



**United States District Court  
District of Oregon**

**A Guide for Self-Represented Parties**

**May 2013**

## Table of Contents

I.	INTRODUCTION .....	1
	A. Who this Guide is Designed to Assist: .....	1
	B. Basic Definitions .....	1
	C. How This Guide Should Help You .....	1
	D. A Word of Advice .....	2
II.	GENERAL INFORMATION ABOUT THE COURT .....	3
III.	RESOURCES FOR SELF-REPRESENTED PARTIES .....	3
	A. Law Library Resources .....	3
	B. Resources for Legal Representation .....	3
IV.	THE COMPLAINT .....	4
	A. What the Court Needs to See in Your Complaint .....	4
	1. Jurisdiction .....	4
	2. Facts .....	4
	3. Real Injury or Wrong .....	5
	4. Relief .....	5
	B. Contents of the Complaint and Civil Cover Sheet .....	6
V.	WHAT TO DO AFTER YOU PREPARE A COMPLAINT .....	7
	A. Filing a Complaint .....	7
	B. Paying the Filing Fee .....	8
	C. Preparing the Summons .....	9
	D. Serving the Summons and Complaint .....	9
VI.	WHAT TO DO AFTER A CASE HAS BEEN FILED .....	10

A.	Case Assignment Notice and Scheduling Order .....	10
B.	Consent to Proceed Before a Magistrate Judge .....	10
C.	Request for Appointment of Counsel .....	11
D.	Discovery .....	12
E.	Filing Motions .....	12
F.	Subpoenas .....	13
VII.	OBTAINING INFORMATION ABOUT YOUR CASE .....	13
VIII.	JUDGMENTS AND APPEALS .....	14
	List of Local Law Libraries .....	Attachment 1
	Lawyer Referral Services .....	Attachment 2

## I. INTRODUCTION

### A. Who this Guide is Designed to Assist:

1. Persons wanting to file a lawsuit in federal court or persons who have an active role as a plaintiff or a defendant in a case that they or someone else has already filed in federal court; and
2. Persons proceeding without the assistance of a trained and licensed attorney.

### B. Basic Definitions

Plaintiffs and defendants in court cases generally are referred to as the "parties" or "litigants." The **plaintiff** asserts a claim or right protected by law against the **defendant** who denies the claim or right. The Court determines whether the asserted claims or rights have merit.

Most parties who appear in this Court are represented by an attorney who has been trained in the law and is familiar with the applicable court rules and procedures. Parties who are not represented by licensed attorneys and who elect to represent themselves are generally referred to as *pro se* plaintiffs, *pro se* defendants, and/or *pro se* litigants.

### C. How This Guide Should Help You

This Guide provides self-represented parties with general information about filing a civil action in federal court and describes some actions necessary to begin the case. This Guide will not answer all of your questions and does not cover all circumstances or all types of cases. **You are responsible for learning about and following the rules and procedures that govern the court process.**

For prisoners, special forms and instructions are available from the Clerk's Office to file a prisoner civil rights action under 42 U.S.C. § 1983, a *habeas corpus* petition under 28 U.S.C. § 2241 or § 2254, or a motion to vacate or set aside a sentence under 28 U.S.C. § 2255.

Court staff will provide general assistance with the filing of necessary papers and pleadings. Under no circumstances, however, can Court staff give you any type of legal advice, nor will Court staff advise what you should or should not do in any particular case. **Any legal advice by a member of the Court's staff is strictly prohibited.**

Generally, self-represented parties are held to the same standards of professional responsibility as trained attorneys. It is your responsibility to become familiar with and comply with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Oregon (the "Local Rules"). These rules set forth the general procedural requirements for litigating cases in federal court. Federal laws and statutes are located in the United States Code (the "U.S.C."). The Federal Rules of Civil Procedure and the United States Code are available for review at local law libraries. The Local Rules are available from the Clerk's Office and are viewable on the Court's website: <http://ord.uscourts.gov/local-rules-of-civil-procedure/>.

#### **D. A Word of Advice**

Self-representation carries certain responsibilities and risks. The Court urges you to carefully review those risks and the potential consequences. Some of the risks involved include but are not limited to:

- Missing deadlines;
- Failing to object or move;
- Failing to present all evidence available;
- Failing to spot the issues on each side;
- Being unaware of the standards of consideration or review;
- Presenting and framing arguments in a convincing fashion; and
- Failing to research all applicable rules and laws.

