



Virginia Department of Corrections

Offender Management and Programs

Operating Procedure 866.3

Inmate and CCAP Probationer/Parolee Legal Access

Authority:

Directive 866, *Offender Complaints and Legal Access*

Effective Date: November 1, 2021

Amended: 9/1/22

Supersedes:

Operating Procedure 866.3, August 1, 2018

Access: Restricted Public Inmate

ACA/PREA Standards:

5-ACI-3D-01, 5-ACI-3D-02, 5-ACI-3D-03,
5-ACI-3D-07, 5-ACI-4A-22, 5-ACI-4B-22,
5-ACI-4B-25; 4-ACRS-6A-01, 4-ACRS-6A-02;
2-CO-3C-01

Content Owner:	Melissa Welch Operations Support Manager	<i>Signature Copy on File</i>	9/6/2021
		Signature	Date
Reviewer:	Jermiah Fitz Corrections Operations Administrator	<i>Signature Copy on File</i>	9/7/2021
		Signature	Date
Signatory:	A. David Robinson Chief of Corrections Operations	<i>Signature Copy on File</i>	9/7/2021
		Signature	Date

REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in September 2022 and determined that no changes are needed.

The content owner reviewed this operating procedure in November 2023 and determined that no changes are needed.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

Table of Contents

DEFINITIONS	3
PURPOSE	4
PROCEDURE.....	4
I. Access to the Legal System	4
II. Legal Calls	5
III. Legal Correspondence	6
IV. Law Library	6
V. Notary Services.....	10
VI. Copying Services and Legal Supplies	10
REFERENCES.....	11
ATTACHMENTS	11
FORM CITATIONS	11



DEFINITIONS

Facility Court Appointed Attorney - Attorney(s) appointed by the Judge of the Circuit Court jurisdiction in which the facility is located to advise and assist inmates and CCAP probationers/parolees regarding legal matters related to their incarceration.

Indigent Inmate/Probationer/Parolee - An inmate or CCAP probationer/parolee who during the previous month had less than \$5.00 in their trust account for discretionary spending and had no job or other source of income that provided as much as \$5.00, or an inmate or CCAP probationer/parolee newly received into a facility with no available funds and no hygiene items. An inmate's or CCAP probationer's/parolee's access to facility court appointed attorneys or local magistrates are excluded from this definition.

Inmate - A person who is incarcerated in a Virginia Department of Corrections facility or who is Virginia Department of Corrections responsible to serve a state sentence.

Law Library - An area set aside within the facility that contains resources for accessing information related to local, state, and federal law, as well as DOC and Local Operating Procedures to assist inmates and CCAP probationers/parolees in the preparation of their legal work.

Law Library Supervisor - A staff member designated to supervise the daily operation of the law library and the law library aides.

Legal Compact Discs (CDs) - Compact discs containing legal video, audio, or document digital files.

Legal Correspondence - Correspondence sent to or received from verified attorneys, officers of state, federal, and local courts, the Virginia State Bar, and tort claims filed with the Division of Risk Management; the sender must clearly identify outer envelopes and contents as legal correspondence.

Magistrate - An independent judicial officer who has the authority to issue warrants or summonses upon review of complaints of criminal conduct and a finding of probable causes; a magistrate is only authorized to act within the magisterial region for which they are appointed.

Notary Public - A staff member available to notarize a signature affixed to legal documents.

Probationer/Parolee - A person who is on community supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, the Virginia Department of Corrections, or other release authority; this includes post release supervision and Community Corrections Alternative Programs.

Reasonable Accommodation - A modification, action, or adjustment that will assist an inmate or CCAP probationer/parolee with a disability in the performance of essential functions or that is necessary to prevent an inmate or CCAP probationer/parolee with a disability from being excluded from participation in or being denied the benefits of the services, programs and/or activities of the facility or subjected to discrimination by the facility without causing an undue hardship to the facility or to the safety and security of the inmate or CCAP probationer/parolee, or any other person.

