



NORTHWEST WOMEN'S LAW CENTER

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04-AP-007 04-BK-038 04-CV-173

Peter G. McCabe
Secretary of the Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
One Columbus Circle, NE
Washington, D.C. 20544

RE: Proposed Amendments to Appellate Rule 25(a), Bankruptcy Rule 5005 (a), and Civil Rule 5(e) regarding Mandatory Electronic Filing

Dear Mr. McCabe:

I am writing to you on behalf of the Self Help Committee of the Northwest Women's Law Center regarding proposed amendments to the Federal Appellate, Bankruptcy, and District Court Rules that would permit local rules to mandate electronic filing.

The Northwest Women's Law Center is a non-profit, public interest law organization that advances legal rights for women through public impact litigation, legislative and administrative advocacy, and the provision of legal information and referral services to women and men who cannot afford attorneys or have nowhere else to turn. The Self Help Program of the Northwest Women's Law Center provides a statewide legal information and referral telephone line and a committee of volunteers who prepare self help materials for the public.

Our legal information and referral line volunteers handle 3000 to 5000 calls a year. Since our goal is to provide each caller with information and resources to help resolve her/his legal issue, we are acutely aware of the resources available – and not available – for a wide range of legal issues in various parts of our region. While we encourage people to hire attorneys when possible, only about 25% are referred to private attorneys for even a brief consultation, due to lack of funds. We encourage *pro se's* to take advantage of technological advances, including the Washington Law Help and local court websites and we increasingly employ technology to improve our own services. However, surveys of our callers over the past few years show that at least 65% still prefer to receive hard copies of legal information and resources by mail rather than by email or from a website. We know that a significant percentage have no choice. We feel strongly that technology should improve and supplement access to the legal system for all, rather than limiting such access.

We are concerned that the proposed court rules allowing local courts to mandate electronic filing do not take into account the probability that mandatory electronic filing will pose yet another hurdle for individuals representing themselves. We urge the Committee to amend the proposed rules to include a mandate for all federal courts to ensure access for *pro se* litigants. We recommend assistance from staff at federal courthouses, including technical assistance using court equipment and conversion of hard copies by court staff. In addition, the rule should include exceptions for those who cannot make use of this type of assistance. We request consideration of the above issues and recommendations at this time. Relying on "gradual convergence on uniform exceptions," as noted in the Committee Note to proposed Civil Rule 5(e), ignores the current reality of individuals struggling to access the courts.

Thank you for the opportunity to comment on these proposed rules.

Sincerely,

June Krumpotick
Program Manager
Self Help Committee