You should also be aware that although you may represent yourself, you cannot represent another person.

#### **WARNING!**

**Federal Rule of Civil Procedure 11** prohibits the filing of lawsuits that are clearly frivolous or filed merely to harass someone. If, after reviewing your complaint, the Court determines that you have filed a lawsuit for an improper or clearly unnecessary purpose, it may impose sanctions against you, including ordering you to pay a fine to the Court or pay the legal fees of the person(s) against whom you filed the lawsuit.

## II. GENERAL INFORMATION ABOUT THE COURT

The United States District Court for the District of Oregon has three staffed divisional offices:

<b>PORTLAND DIVISION</b> Mark O. Hatfield United States Courthouse 1000 SW Third Avenue Suite 740 Portland, OR 97204-2930  Intake Counter (503) 326-8000	<b>EUGENE DIVISION</b> Wayne L. Morse United States Courthouse 405 East Eighth Avenue Suite 2100 Eugene, OR 97401-2712  Intake Counter (541) 431-4100	<b>MEDFORD DIVISION</b> James A. Redden United States Courthouse 310 West Sixth Street Suite 302 Medford, OR 97501-2710  Intake Counter (541) 608-8777
--	---	--

Under **Local Rules 3-2(b) and 3-3(a)**, you must file your case in the division in which the action arises. It is your responsibility to determine the correct division for your case. The Clerk's Office cannot give you advice on where to file your case.

Many of the necessary forms referred to in this Guide are available from the Clerk's Office and can also be downloaded from the Court's website. For additional information about this Court, including information about its judges, policies, and procedures, visit the Court's website at <http://ord.uscourts.gov/>.

General information about the federal courts can be found on the following websites:

- Understanding the Federal Courts: <http://www.uscourts.gov/understand02/>
- Inside the Federal Courts: <http://www.fjc.gov/federal/courts.nsf>

## III. RESOURCES FOR SELF-REPRESENTED PARTIES

### A. Law Library Resources

A list of local law libraries is attached at the end of this Guide as Attachment 1.

### B. Resources for Legal Representation

If you can afford to hire an attorney but cannot locate one, many local bar associations have lawyer referral services. Some of these services offer consultations with attorneys at reduced rates. A number of organizations also may provide legal assistance at no cost (*pro bono*) or low cost. Most of these organizations have income eligibility requirements and many only provide assistance with specific types of cases. **Court staff cannot recommend individual attorneys.** Attachment 2 to this Guide is a list of some lawyer referral services.

## IV. THE COMPLAINT

Generally, the first step in filing a lawsuit is to prepare a complaint. The person who files the complaint is called the "plaintiff." The person against whom the complaint is filed is called the "defendant." You should read **Federal Rule of Civil Procedure 11** before filing a complaint.

### A. What the Court Needs to See in Your Complaint

Four important issues must be addressed when you file a case in federal court: (1) jurisdiction, (2) facts, (3) real injury or wrong, and (4) relief. Even if your complaint addresses each of these issues, there is always a possibility that you will not prevail on your claims and receive the relief that you are requesting.

#### 1. Jurisdiction

Jurisdiction is the authority of a court to hear and decide certain cases. To render a valid judgment, a court must have jurisdiction over both the subject matter of the controversy and the person or entities involved. A federal court is authorized to only hear disputes that fall into the following four categories:

- (a) Questions involving the United States Constitution;
- (b) Questions arising under federal law (as opposed to state law);
- (c) Disputes where the United States is a party; and
- (d) Disputes between residents of different states (known as "diversity of citizenship") where the amount in controversy is more than \$75,000.

**If your case does not fall within one of these four categories, Federal Rule of Civil Procedure 12(h)(3) requires the Court to dismiss your complaint.**

#### 2. Facts

You cannot sue someone merely because you have a feeling that person may have violated your rights. You must state facts to support your claim, such as who violated your rights, how they violated your rights, and the time and place of the incident. The plaintiff has the burden of proving the case and cannot win the case without factual evidence.