Stand-Alone/Free Standing Computer - A computer that is not attached to any network.

Undue Hardship - An accommodation that would be unduly costly, expensive, substantial, or disruptive; undue hardship refers not only to financial difficulty, but to accommodations that would fundamentally alter the nature or operation of the business or work performed by or at the facility or creates a direct threat to the health and safety of others.



PURPOSE

This operating procedure provides guidance for inmate and CCAP probationer/parolee access to courts and legal representatives, and ensures legal resources are available to inmates and CCAP probationers/parolees confined in Department of Corrections (DOC) facilities.

PROCEDURE

- I. Access to the Legal System
 - A. Inmates and CCAP probationers/parolees are provided access to the courts in order to challenge the legality of their confinement, seek redress for illegal conditions or treatment while under correctional control, pursue remedies in connection with civil legal problems, and assert against any rights protected by constitutional or statutory law, without being subject to reprisal or penalty. (5-ACI-3D-01; 4-ACRS-6A-02; 2-CO-3C-01)
 - B. Inmates and CCAP probationers/parolees, regardless of their housing status, have access to counsel and confidential contact with licensed attorneys and bona fide legal assistants acting under the authority and supervision of that attorney through telephone communications, uncensored correspondence, and visits. (5-ACI-3D-02, 5-ACI-4B-25; 4-ACRS-6A-01; 2-CO-3C-01)
 - C. Facility staff must not be involved in any interaction between an inmate or CCAP probationer/parolee and an attorney except as requested by the attorney to facilitate communication.
 - D. Access to an Attorney
 1. Private Attorney
 - a. Inmates and CCAP probationers/parolees may retain an attorney of their own choosing at their own expense.
 - b. Inmates and CCAP probationers/parolees can contact their attorney by mail and by telephone in accordance with in accordance with Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*, and Operating Procedure 803.3, *Offender Telephone Service*.
 - c. An attorney, or the attorney's representative acting on official business, may request to visit with an inmate or CCAP probationer/parolee; see Operating Procedure 851.1, *Visiting Privileges*.
 - i. The attorney or the attorney's representative may request a legal visit by submitting a *Legal Visit Request* 851_F3 to the Facility Unit Head or designee.
 - ii. The *Legal Visit Request* 851_F3 must be submitted with reasonable advance notice, normally 48 hours but not less than 24 hours of the intended visit.
 2. Facility Court Appointed Attorney
 - a. The Facility Unit Head or designee will make the facility court appointed attorney available to all inmates at the facility, without regards to the inmate's DOC indigence status, pursuant to COV §53.1-40, *Appointment of counsel for indigent prisoners*.
 - i. The Facility Unit Head or designee and the court appointed attorney will develop a mutually agreed upon plan for tracking inmate requests and for scheduling inmate appointments.
 - ii. Inmates may request an appointment with the facility court appointed attorney for assistance in the preparation of legal documents pertaining to their present incarceration.
 - iii. Appointments should be set at a time when work and program schedules do not interfere.
 - b. The name and address of the facility court appointed attorney must be available to all inmates.
 - i. Staff will post this in designated locations for unrestricted inmate access.
 - ii. Staff will inform newly arrived inmates, in writing, of any facility specific procedures for contacting the facility court appointed attorney.
 - c. Inmates must send their complaints regarding facility court appointed attorneys directly to the attorney, the local Circuit Court, or the Virginia State Bar as the appointment and services rendered

are not under the authority of the DOC.

