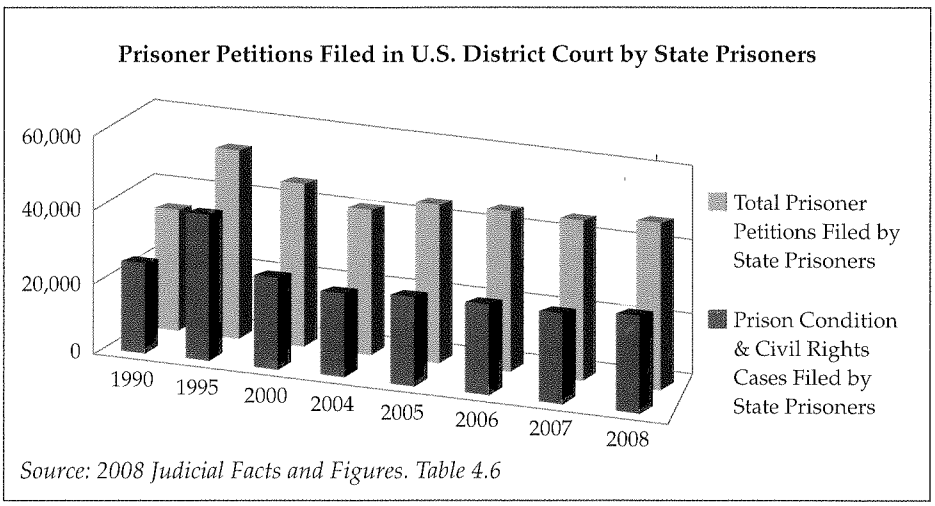
Federal Court, State Prison Satisfied with E-Filing for Inmates

In the last 25 years, prison inmates nationwide have sought the help of federal trial courts on a variety of legal claims at least 50,000 times each year—about one-fourth of all civil cases filed annually. One result: a mountain of paperwork.

The U.S. District Court for the Central District of Illinois has come up with what it believes is a better way of processing prisoner petitions. "E-filing has been a real success," reports Clerk of Court Pam Robinson.



Source: 2008 Judicial Facts and Figures. Table 4.6

In a pilot project it initiated with the Pontiac Correctional Facility, a men's prison with 1,600 inmates, the court for nearly three years has been receiving prisoner petitions electronically. "Both the court and the state Department of Corrections have saved substantial time, paper, envelopes, copier supplies and maintenance, and postage," Robinson said.

Before the pilot project began, an inmate who wanted to file a complaint with the court would take the document to the prison library staff, who would make as many copies of the document as needed, sometimes as many as 50, so that each named defendant could be formally served. All originals and necessary copies then would be mailed in a large box or envelope to the court.

Now, the prison library staff scan the inmate's document into a PDF format and make one copy of the PDF document for the prisoner. The scanned document is given to the prison's litigation coordinator so that it can be e-mailed to the court for e-filing. (Inmates in Illinois are not allowed access to computers or the Internet.)

The inmate's copy is stamped with a notation that the petition or pleading has been scanned and e-mailed, along with the number of pages it contains and the initials of the library staff member who handled it. The original document is forwarded to the court for quality control purposes, to ensure the document is legible and all of the pages were scanned properly. The electronic filing is the official court document.

"Our court has done a number of things to try to streamline the prisoner litigation process," Robinson said. "Shortly after a new complaint is filed, the judge holds a merit review hearing to determine which counts state a claim and which defendants shall remain in the case. Our clerk's office will then produce sufficient copies of the complaint for service on the defendants."

The project began especially for handling one type of prison petition, a lawsuit challenging an inmate's conditions of confinement or some other alleged civil rights violation. But the court has received other types of actions via e-filing as well, such as habeas corpus petitions that contend an inmate's state court prosecution violated his federal rights in some way.

"When we first raised the proposal with the Department of Corrections, the prison library's staff was not happy. They were skeptical about changing how they did things and could not see the benefits to them. At a meeting six months later, they were thrilled with the new way of handling federal cases and pleadings," Robinson said.

Judge Harold Baker (C.D. Ill.) credits pro se law clerk Cynthia Diane Fears with first proposing the project. Baker said he and his pro se law clerks are very satisfied with its implementation. "We're delighted. Our court will accept e-filing with every other institution willing to work with us," he said.

Until recently, Baker handled all prisoner civil rights petitions for his court, about one-third of its civil docket. He encourages other federal courts to consider establishing similar projects with prisons in their judicial districts.

"E-filing is much more efficient," he said. "Some might worry that the PDF document is difficult to read on a computer screen, but you can adjust its size. I'm 80, and I have no problem at all with it."

Robinson said that many other federal district courts have inquired about the e-filing project. "There's been a lot of interest once the other courts find out that e-filing will substantially reduce the amount of staff time spent processing prisoner court filings. Both the prison staff and the court can benefit from this e-filing process," she said.

Robinson is a member of the federal Judiciary's District Clerks Advisory Group, which is working to identify initiatives that both contain costs and increase efficiencies.