When preparing a complaint, you must include facts—who, what, when (including dates), where and how—that support your claim with respect to **each** defendant. For example,

you may not list six defendants but discuss only one or two of them in your complaint. You must include specific allegations of wrongful conduct in your complaint for every person you name as a defendant.

### **3. Real Injury or Wrong**

You cannot sue someone just because you are angry at him or her. You must have sustained some type of injury, for example, a physical or economical injury. Sometimes emotional injuries can be compensated, but there usually must be a related physical injury.

### **4. Relief**

You must tell the Court what you want in order to remedy the wrong that you believe you have suffered. Several types of relief are commonly requested:

- (a) The "actual" (real) monetary losses you suffered as a result of someone's actions. For example, if someone injures you, and you incur medical bills and are unable to work for a period of time, then you may be entitled to reimbursement for your medical expenses and lost wages.
- (b) Punitive damages are monetary damages in addition to the amount of money that will compensate you for your actual loss. Punitive damages are allowed only in extraordinary circumstances when the Court finds conduct particularly outrageous. Punitive damages are meant to punish wrongful conduct and to prevent future bad conduct.
- (c) Injunctive relief "enjoins" (stops) someone from doing something or requires someone to do something.
- (d) Declaratory relief asks the Court to decide what the law is when you are unsure of your legal rights in an actual controversy. The Court may issue a declaratory judgment where it declares the law which is binding on the parties to the lawsuit.

## B. Contents of the Complaint and Civil Cover Sheet

Forms for filing certain types of complaints are available at the Clerk's Office and on the Court's website. The Court does not require that these forms be used, but often they are helpful in formatting your documents.

A complaint must contain the following information:

1. **Name of the Court:** The first page of your complaint must have a case caption that includes the name of the Court and assignment to a division as follows:

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

2. **Plaintiff's name, address, and telephone number:** Place your contact information at the top left hand corner of the first page of the complaint **and** on the first page of all documents you file. You must keep the Clerk's Office and the opposing party informed of your current address and telephone number during the entire lawsuit. Failure to do so may cause the Court to dismiss your complaint.
3. **Full names of ALL defendants:** You may not use "*et al.*" to describe additional defendants. You must list each defendant by name.
4. **Title of the pleading:** Each document you file must have a title, for example: "Complaint."
5. **Jurisdiction:** You must include the jurisdiction or reason that the case is being filed in federal court, as explained in Section IV(A)(1) above.
6. **Statement of the claim:** The complaint must include a short and plain statement of the claim as well as any supporting facts. Write the facts in your own words, as if you were briefly telling someone what happened to you. Describe how each and every defendant, by name, wronged or injured you. The complaint should not contain legal arguments or citations. Do not attempt to use legalese (legal jargon) unless you have legal training because use of such language may jeopardize your ability to clearly communicate your claim(s) to the Court.

7. **Your demand for relief:** After you have stated your claims and facts, tell the Court what you want. This can be money or something you want the Court to make someone do or stop doing.
8. **Jury demand:** The request for a jury trial is optional. If you want a jury trial, you must include the words "Demand for Jury Trial" conspicuously on the first page of the complaint.
9. **Signature:** The complaint that you file with the Clerk's Office must have your (the plaintiff's) original signature. This may not be a photocopy.

**NOTE:** The Court is required to dismiss a complaint under 28 U.S.C. §§ 1915 and 1915A, if you are a prisoner or are proceeding *in forma pauperis*, and the Court determines that the action is (i) frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.

A **Civil Cover Sheet** that gathers general, statistical information about the case is to be completed and presented with your complaint. The Civil Cover Sheet is available at the Clerk's Office and can also be downloaded from the Court's website.

## **V. WHAT TO DO AFTER YOU PREPARE A COMPLAINT**

In order to formally start your case in federal court, you must:

1. File the complaint;
2. Pay the filing fee;
3. Prepare a summons; and
4. Serve the summons and complaint.

### **A. Filing a Complaint**

To open a new case, you must either hand deliver or mail an original signed paper complaint, the Civil Cover Sheet, the filing fee or completed **Application to Proceed In Forma Pauperis**, and summons(es) to the Clerk's Office. You also need to include a separate copy of the documents marked as the "Judge's Copy," and sufficient copies of the complaint for service on the defendant(s). If any defendant is an agency of the United States, or an officer or employee of the United States who is being sued for acts or omissions related to his or her employment, you must also submit five (5) extra copies of the complaint. Additionally, you should include an extra copy of any document that you want the intake clerk to stamp and return to you after filing. If you are mailing your documents to the Court, include a self-addressed,

stamped envelope so that the Clerk's Office can return the file-stamped copies to you. All copies must be identical to the original.