E. Local Magistrate

1. Inmates and CCAP probationers/parolees have direct access to a local magistrate through the U.S. Postal Service with no limitations and restrictions based on their indigence status.
 - a. Inmates and CCAP probationers/parolees seeking to file criminal charges may request a hearing before a magistrate by writing to the Chief Magistrate using the facility provided mailing address.
 - b. The inmate or CCAP probationer/parolee must include a summary of their complaint within their written correspondence.
 - c. The magistrate may reply to the inmate in writing or may schedule an interview with the inmate by contacting the Facility Unit Head or designee.
 - d. Staff must process all inmate and CCAP probationer/parolee correspondence to and from the magistrate as legal correspondence.
2. Staff will not interfere with inmate and CCAP probationer/parolee access to the Magistrate; however, the Facility Unit Head should designate a staff member to liaison with the Magistrate and schedule appointments.
 - a. The facility will accommodate a requested interview in an expeditious manner.
 - b. No DOC staff member, other than the designated liaison, will place a call for an inmate or CCAP probationer/parolee or relay information to a Magistrate.
3. Magistrates may have access to the facility during normal working hours, and at other times as approved by the Facility Unit Head or Administrative Duty Officer (ADO).
 - a. The facility will provide a confidential meeting space for Magistrates meeting with inmates and CCAP probationers/parolees.
 - b. A Corrections Officer should be present during the meeting for sight supervision only.
4. If requested by the Magistrate, the Facility Unit Head or ADO may grant permission for the Magistrate to view any incident reports, etc. pertaining to an alleged incident.

F. Diplomatic Access

1. Inmates and CCAP probationers/parolees who are foreign nationals will have access to the diplomatic representative of their country of citizenship. (5-ACI-3D-07)
2. Staff will arrange inmate and CCAP probationer/parolee visits with their diplomatic representative in the same manner as attorney visits.
3. The address for every nation's embassies and consulates can be found at www.embassyworld.com.

II. Legal Calls

A. Inmate/Probationer/Parolee Telephone System

1. All inmate and CCAP probationer/parolee telephone calls with an attorney are subject to the provisions of Operating Procedure 803.3, *Offender Telephone Service*.
2. Inmate and CCAP probationer/parolee calls with an attorney are conducted through the Inmate/Probationer/Parolee Telephone System.
3. Any inmate or CCAP probationer/parolee who does not want their telephone calls to their attorney monitored and recorded must submit a *Request to Block Attorney Numbers* 803_F4.
4. Facility staff will provide inmates assigned to a Restorative Housing Unit with institution specific information on how to contact their attorney of record through the Inmate/Probationer/Parolee Telephone System during orientation; see Operating Procedure 841.4, *Restorative Housing Units*. (5-ACI-4B-25)



B. Administrative Telephone System

1. At the discretion of the Facility Unit Head or ADO and as scheduled by facility staff, an inmate or CCAP probationer/parolee may be permitted to receive and/or place a call to their attorney through the administrative telephone system.
 - a. Inmate and CCAP probationer/parolee use of the administrative telephone to communicate with their attorney will be limited to a bona fide emergency where access through the Inmate/Probationer/Parolee Telephone System is not feasible.
 - b. When staff designated to coordinate attorney calls determines that access through the Inmate/Probationer/Parolee Telephone System is feasible; the staff member will instruct the inmate and attorney to utilize the Inmate/Probationer/Parolee Telephone System.
2. Staff must permit a pro bono attorney, appointed by the court to represent an inmate or CCAP probationer/parolee in a lawsuit, to contact the inmate, probationer, or parolee through the administrative telephone system.
 - a. A representative of the court will provide designated facility staff with the attorney's contact information and a copy of the order.
 - b. The Facility Unit Head will designate a staff member to schedule and coordinate such calls, as necessary, throughout the duration of the inmate's or CCAP probationer's/parolee's case.
 - c. Facility staff will arrange all calls directly with the court appointed pro bono attorney.
3. In all cases, attorney calls through the administrative telephone system will be conducted as follows:
 - a. A staff member will dial the telephone number and maintain only visual observation of the inmate or CCAP probationer/parolee during the call.
 - b. Verified attorney calls will not be recorded.
 - c. The time limit for telephone calls on the administrative telephone system should not exceed 20 minutes.

