



U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
U.S. MEDICAL CENTER FOR FEDERAL PRISONERS
SPRINGFIELD, MISSOURI 65801-4000

PROCEDURE GUIDELINES

Department: EDUCATION
Date: June 1, 2009
Subject: INMATE LEGAL ACTIVITIES

1. **PURPOSE AND SCOPE:** It is the policy of the Bureau of Prisons to provide inmates with reasonable access to legal materials, counsel, and reasonable opportunities to prepare legal documents.
2. **DIRECTIVES AFFECTED:**
 - a. DIRECTIVES RESCINDED: Procedure Guidelines, Inmate Legal Activities, dated **12/17/08.**
 - b. DIRECTIVES REFERENCED: PS 1315.07, Inmate Legal Activities, dated 11-05-1999.
3. **STANDARDS REFERENCED:**
 - a. American Correctional Association 4th Edition Standards for Adult Correctional Institutions: 4-4268, 4-4269, 4-4273, 4-4274, 4-4275, 4-4276, 4-4500, 4-4505
4. **PROCEDURES:**
 - a. The Medical Center for Federal Prisoners provides for inmates one main library in the Recreation Center located in 14-Building and three additional basic libraries. One basic library is located in the 10-South area, one is in the 2-1-East Unit, and the third is at the Camp. Inmates from the closed wards may request the use of the basic libraries for preparation of legal documents. Inmates should request use of the library by notifying the officer in charge. The unit officer will maintain a log book documenting the date of the request and the inmate's name and number. The unit officer in charge will be responsible for supplying the necessary writing paper, carbon paper, and clerical materials necessary to complete the inmate's research. Research materials unavailable in the basic libraries will be provided by the Law Librarian. Requests for materials from the Main Law Library must be in writing, via Request to a Staff Member (copout). Two requests can be made per week with no more than 5 books/cases per request, unless an inmate demonstrates a special need for additional books. (These materials are limited to the required selections kept in the Main Law Library per Attachment A of PS 1315.07. For materials not required in Attachment A, an address will be provided to the inmate to obtain a copy of the requested material via the Freedom of Information Act.) The Camp basic library will be maintained by an inmate orderly who will be responsible for notifying the Recreation Department of supply needs.

- b. Supervision and maintenance of the main and basic libraries: The Supervisor of Education is charged with the responsibility of supplying the legal libraries with the appropriate legal reference materials as directed by the Central Office legal staff. For the closed ward basic libraries, supervision of all legal activities will be provided by a Correctional Officer within the unit. The officer will ensure that those reference materials placed in the legal library remain intact and are not removed.
- c. Schedule:
 - (1) Main Law Library: Sunday through Saturday from 12:00 to 3:00 p.m. and 5:00 p.m. to **7:45 p.m.** On federal holidays, 5:00 p.m. to **7:45 p.m.**
 - (2) 10-South Basic Law Library: 8:00 a.m. to 2:30 p.m. seven days per week.
 - (3) 2-1-East Basic Law Library: 8:00 a.m. to 2:30 p.m. seven days per week.
 - (4) Camp: At All Times.
- d. Typewriters: Typewriters are provided in the main law library for production of legal related issues only. They are not for personal use. All inmates except for those that have been declared indigent, will be required to purchase ribbons and correction tapes through commissary sales. Inmates claiming to be indigent will be required to go through their Case Manager or Counselor for verification of indigency. If indigency is proven, manual typewriters and materials needed to type legal work will be provided by Recreation staff.
- e. Assistance: Inmate clerks will be available in the main library for assisting inmates with the location and distribution of legal materials. Inmates may assist other inmates with their legal work as outlined in Program Statement 1315.07. Inmate Law Library Clerks will read and sign a copy of the law library clerk duties, take a written test and pass with a score of 70 or better. Clerks must be able to perform all clerical and physical duties of the libraries. Hiring of inmate law library clerks must first be approved by the Supervisor of Education. All Law Library Clerks must possess a high school diploma or GED.
- f. Rules: Inmates will be advised of rules and regulations for the libraries during the A & O lecture. Rules and Regulations will be posted in the law libraries.
- g. Notary: The respective unit staff and the Legal Department will provide notary services for inmates.
- h. Copying Legal Materials: Legal materials may be copied in the following manner:
 - (1) A copying machine is available in the Recreation Center for inmates to use if they wish to make photocopies of legal documents. Copies can be made each day from 11:30 a.m. to 1:00 p.m. and 7:00 to 7:45 p.m.

- (2) Legal documents are defined as those documents required by the court for an inmate to file with court. Verification shall be made by staff with a clerk of the court's office to ascertain if the documents are in fact necessary for filing in the amount of the inmate's request. Duplication should be accomplished with staff assistance only when duplication cannot be done by use of carbon paper and when the above requirements are met. Inmates unable to reproduce legal documents on the law library photocopying machine should use the following procedures:
- (a) The inmate will complete and sign a Request for Withdrawal of Inmate Personal Funds for the costs of the copies.
 - (b) The signed forms will be delivered to the Accounting Office. After the copying costs have been deducted from the inmate's account, the legal materials will be copied.
 - (c) The cost of printing may be waived if the material to be duplicated is minimal, the inmate's requests for duplication are not large or excessive, a court orders that copies should be provided free of charge, or if the inmate is indigent. An inmate is indigent if he does not have any funds on his account, and has not received funds for two consecutive months.

Indigence must be verified by the Case Manager or Counselor and if indigence is proven, copying will be done by the Counselor at that time. Institution equipment may be utilized in this instance.
 - (d) An inmate who does not meet the above criteria but finds himself temporarily unable to use available funds because of other circumstances (e.g., frozen commissary account, money in transit) will be able to obtain printing by completing and signing a Request for Withdrawal of Inmate Personal Funds for the total copying cost. The funds will be taken from the account when the money is available. In such instances the institution copying machines will be utilized.
 - (e) The Recreation Department will attempt to return the legal copies to the inmate within seven calendar days.
 - (f) No other institution machinery or equipment will be used in reproduction of inmate legal copies except as provided in these procedures.
 - (g) Missing documents from the inmate law library should be reported to the law library supervisor.
 - (h) Requests for emergency copying must be verified by the inmate's Case Manager to ascertain any deadlines imposed by the court.

- (i) Electronic Discovery - Inmates who need to review discovery information for their civil or criminal cases will be handled on a case-by-case basis.
- 5. **RETENTION OF ATTORNEYS:** Any inmate may request legal assistance from the Federal Public Defender's office. The Warden shall designate to the Legal Department the responsibility to refer inmates to the Federal Public Defender.
- 6. **LEGAL AID PROGRAM:** The Medical Center is serviced by the Public Defenders Office under the authority of Title 18, U.S.C. 3006(A). Inmates interested in meeting with the Public Defender should prepare an Inmate Request to a Staff Member directed to the Public Defender. Staff members should forward the request through the regular institution routing system to the institution Legal Office. The inmate can obtain these forms from the unit officer or unit team member.
- 7. **STAFF INVOLVEMENT:** Medical Center staff shall not become personally involved in providing legal advice or in assisting an inmate in preparing legal papers which the inmate intends to file in court. If an inmate asks for legal advice or assistance, he should be referred to the Federal Public Defender. Staff shall not subject an inmate to reprisals, retaliation, or penalties for exercising his legal right of access to the courts.
- 8. **OPERATIONAL REVIEW:** Conducted 10-14 months from date of Program Review.
- 9. **APPROVED:**

_____/s/_____
C.R. Nicklin, Associate Warden Programs

June 1, 2009
Date