The Court uses the federal judiciary's Case Management/Electronic Case Files system (CM/ECF) to support and accept electronic document filings, create case docket sheets, and provide access to case information over the Internet through the PACER gateway. PACER is further described in Section VII - Obtaining Information About Your Case.

Self-represented parties may not electronically file and receive documents unless they first receive permission from the Court. If you wish to use the CM/ECF system, you will need to ask for permission by filing a motion with the Court. A judge will decide your motion. There are certain hardware and software requirements necessary for electronic filing. For additional information, visit the Court's website and read **Local Rule 100-4(c)**.

## **B. Paying the Filing Fee**

The filing fee for a new civil case in the federal court is **\$400.00**. The fee for a habeas corpus petition is **\$5.00**. The fee must be paid at the time the complaint/petition is filed. The Clerk's Office currently accepts the following methods of payment:

- Cash
- Money Order
- Check (business, cashier, certified or personal)
- Credit or Debit (Visa, MasterCard, American Express, and Discover)

### **CHECKS AND MONEY ORDERS MUST BE MADE PAYABLE TO:**

#### **CLERK, U.S. DISTRICT COURT**

If you cannot pay the filing fee, you should complete an application to proceed without prepayment of fees, referred to as an **Application to Proceed *In Forma Pauperis*** ("IFP"). This form is available from the Clerk's Office and on the Court's website. When completing the application, you must answer all of the questions relating to income, assets, and liabilities. If you do not provide complete and accurate information, the Court may deny your request or require you to provide additional information before it can make a decision. If the Court grants your request, you will not be required to pay the filing fee at the time the complaint is filed. If the Court denies your request, you will be allowed a reasonable opportunity to pay the fee. The Clerk's Office will not issue the summons until the Court has screened the complaint under 28 U.S.C. §1915(e)(2) and ruled on your Application to Proceed *In Forma Pauperis*.

### C. Preparing the Summons

With or after the filing of the complaint, you must prepare a separate summons for each named defendant, plus one copy. The summons form is available from the Clerk's Office and on the Court's website. If more than one defendant is named in the complaint **and** the time for each defendant to file an answer is the same, you can prepare one summons and list all of the defendants, but you must make enough copies to have an "original" summons plus one copy for each defendant.

The summons identifies the Court and the parties, is directed to the defendant, and states your name and address as the self-represented plaintiff. It also includes the number of days within which the defendant must appear and defend the action, and it contains a warning that if the defendant fails to respond, a judgment by default will be entered against the defendant for the relief demanded in the complaint. **Federal Rule of Civil Procedure 12** details the times for responsive pleadings, like answers to complaints, to be filed.

After you properly complete the summons form and pay the filing fee (or as the Court grants the Application to Proceed *In Forma Pauperis*), the Clerk's Office will "issue" the summons, meaning that it will be signed and stamped with the Court seal in preparation for service on the defendant.

### D. Serving the Summons and Complaint

You, as the plaintiff, are responsible for making sure that the summons and complaint are served on the defendant(s) within 120 days of the filing of the complaint. This is called "service of process," and it is the method used to notify the defendant that a lawsuit is pending. Detailed instructions on how to serve a summons and complaint can be found in **Federal Rule of Civil Procedure 4**. **If these instructions are not followed correctly, the case can be dismissed for failure to comply with Rule 4.**

The person who serves the summons and complaint must file a "**Return of Service**" document with the Court. The Return of Service is a statement, made under oath, explaining when and how service on the defendant(s) was completed.

After being served with the summons and complaint, the defendant has a period of time, specified in the summons, within which to answer or respond to the complaint. The time for filing an answer runs from the date the complaint and summons are served, not the date the summons was issued.

If the Court grants an Application to Proceed *In Forma Pauperis*, the U.S. Marshal will serve the summons and complaint upon the defendant(s). The Court will provide the necessary forms (one per defendant) to you, but it is your responsibility to complete the forms with the

address information where service can be made on each defendant, and return the form(s) to the Clerk's Office.

