

PROCEDURES FOR PRO SE PRISONER CASES INVOLVING MILWAUKEE COUNTY DEFENDANTS

Our office has entered into a Memorandum of Understanding with Milwaukee County. A copy is attached. Please note that this MOU applies only to Milwaukee County employees named as defendants in **prisoner 1983 actions in which the plaintiff is not represented**. It does NOT apply to any cases filed by attorneys, or pro se individuals who are not incarcerated at the time the complaint is filed. Typical County defendants include the Milwaukee County Sheriff, the Milwaukee County Jail, the House of Corrections and their employees.

The Milwaukee Corporation Counsel will be served electronically via CM/ECF. To accomplish service please add "Milwaukee County - 550, 555" as the attorney to the first named **Milwaukee County** defendant. This attorney account will send NEFs to persons designated by the Milwaukee Corporation Counsel to receive service.

During case opening, search for attorney "Milwaukee County" for the first Milwaukee County defendant and the search results will display one option.



The screenshot shows a web interface for searching attorneys. At the top, the title is "Search for an attorney for Milwaukee County Jail". Below this, there are input fields for "Bar Id", "Last Name" (pre-filled with "Milwaukee County"), "First Name", and "Middle Name". A "Search" button is located below these fields. Underneath the search fields is a section titled "Search Results" which contains a list box with one entry: "Milwaukee County - 550, 555". At the bottom of the search results section are two buttons: "Select Attorney" and "Create New Attorney".

You only need to add this attorney to the first named Milwaukee County defendant. It is not necessary to add it to all the Milwaukee County defendants.

The attorney will appear this way on the docket:

Plaintiff

Monroe Walton

represented by **Monroe Walton**
271719
Dodge County Detention Facility
216 W Center St
Juneau, WI 53039
PRO SE

V.

Defendant

Milwaukee County Jail

represented by **Milwaukee County - 550, 555**
Email: Paul.Bargren@MilwaukeeCountywi.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Once a screening order is entered the Milwaukee County Corporation Counsel will begin to determine on whose behalf they may accept service. **Any documents that were not scanned will have to be served on the Corporation Counsel.**

When the case manager sees that a screening order has been entered, the Notice by Clerk to Counsel Re Consent to Magistrate event should be docketed. Docketing this event will alert the defendants to their obligation to file the consent form. This will also eliminate the need to send paper copies of the form to anyone except the plaintiff and non-Milwaukee County defendants.

NOTICE from the clerk to defendants requesting that the Consent/Refusal form to Magistrate Judge Goodstein be filed within 21 days; the form is available at the court's web site: www.wied.uscourts.gov (vkb)

The MOU allows the Milwaukee County Corporation Counsel 21 days to inform the court on whose behalf they will accept service. If the Corporation Counsel is unable to accept service on behalf of certain defendants they will provide any information they have as to that defendant's current whereabouts.

Once an attorney appears on behalf of the County defendants, the Milwaukee County - 550, 555 attorney should be termed and the electronic notice turned off.

Note that the response time is set at 60 days.

MEMORANDUM OF UNDERSTANDING

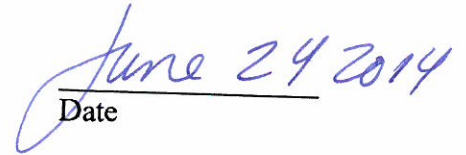
The purpose of this memorandum of understanding is to memorialize an agreed upon procedure by which the Office of Corporation Counsel will seek to obtain authority to admit service of process on behalf of defendants who are current and former employees of Milwaukee County in litigation commenced by pro se persons who are incarcerated or otherwise in the custody of the State of Wisconsin or one of its counties or municipalities.

1. Notice. The United States District Court for the Eastern District of Wisconsin (the "court") will notify via Notice of Electronic Filing (NEF) the Office of Corporation Counsel when a complaint is filed under 42 U.S.C. § 1983. The court will notify the Corporation Counsel and any other individuals listed on Exhibit A to this Memorandum of Understanding by adding the designated e-mail addresses to receive notice of and access to all public filings in the case. This will include the order screening the complaint and, if applicable, directing its service on defendants. Exhibit A will be updated from time to time as necessary by the parties to this Memorandum of Understanding.
2. Service.
 - a. The Office of Corporation Counsel will seek to obtain authority from the named defendants to accept service of process on their behalf.
 - b. The Officer of Corporation Counsel will inform the court within 21 days from the date of the order directing service of the names of those defendants on whose behalf the Office of Corporation Counsel will accept service of process.
 - c. The Office of Corporation Counsel also will inform the court of the names of those defendants on whose behalf the Office of Corporation Counsel will not accept service of process, the reason for not accepting service for them, and the last known address of those defendants.
 - d. The Office of Corporation Counsel will provide the pleadings to those defendants on whose behalf of Office of Corporation Counsel has agreed to accept service of process.
3. Response Deadline: The Office of Corporation Counsel has 60 days from the date it receives electronic notice of the order screening the plaintiff's complaint and directing service to answer or otherwise plead to the civil complaint.
4. Termination. Either party may seek revision of this Memorandum of Understanding six months after the document is signed. After six months, either party may terminate this agreement with sixty days written notice to the other party.

For the Office of Corporation Counsel

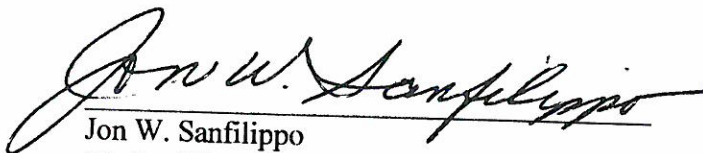


Paul Bargren
Milwaukee County Corporation Counsel

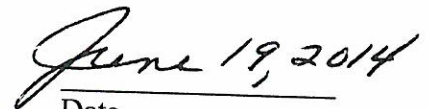


Date

For the United States District Court for the Eastern District of Wisconsin



Jon W. Sanfilippo
Clerk of Court



Date

Exhibit A

Paul Bargren, Corporation Counsel

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