

May 26, 2016

SEAN F. McAVOY, CLERK

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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF WASHINGTON

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11 In Re

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13 PRISON ELECTRONIC FILING  
14 INITIATIVE

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16 GENERAL ORDER NO. 16-35-1

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19 The United States District Court for the Eastern District of Washington (the  
20 Court), the Washington State Department of Corrections (DOC), and the  
21 Washington State Attorney General's Office (AGO) have performed a  
22 comprehensive evaluation of the one-year electronic filing pilot project (Pilot  
23 Project), commenced on June 1, 2015, and have determined that the practices  
24 established under this pilot project have increased efficiencies in *pro se* prisoner  
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1 filings and saved costs to prisoner litigants, the DOC, and the Court by reducing  
2 expenses for paper, envelopes, copying, postage, and staff time.  
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5 **THEREFORE IT IS HEREBY ORDERED:**

6 1. The Prisoner E-Filing Initiative established by the pilot project under  
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8 General Order No. 15-35-1 of this Court is adopted in full and remains **mandatory**  
9 for all prisoner litigants incarcerated at facilities actively engaged in the Prisoner  
10 E-Filing Initiative.  
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12 2. The Prisoner E-Filing Initiative shall be expanded to include all DOC  
13 facilities in the State of Washington, at a schedule to be agreed upon by the Court,  
14 the DOC and AGO. Immediate expansion will include Coyote Ridge Correctional  
15 Center, Airway Heights Correctional Center, and Monroe Correctional Complex.  
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18 3. The Consent to Receive Electronic Notice authorizing delivery of  
19 service documents via electronic mail (e-mail), as signed by the representative of  
20 the AGO, is incorporated into the Prisoner E-Filing Initiative and attached hereto  
21 as Exhibit No.1.  
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23 4. The Clerk of Court is authorized to develop, implement, publish, and  
24 modify as necessary additional administrative procedures to manage the Prisoner  
25 E-Filing Initiative.  
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1 This Standing Order shall become effective May 31, 2016. The Court or  
2 DOC may terminate the E-Filing Initiative at any time.

3 **IT IS SO ORDERED.**

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5 **DATED** this 26th day of May, 2016.

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9 THOMAS O. RICE  
10 Chief United States District Judge  
11 EASTERN DISTRICT OF WASHINGTON  
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# **PRISONER E-FILING INITIATIVE: CONSENT TO RECEIVE ELECTRONIC NOTICE AND AUTHORIZING DELIVERY OF SERVICE DOCUMENTS VIA E-MAIL**

May 18, 2016

The United States District Courts for the Eastern and Western Districts of Washington, the Washington State Department of Corrections (DOC), and the Washington State Attorney General's Office (AGO) have participated in a year-long Prison E-Filing Pilot Project at two DOC correctional facilities. Given the success of the pilot project, the Court and the state entities have agreed to expand prison e-filing to additional DOC facilities.

To achieve additional efficiencies, the AGO consents to receive electronic copies of service-related documents (complaint / petition, order directing service, waiver forms) that otherwise would be sent via first class mail for prison litigants proceeding *in forma pauperis*. This consent does not constitute a waiver of service of process, and is limited as follows: (1) to cases involving pro se prison litigants in custody at DOC facilities that are actively engaged in the Prisoner Electronic Filing Initiatives for the Eastern and Western Districts of Washington and have established procedures for the receipt and issuance of electronic notice; and (2) to service related documents for defendants who are alleged to be employees of the State of Washington.

Notice by electronic means is complete as set forth below.

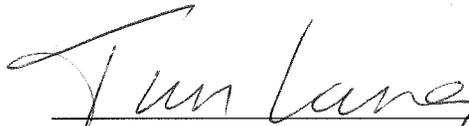
Upon issuing an order directing service on a 42 U.S.C. § 1983 complaint or a 28 U.S.C. § 2254 or 28 U.S.C. § 2241 habeas corpus petition, the court's electronic filing system will initiate a Notice of Electronic Filing (NEF). The court will also assemble a service packet containing materials necessary to disseminate "waiver of service" documents to named, state employee Defendants in civil rights actions and materials necessary for service on named Respondents in habeas actions. The NEF and service packet will be delivered to the email addresses designated by the AGO, the Department of Corrections (DOC), and participating facility for these types of filings.

Upon receiving the service related documents, the AGO will undertake to distribute them to the defendants who are current state employees. The individual

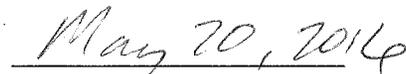
defendant will then have the opportunity to waive service within the timeframe set forth in the service documents. If the AGO determines a defendant does not work or no longer works for the State of Washington, or is unable to determine the identity of any defendant, or the defendant declines to waive service, the AGO will promptly file a notice to that effect with the Court, and service on those individuals will occur by further direction of the Court.

By this registration, the undersigned agrees to abide by the court's Local Rules and Administrative Procedures for Electronic Case Filing.

For the Washington Office of Attorney General

  
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Tim Lang  
Sr. Assistant Attorney General  
Corrections Division  
Washington State Attorney General's Office

  
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Date