If the Court denies an Application to Proceed *In Forma Pauperis*, the U.S. Marshal is not initially responsible for serving the summons and complaint. However, you may pay to have the U.S. Marshal perform service. Forms for service by the U.S. Marshal are available from the Clerk's Office.

You may also request a waiver of service from the defendant(s) pursuant to the **Federal Rule of Civil Procedure 4(d)**. If the defendant(s) waive service, you can avoid hiring the U.S. Marshal or a private process server.

If you are a prisoner, the Court will seek a waiver of service on your behalf. If the defendant(s) declines to waive service, the Clerk's Office will contact you to request that you submit the requisite summonses and U.S. Marshal instruction forms.

## **VI. WHAT TO DO AFTER A CASE HAS BEEN FILED**

### **A. Case Assignment Notice and Scheduling Order**

As your complaint and other papers are filed, the Clerk's Office will assign a case number and judge, and generate a **Case Assignment Notice**. It also will issue a **Scheduling Order** that will set out important due dates for pleadings, hearings, and discovery.

If you are a prisoner, the court will not issue a Scheduling Order until after it authorizes service on the defendant(s) and the defendant(s) have filed an answer or other response.

### **B. Consent to Proceed Before a Magistrate Judge**

Oregon's Magistrate Judges play a unique and indispensable role in the assignment, management, and trial of civil cases. If your case is assigned to a Magistrate Judge, the Clerk will provide a form titled "**Consent to Proceed Before a U.S. Magistrate Judge**." It is the responsibility of the person who files the case to serve, with the summons and the complaint, a copy of this consent form upon all parties. The consent form gives each party an initial opportunity to consent to having a Magistrate Judge assume complete jurisdiction over the case, including entry of the final disposition.

Our Magistrate Judges are recruited from pools of highly ethical and experienced state court judges and lawyers. Parties may realize substantial monetary and time savings if they consent to the adjudication of their case by a Magistrate Judge. District Judges must give statutory priority to the criminal cases on their trial calendars. Magistrate Judges do not conduct

criminal felony trials and may be able to provide earlier and firmer trial dates than might otherwise be possible for a District Judge.

If all parties do not consent to having a Magistrate Judge assume complete jurisdiction over the case, the Magistrate Judge may not issue final judgments or rule on dispositive matters and motions. Instead, the Magistrate Judge will issue a document entitled "Findings and Recommendation," which will then be reviewed by a District Judge. That review process usually takes 60 days. Parties can avoid the delays and expense of this review process, while preserving the right of appeal directly to the court of appeals, by consenting to proceed before the Magistrate Judge. If all parties consent, the Magistrate Judge will have identical jurisdictional authority to a United States District Judge, including the authority to:

- Schedule, hear and decide all dispositive and non-dispositive matters;
- Schedule, hear and decide all interlocutory matters;
- Conduct jury or non-jury trials;
- Enter final orders and judgment; and
- Decide all post-trial motions.

If the parties consent, the decision of the Magistrate Judge is final and is directly appealable to the United States Court of Appeals for the Ninth Circuit. *See* 28 U.S.C. § 636(c)(3) and **Federal Rule of Civil Procedure 73(c)**.

### **C. Request for Appointment of Counsel**

A self-represented party has no right to be represented by court-appointed counsel, and the Court has no obligation to appoint counsel. In an exceptional case, however, the Court may appoint an attorney who agrees to appear on behalf of the self-represented party. To request that the Court appoint counsel, you must file a **Motion for Appointment of Counsel** which explains your need for counsel and what previous efforts you have made to retain counsel, if any. A form for that motion is available at the Clerk's Office and on the Court's website.

The Court has a *Pro Bono* Representation Program which includes a panel of attorneys who volunteer to accept certain cases on behalf of the Court and serve without charge to self-represented parties. The Court may consider the appointment of *pro bono* counsel in a civil action for all purposes, for the limited purpose of reviewing your claims or defenses, or for other specific purposes such as mediation or settlement conference. Some of the factors that the Court will consider in deciding whether to appoint counsel to represent you are:

1. Your financial ability or inability to hire counsel;
2. Whether you have made a reasonable attempt to find a lawyer without success;
3. Whether your case has a reasonable possibility of success on the merits; and

4. Whether your case is so factually and legally complex that you need a lawyer to articulate your claims.

The Court may appoint *pro bono* counsel in response to a Motion for Appointment of Counsel or on its own motion. A detailed description of the *Pro Bono* Representation Program is available on the Court's website.

