



U.S. Department of Justice
Federal Bureau of Prisons
Federal Correctional Institution

*P.O. Box 280
Fairton, New Jersey 08320*

Institution
Supplement

OPI : EXECUTIVE ASSISTANT
NUMBER : FAI 1315.07H
DATE : March 21, 2010
SUBJECT: LEGAL ACTIVITIES,
INMATE

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1. PURPOSE: The purpose of this institution supplement is to provide procedures for the establishment of an inmate law library/electronic law library, for inmate access to legal reference materials and to legal counsel, and for preparation of legal documents by inmates at the Federal Correctional Institution (FCI) and the Federal Prison Camp (FPC), Fairton, New Jersey.
 2. DIRECTIVES REFERENCED:
 - A. Directives Referenced: Program Statement 1315.07, Inmate Legal Activities, dated November 5, 1999; Program Statement 5265.11, Correspondence, dated July 9, 1999; Program Statement 5270.07, Inmate Discipline and Special Housing Units, dated March 20, 2006; and Institution Supplement FAI 5264.08B, Telephone Regulations for Inmates, dated March 21, 2009; Institution Supplement FAI 5267.08E, Visiting Regulations, dated November 14, 2009; Institution Supplement FAI 5580.07J, Inmate Personal Property, dated December 14, 2009.
 - B. Directives Rescinded: Institution Supplement FAI 1315.07G, Legal Activities, Inmate, dated March 15, 2008.
 3. CORRECTIONAL STANDARDS REFERENCED: 4-4274, 4-4275, 4-44276 and 4-4492.
 4. LAW LIBRARIES: The Electronic Law Library (ELL) is located in the Education Department in the FCI. An ELL is provided at the FPC and in the Special Housing Unit (SHU). The ELL's are maintained by the Supervisor of Education (SOE).

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5. INMATE ACCESS TO LAW LIBRARIES: General population inmates and the FPC inmates, are expected to use the ELL during leisure time. In cases where an inmate can demonstrate he has to comply with an imminent court deadline, the Associate Warden of Programs may authorize use of the ELL during work hours. Inmates will submit their request to use the ELL to a member of their Unit Team who will request approval from the Associate Warden of Programs.

Inmates who cannot locate legal material in the ELL may submit a written request to the Freedom of Information Act/Privacy Act section of the Office of General Counsel, Federal Bureau of Prisons. Inmates may obtain the request form from the inmate law library clerk in the Education Department.

6. POSSESSION OF LEGAL MATERIALS: Inmates are authorized to possess legal materials necessary for active legal actions. Inmates are not authorized to possess another inmate's legal material outside of the law library.

7. ACCESS TO ATTORNEYS:

- A. Procedures for attorney visits are detailed in the Institution Supplement, Visiting Regulations.
- B. Inmates are expected to communicate with their attorneys either through the mail or through legal visits. In cases where the inmate can demonstrate that the mail or legal visits are not adequate, an unmonitored, collect telephone call can be arranged in accordance with the procedures detailed in the Institution Supplement, Telephone Regulations for Inmates.
- C. Procedures are detailed in the Institution Supplement, Visiting Regulations, for occasions when inmates need to have legal materials in the visiting room for attorney visits.
- D. Incidents of attorney misconduct should be reported to the Associate Warden of Programs, who will notify the Regional Counsel, to ensure that appropriate action is taken.

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- E. Paralegals and investigators may be approved for correspondence and visitation in accordance with PS, Correspondence, and PS, Visiting Regulations. For a paralegal or investigator to be extended visiting privileges, the paralegal or investigator must be approved by the Associate Warden of Programs. The Unit Team will coordinate this as well as run the NCIC. The attorney and the paralegal or investigator will complete Attachment F from PS, Inmate Legal Activities, prior to the initial legal visit.
8. ATTORNEY VISITS: An inmate is responsible for notifying his attorney of the procedures for visits. An attorney who is on an inmate's visiting list, may see an inmate during normal visiting hours without previously contacting staff. If an attorney is not listed as attorney of record for the inmate on the inmate's visiting list, a written request must be submitted to the Warden.

Attorney visits will take place in the visiting room and will be subject to routine visual monitoring by visiting room officers.

- A. Attorney Visit Approval: If an attorney is not on the visiting list, but has made arrangements with the Unit Team to see an inmate, a memorandum shall be prepared by a member of the Unit Team to the Associate Warden of Programs advising him/her that an attorney visit has been arranged in accordance with the Institution Supplement. Copies of this memorandum shall be forwarded to the Front Lobby, Control Center, and Lieutenant's Office.
- B. Attorney Identifications: Attorneys will be required to indicate on the visiting form which State(s) they are licensed to practice law and provide proof of that license. Attorneys will also be required to show identification and identify the inmate who they are representing or interviewing.

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Approved By:

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Paul M. Schultz, Warden

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