



**PRISONER
LITIGATION
WORKSHOP**

September 26-28, 1983

Louisville, Kentucky

PROGRAM

PRISONER LITIGATION WORKSHOP

MONDAY, SEPTEMBER 26

Morning Session

8:45 WELCOME AND INTRODUCTIONS

*Earl J. Ross
Chief, Operations Training Branch
Division of Continuing Education & Training
The Federal Judicial Center
Washington, D. C.*

9:00 BACKGROUND OF THE PRO SE CLERK PROGRAM:
discussion of the Aldisert report; status
of prisoner litigation committees.

*Robert J. Pellicoro
Chief, Clerk's Division
Administrative Office of the
United States Courts
Washington, D. C.*

*Alan Chaset
Deputy Division Director
Division of Inter-Judicial Affairs
The Federal Judicial Center
Washington, D. C.*

9:30 INTAKE PROCEDURES: model procedures for
correspondence and technical screening;
role of deputy clerk; form letters for
correspondence; technical requirements for
filing; development of forms for federal
habeas corpus and civil rights; assignment;
consolidation of cases from same litigant
or institution; class actions.

*Carl Zahner
Pro Se Clerk
United States District Court
Middle District of Florida
Jacksonville, Florida*

*Richard Arenburg
Pro Se Clerk
United States District Court
Northern District of Georgia
Atlanta, Georgia*

10:15 INTERMISSION

10:30 IN FORMA PAUPERIS (IFP) AND INITIAL
SUBSTANTIVE SCREENING: IFP screening
(timing of IFP screening and update on use
of sliding scale/partial payment plan);
initial frivolousness screening (extent and
scope) and test used.

*Molly Cavazos
Pro Se Clerk
United States District Court
Southern District of Texas
Houston, Texas*

*J. Rich Leonard
Clerk of Court
United States District Court
Eastern District of North Carolina
Raleigh, North Carolina*

*Leslie K. Granger
Pro Se Clerk
United States District Court
District Court of Kansas
Wichita, Kansas*

Mr. Arenburg

12:15 LUNCHEON INTERMISSION

Afternoon Session

1:45 MOTIONS AND DISCOVERY PRACTICE: review and
discussion of pro se clerks role;
techniques and practices now in being for
pro se clerks; effective utilization of pro
se clerks.

*Honorable Barbara B. Crabb
Chief Judge
United States District Court
Western District of Wisconsin
Madison, Wisconsin*

*Magistrate David A. Bagwell
United States District Court
Southern District of Alabama
Mobile, Alabama*

Mr. Leonard

3:00 INTERMISSION

3:15 HEARING/TRIAL: types of hearings; role of magistrates; hearings at institutions; jury trial by magistrates without consent; obtaining plaintiff's and witness' presence at trial; holding trial without plaintiff; other issues, e.g., security, obtaining transcript for appellate review, etc.

Chief Judge Crabb

Magistrate Bagwell

Mr. Leonard

5:00 ADJOURNMENT

TUESDAY, SEPTEMBER 27

Morning Session

9:00 APPOINTMENT OF ATTORNEYS AND USE OF
COMMUNITY RESOURCES: pro bono panels; use
of law students to represent indigents;
interns.

*Robert Heinemann
Clerk of Court
United States District Court
Eastern District of New York
Brooklyn, New York*

*Ruby Udell
Pro Se Clerk
United States District Court
Northern District of California
San Francisco, California*

*Dale Hayes
Pro Se Clerk
United States District Court
Northern District of Illinois
Chicago, Illinois*

10:30 INTERMISSION

10:45 EXHAUSTION OF ADMINISTRATIVE REMEDIES IN
CIVIL RIGHTS ACTIONS: Civil Rights for
Institutionalized Persons Act; arbitration
and mediation.

*Honorable D. Dortch Warriner
Judge, United States District Court
Eastern District of Virginia
Richmond, Virginia*

*Magistrate Frederick N. Smalkin
United States District Court
District of Maryland
Baltimore, Maryland*

*Judith H. Friedman
Special Counsel
Executive Office of the United States
Department of Justice
Washington, D. C.*

12:30 LUNCHEON INTERMISSION

Afternoon Session

2:00 CASE MANAGEMENT: special systems for prisoners; manuals for litigants; use of instructional orders and forms, pretrial instructions particularly for prisoners; case monitoring; moving cases to disposition; file and records control; automation.

Chief Judge Crabb

3:30 INTERMISSION

3:45 HABEAS CORPUS ISSUES: review and discussion of types of habeas corpus issues likely to confront pro se clerks; proven effective techniques and practices.

Magistrate Smalkin

5:00 ADJOURNMENT

WEDNESDAY, SEPTEMBER 28

Morning Session

9:00 COPING WITH CHRONIC LITIGANTS: review and discussion of problems involved with chronic litigants; proven effective and efficient techniques to cope; identification of chronic litigants.

Mr. Zahner

*John R. Wightman
Pro Se Clerk
United States District Court
Eastern District of Washington
Spokane, Washington*

10:00 LOCAL RULES: review and discussion of uses of local rules in pro se matters/issues; commonly encountered practices and procedures; problems encountered by pro se clerks with local rules.

Wendy Jennis
Attorney Advisor
Clerk's Division
Administrative Office of the
United States Courts
Washington, D. C.

10:30 INTERMISSION

10:45 ROLE OF THE PRO SE CLERK: supervision; relationship of pro se clerk to the other court support staff and judicial officials of the court; statistical reporting to the Administrative Office; statistical reporting to the court; secretarial support; procedural manuals; how to measure the benefits of the pro se clerk program (has the program justified itself?).

Ms. Jennis

12:15 CRITIQUE AND EVALUATION: participants will complete an evaluation of the day's program; participants will critique in open forum the applicability and usefulness of the program.

Mr. Ross

12:30 CLOSING REMARKS AND ADJOURNMENT

Mr. Ross



The Dolley Madison House

One of Washington's most historic buildings, this house was built in 1820 and purchased by President Madison in 1828. Following the death of the President in 1836, Mrs. Madison moved from their Virginia home to return to this house and the Washington life she so much loved. She died here in 1849. In 1940 the house was purchased by the United States Government. Refurbishing was completed in the fall of 1968, and it was formally dedicated as the headquarters of the Federal Judicial Center, November 1, 1968, by Chief Justice Earl Warren.

*Prisoner Litigation Workshop: a program
of The Federal Judicial Center.*