#### **D. Discovery**

Discovery is the name given to procedures for obtaining facts and information about the case from the opposing party before trial. The rules regarding discovery are complex, and before conducting any discovery, you should carefully read **Federal Rules of Civil Procedure 26 through 37**. It is particularly important that you become familiar with the requirements of Rule 26 on the mandatory exchange of information between parties.

**Do NOT file discovery requests or responses with the Court.** Ordinarily the Court does not get involved in the request for and/or exchange of discovery. If the parties have a discovery dispute, they must first make a good faith effort to resolve the dispute between themselves. If you are unable to reach an agreement, you may then file a **Motion to Compel Discovery**. The motion to compel must include a certified statement in its first paragraph that you have made a **good faith effort** to obtain the information or material without court action. Sanctions may be awarded against parties who are found to have abused the discovery process.

#### **E. Filing Motions**

The Court will not take informal action on your case. If you want the Court to take any action, you must make the request by filing a motion.

A motion must be in writing and specifically state the reasons for the motion and the relief you seek. Before filing the motion, you must first contact the other parties and determine their position on the motion. **Local Rule 7-1** requires the first paragraph of all motions, except those for temporary restraining orders, to certify that you, as the moving party, made a good faith effort through personal or telephone conferences to resolve the dispute and have been unable to do so, the opposing party has willfully refused or failed to confer, or one party is a prisoner not represented by counsel. The Court will deny any motion that does not include this certification.

If an opposing party opposes the motion, you must file and serve on all parties copies of the motion, a supporting brief or memorandum (a summary of the law supporting the motion), affidavits or declarations, and any other papers related to the motion. The motion must also include a statement indicating when and on whom you served copies of the motion. **Federal Rule of Civil Procedure 5** governs the service of motions and other documents. Any response in opposition to a motion filed by another party as well as any reply to any response, also must

be filed and served on all parties. The timing of the response and reply, as well as the length and format of the motion, must conform to the Local Rules.

**Failure to serve and file a response in opposition to any motion constitutes consent to grant the motion.**

The Court will decide a motion on the pleadings unless it sets the motion for a hearing. If the Court sets the motion for hearing, a notice of hearing will be sent to all attorneys and self-represented parties. When a decision has been made on a motion, the Court will issue an order that either grants, denies, or partially grants and denies the motion.

#### **F. Subpoenas**

Subpoenas are used to require a witness to appear on a date certain to testify or produce documents. The Clerk's Office cannot give blank subpoenas to self-represented parties proceeding *in forma pauperis*. If you need a subpoena, you must file a motion explaining who is being subpoenaed and why at least two weeks before the subpoenas are needed.

### **VII. OBTAINING INFORMATION ABOUT YOUR CASE**

The Clerk's Office maintains an automated record, or docket, for every case that is filed with the Court. The docket is a chronological summary of all significant events in the history of the case. For example, each time a pleading or paper is filed or a hearing is held, an entry summarizing the event is added to the case docket. You can review the docket at no cost on the public-access terminals located in the Clerk's Offices in Portland, Eugene, and Medford.

Public Access to Court Electronic Records (PACER) is an electronic public access service that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and the U.S. Party/Case Index via the Internet. Links to all courts are provided from this website. There is no cost for registering with PACER. However, the Judicial Conference has set a fee of eight cents per page for querying, viewing, or downloading electronic case information through PACER (with a \$2.40/30 page cap-except for transcripts). Written opinions of the Court may be viewed at no cost. Contact or visit the PACER Service Center website for additional information.

PACER Service Center  
P.O. Box 780549  
San Antonio, TX 78278-0549  
1-800-676-6856  
E-mail: [PACER@psc.uscourts.gov](mailto:PACER@psc.uscourts.gov)  
Internet site: <http://pacer.psc.uscourts.gov>

**The staff of the Clerk's Office does not know, and cannot provide you with, the reasons for a judge's decision or when a judge will respond to a motion or issue a ruling in a case.** The judge's courtroom deputy can respond to specific questions regarding scheduling. The contact information for the judge's courtroom deputy and docket clerk for your case may be found on the Case Assignment Notice that is issued when the case is opened.

