

WHAT IS THE PLRA?

The **Prison Litigation Reform Act**, or PLRA, is a law which affects your ability to sue the prison or prison officials. In short, **the law makes it harder for you to bring lawsuits alleging that your civil rights were violated by prison officials.** This handout is intended to be an introduction to the potential issues and hurdles the PLRA creates.

**USING THE PRISON'S GRIEVANCE
PROCEDURE: EXHAUSTION OF
ADMINISTRATIVE REMEDIES**

The PLRA requires you to go through the prison grievance process before suing. Ensure you follow your prison's grievance policy **exactly**.

- Keep copies of all grievances and any decisions on them.
- Grieve **every claim** you have.
- Appeal if denied and follow any appeal procedure exactly.

FEES

The PLRA requires all incarcerated people to pay court fees regardless of ability to pay, but you may be able to pay over time. **If you cannot afford the filing fee, you can apply to proceed “*in forma pauperis*”** and pay fees out over time.

SCREENING AND “THREE STRIKES”

If you bring three separate cases that are dismissed by a federal court, you will not be able to proceed *in forma pauperis* anymore: you will have to pay filing fees upfront for your claim to be heard.

- The court will screen your case and determine if it can proceed.
- After “three strikes” you will not be able to proceed without paying fees up front.
- Appeals count as new cases.

PHYSICAL INJURY REQUIREMENT

Under the PLRA, any claim for emotional distress damages must be accompanied by a showing of **physical harm/injury**.

- You cannot sue for money from emotional distress damages alone.
- You may be able to get other kinds of relief—like injunctive relief, or the court telling officers to stop some practice—without a showing of physical injury.