

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON



### **Administrative Procedures for Prisoner E-Filing**

These Administrative Procedures for Prisoner E-Filing are established pursuant to General Orders 16-35-1 and 06-16.

1. Notice of Electronic Filing. A Notice of Electronic Filing (NEF) is a computer-generated notice, similar to a receipt. The NEF displays the document title, date the document was filed and the number of pages included. The NEF is not protected “legal mail.”

Pursuant to and in support of General Orders 15-35-1 and 02-15:

- The prisoner litigant will provide original papers intended for filing with the court to DOC staff to be scanned and emailed to the court.
  - DOC staff will scan original papers intended for filing with the court, email the resulting PDF document to the court, and will return the original papers to the prisoner litigant.
  - The prisoner litigant will retain the original court filing for his/her record and will receive the NEF from DOC staff, once the document is docketed by the court. As the original court filing is returned to and maintained by the prisoner, he/she will not receive a free electronic copy of the document filed, as anticipated by the standard language contained in an NEF. For purposes of Section 6(c) in General Orders 15-35-1 and 02-15, the original document is the prisoner litigant’s record/copy of the filing, along with the NEF.
2. Legal Mail. Mail from the courts, as contrasted to mail from the prisoner’s lawyer, is not legal mail. *Keenan v. Hall*, 83 F.3d 1083, 1094 (9<sup>th</sup> Cir. 1996), *amended by* 135 F.3d 1318 (9<sup>th</sup> Cir. 1998).

3. Prisoner Litigant. “Prisoner litigant,” as referenced in General Orders 15-35-1, 16-35-1, 02-15, and 06-16, means *party to the suit at hand* and, as such, is electronically filing only in his/her own case.
4. Case Types Included In Prisoner Electronic Filing. The types of cases that are included in the Prisoner E-Filing Initiative are all prisoner civil rights and habeas corpus cases brought under 42 U.S.C. §1983, 28 U.S.C. §§ 2241, 2254, or 2255.
5. State Court Records. If the petitioner is incarcerated in a participating Washington State prison facility, any State Court records electronically filed in their case will not be printed by the facility for delivery to the petitioner. The filing attorney or party will be responsible for serving these documents to the petitioner via traditional means.