**Attorneys and self-represented parties are prohibited from communicating with the judge or judge's staff. This means that you must not call the judge or judge's chambers, write letters directly to the judge or judge's chambers, or send pleadings directly to the judge.**

## **VIII. JUDGMENTS AND APPEALS**

A final decision of this Court is called a judgment and may be appealed to the United States Court of Appeals for the Ninth Circuit, headquartered in San Francisco, California. Federal Rules of Appellate Procedure 3 and 4 describe the requirements for filing an appeal.

**Litigation in the appeals court is a complex process. It is the responsibility of the self-represented party to follow the Federal Rules of Appellate Procedure and the Local Rules of the United States Court of Appeals for the Ninth Circuit.**

To appeal, you must file a **Notice of Appeal** with the Clerk of this Court, with one copy for the Court and one copy for each attorney or self-represented party in the case. You also must pay the filing fee of **\$455.00** or submit an **Application for Leave to Appeal *In Forma Pauperis***. The Notice of Appeal should be legibly handwritten or typed and filed with the Clerk of this Court within thirty (30) days after entry of the judgment or order being appealed. When the United States or its officer or agency is a party, the Notice of Appeal may be filed by any party within sixty (60) days after entry of the judgment or order being appealed.

If the district court granted you leave to proceed *in forma pauperis*, then you need not apply again for *in forma pauperis* status on appeal unless the district court certifies that the appeal is not taken in good faith. **See Federal Rule of Appellate Procedure 24(a)(3).**

## **List of Local Law Libraries**

(Unless otherwise noted, libraries are open to the general public)

### **United States Court of Appeals for the Ninth Circuit Library**

Pioneer Courthouse  
700 SW Sixth Avenue, Suite 109  
Portland, OR 97204  
(503) 833-5310  
Web page: <http://www.lb9.uscourts.gov/>

### **U.S. District Court - District of Oregon, Library**

Mark O. Hatfield U.S. Courthouse  
1000 SW Third Avenue, Room 7A40  
Portland, OR 97204  
(503) 326-8140  
(Open to the general public by appointment only.)

### **State of Oregon Law Library, Salem, OR**

1163 State Street  
Supreme Court Building  
Salem, Oregon 97301  
(503) 986-5640  
Email: [state.law.library@ojd.state.or.us](mailto:state.law.library@ojd.state.or.us)  
Web page: <http://www.oregon.gov/SOLL>

### **Paul L. Boley Law Library, Lewis & Clark Law School**

10015 SW Terwilliger Blvd.  
Portland, OR 97219-7768  
Reference: (503) 768-6688  
Hours: (503) 768-6687  
Email: [lawlib@lclark.edu](mailto:lawlib@lclark.edu)  
Web page: <http://lawlib.lclark.edu>  
(Has "public" hours for a "person of the general public who can demonstrate a need for legal and/or federal depository materials"; contact library for more information.)

### **John E. Jaqua Law Library, University of Oregon School of Law**

1221 University of Oregon  
Eugene, OR 97403-1221  
(541) 346-3088  
Email: [lawref@uoregon.edu](mailto:lawref@uoregon.edu)  
Web page: <http://lawlibrary.uoregon.edu>

**J.W. Long Law Library, Willamette College of Law**

245 Winter Street SE  
Salem, OR 97301-3916  
(503) 370-6386  
Email: [law-library@willamette.edu](mailto:law-library@willamette.edu)  
Web page: <http://www.willamette.edu/wucl/longlib/>

**Clackamas County Law Library**

Alden E. Miller Law Library  
821 Main Street  
Room 101  
Oregon City, OR 97045  
(503) 655-8248  
Email: [lawlibrary@co.clackamas.or.us](mailto:lawlibrary@co.clackamas.or.us)  
Web page: <http://www.clackamas.us/lawlibrary/>

