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**FILED**

**Dec 8, 2015**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

IN RE: PROCEDURAL RULES FOR **STANDING ORDER**  
ELECTRONIC SUBMISSION OF  
PRISONER LITIGATION FILED BY  
PLAINTIFFS INCARCERATED AT  
CORCORAN, PLEASANT VALLEY and  
KERN VALLEY STATE PRISONS

This Standing Order for the United States District Court for the Eastern District of California, Fresno Division, describes a pilot program in which the Court and the California Department of Corrections and Rehabilitation (CDCR) have agreed to participate in a program whereby initial pleadings submitted by prisoners in civil rights cases involving conditions of confinement claims are electronically filed. As part of this pilot program, CDCR agrees to collaborate with the Court to include the following prison facility or facilities in the pilot program: **Corcoran, Pleasant Valley and Kern Valley State Prisons**. This pilot program is designed to reduce the cost of processing court filings in civil rights cases brought by incarcerated Plaintiffs pursuant to 42 U.S.C. § 1983.

As part of the pilot program, the following applies:

**Scope:**

1. This Standing Order only applies to cases brought by incarcerated Plaintiffs housed at the participating facility at the time of initial filing, who assert claims involving conditions of confinement, such as those brought under 42 U.S.C. § 1983 and only applies to cases being filed in the Fresno Division of the Eastern District of California in conformity with Local Rule 120(e). Additionally, this Standing Order does not apply to claims challenging the fact or duration of a prisoner's confinement or other matters not herein authorized.

2. This Standing Order only applies to initial filings by Plaintiffs which are defined as the complaint, an application to proceed in forma pauperis without prepayment of fees, a motion seeking relief from this Standing Order or a motion for emergency relief. At a CDCR

1 participating facility, no initial documents will be accepted for filing by the Clerk of the Court  
2 unless they comply with this Standing Order or the scanning equipment is inoperable for a period  
3 longer than forty-eight (48) hours. After the initial filings, all other filings shall be mailed and  
4 comply with the Local Rules for the United States District Court for the Eastern District of  
5 California and any subsequent orders issued by this Court.

4 **Procedures for Filing:**

5 3. Plaintiffs shall provide their complaint and any application to proceed in forma  
6 pauperis without prepayment of fees to CDCR in conformity with their procedures for the  
7 electronic filing of initial documents, including any applicable procedures for paying for  
8 photocopies. Plaintiff is required to pay for photocopies according to the applicable CDCR  
9 policies and procedures.

10 4. To facilitate compliance with Fed. R. Civ. P. 8(a)(2) (requiring that a pleading  
11 contain “a short and plain statement of the claim showing that the pleader is entitled to relief”) and to reduce costs and delays associated with processing complaints, the Court imposes a page-  
12 limit on complaints filed by incarcerated Plaintiffs. Complaints shall not exceed twenty-five (25)  
13 pages in length. Any exhibits attached to a complaint shall count toward the twenty-five page  
14 limit. Plaintiffs are encouraged to use the Court’s sample civil rights form. In the event a  
15 Plaintiff moves the Court to file a complaint longer than twenty-five (25) pages, he or she must  
16 provide the motion with the proposed complaint to the Court and must demonstrate the grounds  
17 for the need to exceed the page limitation. Motions to proceed in forma pauperis, motions to  
18 increase the page limit and motions for emergency relief shall be no more than fifteen (15) pages  
19 in total length combined.

20 5. CDCR staff will scan all initial filings into a preprogrammed digital sender which  
21 scans and converts the documents to .PDF format. On the front page of each separate filing,  
22 CDCR staff shall stamp the document indicating that the document has been scanned and  
23 emailed, along with the date completed. After the documents are scanned, the original  
24 documents will be returned to the Plaintiff and CDCR shall promptly email the documents to the  
25 Clerk of Court for filing.

26 6. The Court, through the Clerk of the Court, will retrieve the e-mailed documents  
27 from CDCR, conduct a readability review, and file them in the Case Management Electronic  
28 Case Filing system (CM/ECF). The Court will e-mail a document confirming receipt of the filed  
documents, initial case filing instructions and any orders or other documents provided at initial  
filing to the Plaintiff at an e-mail address established by CDCR. CDCR staff shall deliver these  
e-mailed documents to the incarcerated Plaintiff. After this initial filing, all other documents to  
be filed shall be sent and served through the mails in accordance with CDCR procedures  
regarding legal mail, the Local Rules of this Court and other applicable law.

29 7. Each CDCR facility participating in the pilot program will establish an e-mail  
30 address at which CDCR staff can retrieve the Court’s emails and other court-issued initial  
31 filings. CDCR staff will retrieve this information and any attached documents, from the Court’s  
32 email and print and deliver them to the incarcerated Plaintiff. If the incarcerated Plaintiff refuses  
33 delivery of the documents, or is no longer at an e-filing CDCR participating facility, CDCR staff  
34 will notify the Court by e-mail and indicate the reason for non-delivery of the documents. Since

1 the original civil complaint and other filings were returned to the incarcerated Plaintiff as  
2 scanned and emailed, the Court and CDCR are not required to provide the incarcerated Plaintiff  
3 with any file stamped copies of the documents filed by the Plaintiff.

4 8. The Clerk of Court is authorized to create any additional required forms or  
5 procedures to effectuate this Standing Order.

6 9. Issues regarding access to file through the e-filing program shall be referred to  
7 Magistrate Judge Stanley A. Boone for determination and he is authorized to open a  
8 miscellaneous proceedings prior to accepting the civil complaint should he, in his discretion,  
9 deem it necessary.

10 10. The effective date of this Standing Order is December 15, 2015.

11 Date: December 08, 2015

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13 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
14 UNITED STATES DISTRICT COURT  
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