.

e. **Court Orders:** When the Court issues an order (or other communication) directed to the parties, ODOC staff will print and provide the inmate litigant with copies of the NEF and the Court-issued order (or other communication) via SRCI's existing mail system. Receipt by the inmate litigant of the NEF with the Court order (or other communication) constitutes service on the inmate litigant.

7. The Court will provide scanning equipment and all training necessary for SRCI staff. The equipment will remain the property of the Court, and the Court will be responsible for maintenance and replacement of the equipment provided. SRCI will utilize its own paper and printers, and provide court documents to the inmates as required by this process.

This Order shall become effective October 4, 2017 and shall remain in effect through October 4, 2018, subject to extension upon agreement of the Court and ODOC. The Court or ODOC may terminate the Pilot at any time. Before October 4, 2018, the Court and ODOC will evaluate the Pilot and determine whether it should be continued, terminated, modified, or expanded.

IT IS SO ORDERED.

DATED this 14th day of August, 2017.


MICHAEL W. MOSMAN
CHIEF U.S. DISTRICT JUDGE