**Multnomah County Law Library**

1021 SW Fourth Avenue  
Portland, OR 97204-1123  
(503) 988-3394

**Washington County Law Library**

111 NE Lincoln Street  
Suite 250-L  
Hillsboro, OR 97124-3036  
(503) 846-8880  
Email: [lawlibrary@co.washington.or.us](mailto:lawlibrary@co.washington.or.us)  
Web page: <http://www.co.washington.or.us/lawlibrary>

**Lane County Law Library**

Lane County Public Service Building  
125 East 8th Avenue  
Eugene, OR 97401  
(541) 682-4337  
Email: [LCLAWLIB@co.lane.or.us](mailto:LCLAWLIB@co.lane.or.us)  
Web page: <http://www.co.lane.or.us/Departments/CC/LawLibrary/Pages/default.aspx>

**Clark County Law Library**

1200 Franklin Street  
Vancouver, WA 98660  
(360) 397-2268  
Email: [lawlibrary@clark.wa.gov](mailto:lawlibrary@clark.wa.gov)  
Web page: <http://www.co.clark.wa.us/law-library/index.html>

## Lawyer Referral Services

### **Oregon State Bar** ([www.osbar.org/public/ris](http://www.osbar.org/public/ris)):

#### Lawyer Referral Service:

Provides the name and telephone number of a lawyer who can help you with your legal matter and who is close to you or the location where assistance is needed.

The first in-office consultation will be no more than \$35; this fee may be more if you are not in Oregon and cannot meet with the lawyer in person. Any additional fees must be arranged between you and the lawyer.

#### Modest Means Program:

The Modest Means Program is only available for family law, criminal defense, and landlord/tenant matters at the trial court level (appeals are not covered by the program). Eligibility is based upon type of legal matter, applicant income and assets, and availability of participating attorneys. If you qualify for the program, the Modest Means attorney will charge you a reduced rate for any additional legal work provided to you beyond the initial consultation.

#### Military Assistance Panel:

The Military Assistance Panel matches deployed service members and their dependents with lawyers willing to provide up to 2 hours of legal advice at no charge. Our lawyer volunteers have been trained to provide legal assistance relating to the Service members' Civil Relief Act (SCRA), and are also able to help with a wide range of other legal matters.

#### Problem Solvers:

Problem Solvers offers free legal information and advice to children between the ages of 11 and 17. Volunteer attorneys agree to provide a free 30-minute consultation.

(503) 684-3763 or (800) 452-7636.

Hours: 8 am to noon and 1 pm to 5 pm Monday-Friday

### **Oregon Advocacy Center, Disability Law** ([www.disabilityrightsoregon.org](http://www.disabilityrightsoregon.org)):

620 SW 5th Ave., 5th floor

Portland, OR 97204

(503) 243-2081 or (800) 452-1694

Hours: 9am - 12p, 1pm - 5pm, Monday - Friday

OAC is a non profit, law a office providing free advocacy services to people who have a legal issue related to their disability.

**Northwest Constitutional Rights Center:**

520 SW 6th Ave., Suite 1050,

Portland, OR 97205

Telephone: (503) 295-6400

Email: [info@nwcrc.org](mailto:info@nwcrc.org)

The Northwest Constitutional Rights Center is a unique advocacy and legal organization that safeguards the rights of political activists, communities of color, and immigrants through public interest litigation, advocacy, and education. It represents individuals on cases involving public records requests, police misconduct or racial profiling.

**Legal Aid Services of Oregon** ([www.oregonlawhelp.org](http://www.oregonlawhelp.org)):

Provides legal services to low income people and other special populations on civil (non-criminal) cases in 32 counties. The services are free. In most situations, clients must be eligible under federal poverty income guidelines. Cases are accepted based on available staff, a legal evaluation, and priority factors.

Multnomah County Office

921 SW Washington #520

Portland, OR 97205

(503) 224-4086 or (888) 610-8764

**Oregon Law Center** ([www.oregonlawcenter.org](http://www.oregonlawcenter.org)):

If you are low income and seeking help on a consumer, contract, employment, housing or estate matter (no criminal law, traffic or parking tickets, family law, bankruptcy, immigration, evictions or cases that require an quick response), you may qualify for assistance with a volunteer attorney through the Pro Bono Program. Your legal issue must be in the Portland Metropolitan Area. Call the message line at (503) 473-8329 and leave a message describing the legal issue. Your call will be returned by an intake specialist.