

MEMORANDUM OF UNDERSTANDING

The purpose of this memorandum of understanding is to memorialize an agreed upon procedure by which the Wisconsin Department of Justice will seek to obtain authority to admit service of process on behalf of respondents in litigation commenced by pro se persons who are incarcerated or otherwise in the custody of the State of Wisconsin.

1. Notice: The court will notify via Notice of Electronic Filing (NEF) the Wisconsin Department of Justice of the following filings:
 - a. Upon the filing of a 42 U.S.C. § 1983 complaint, the court will notify the Civil Litigation Unit Director, the Unit Lead Secretaries and the Unit Paralegal.
 - b. Upon issuing an order to show cause on a 28 U.S.C. § 2254 or 28 U.S.C. § 2241 habeas corpus petition, the court will notify the Criminal Appeals Unit Director and lead secretary. (Modified on April 20, 2010, to include 28 U.S.C. § 2241 petitions.)
2. Copy: The NEF will include a link to the court's order and the petition or complaint. Counsel will be able to access the order and case initiating document through CM/ECF.
3. Service: The Department of Justice will seek to obtain authority from the named respondents to accept service of process on their behalf. The Department will inform the court within 21 days from the date of the NEF the names of those defendants on whose behalf the Department will accept service of process. The Department will also inform the court of the names of those defendants on whose behalf the Department will not accept service of process, the reason for not accepting service for them and the last known address of defendants.
4. The Department of Justice will provide the pleadings to those respondents on whose behalf the Department of Justice has agreed to accept service of process.

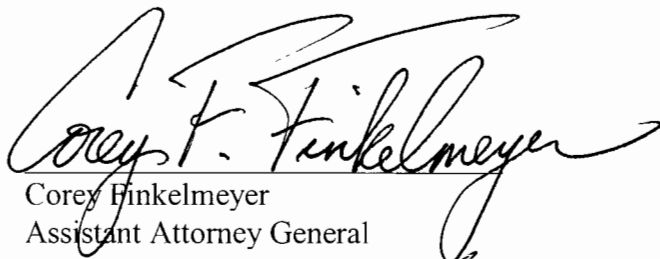
5. Response deadlines:

a. The Department of Justice has 60 days from the date of the NEF to answer or otherwise plead to the civil complaint.

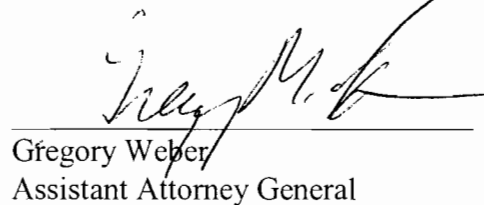
b. The court sets a response deadline for a habeas corpus petition in the order to show cause.

The memorandum of understanding may be reviewed in approximately six months or at the request of the participants.

For the Department of Justice

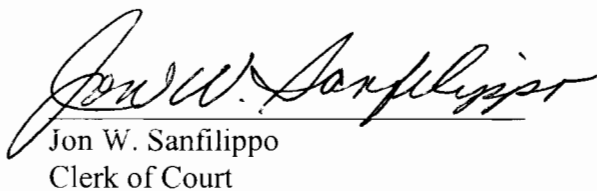

Corey Finkelmeyer
Assistant Attorney General

3/24/10
Date


Gregory Weber
Assistant Attorney General

3/24/10
Date

For the Eastern District Court


Jon W. Sanfilippo
Clerk of Court

March 24, 2010
Date