III. Legal Correspondence

- A. Inmates and CCAP probationers/parolees will mail legal correspondence at their own expense subject to the provisions of Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*.
- B. Staff should only process correspondence as legal correspondence if it meets the established definition.
- C. Staff will not deny inmates and CCAP probationers/parolees access to the courts due to insufficient funds. Staff will process a loan up to the equivalent value of 40 first class postage stamps per month to cover the cost of first class postage only, once they confirm the inmate or CCAP probationer/parolee does not have adequate funds.
- D. Inmates and CCAP probationers/parolees are not allowed to receive legal documents or other correspondence by FAX. If staff receive a legal document via FAX for an inmate or CCAP probationer/parolee, staff will forward the document to the Facility Unit Head or designee and will notify the sender.
- E. Staff must provide inmates and CCAP probationers/parolees who are illiterate with appropriate assistance in writing attorney requests.

IV. Law Library (5-ACI-3D-03; 2-CO-3C-01)

- A. Inmates have access to an appropriate law library to conduct their own legal research and prepare their legal documents. CCAP probationers/parolees have access to law library services and legal materials upon request. (4-ACRS-6A-02)
- B. The institution's law library will provide, at a minimum, the following materials:
 1. The electronic law library, which includes relevant and up-to-date constitutional, statutory, and case



- law materials, applicable court rules and practice treatises.
- a. When case information is not available in the electronic law library, inmates may send a request for information to the facility court appointed attorney.
 - b. Inmates on interstate compact requesting case law relevant to their home state must request assistance from the Interstate Compact Coordinator. The court appointed attorney is not required to obtain out of state case law for these inmates.
2. A current edition of the *American Correctional Association Standards* under which the institution is audited.
 3. Department and local operating procedures, implementation memoranda accessible to inmates, and those considered by the institution administration to be appropriate for inmate viewing should be available in the law library.
 4. An adequate supply of Virginia pre-printed legal forms for direct filing with the Courts at no cost to inmates.
 - a. Such forms may include, but are not limited to:
 - i. General Power of Attorney Forms
 - ii. Petition for Writ of Habeas Corpus
 - iii. Notice of Tort Claim
 - iv. In Forma Pauperis Affidavit
 - v. 28 USC §2254, *State custody; remedies in Federal courts*
 - vi. 28 USC §2255, *Federal custody; remedies on motion attacking sentence*
 - vii. 42 USC §1983, *Civil action for deprivation of rights*
 - viii. AO 240 US District Court Application to Proceed without Prepayment of Fees
 - b. Specific requests for forms not available at the institution should be submitted directly to the Clerk of the appropriate State or Federal Court.
- C. Institutions must maintain a written protocol for the daily operation of the law library. At minimum, this protocol must include:
1. The law library hours of operation and institution practices that accommodate law library access for inmates who may be involved in work, school, or programs; adjustments may be made to accommodate other institution schedules.
 2. All rules related to the use of the library and the materials therein, to include but not limited to:
 - a. The number of inmates authorized to use the law library at any given time.
 - b. The recordkeeping process for documenting all inmates who enter the area.
 - c. Any limitations or prohibition of items permitted to be carried into and out of the law library such as food and drinks, publications, media devices, legal CD's, etc.
 - d. General rules posted in a conspicuous place for inmate information.
 3. Information on the on-line electronic law library, where applicable.
 - a. Inmates who wish to utilize the electronic law library must submit a request to the Law Library Supervisor to have an account created.
 - b. Upon receipt of the request, the Law Library Supervisor will request the account creation online through *School Dude*.
 - c. Law library accounts are normally created within five working days. If the inmate has a verified court deadline and access is needed sooner than five working days, the Law Library Supervisor will submit the request as an emergency and document the Court deadline in the *Comments* section of the request.
 - d. The Law Library Supervisor is responsible for all password resets and changes to inmate law library accounts. Inmates who have forgotten their password should notify the Law Library Supervisor

for assistance.

4. An organized system for processing inmate requests for law library materials.
 - a. All requests for legal materials should be honored in a timely manner, with priority given to inmates with verifiable deadlines.
 - b. Legal materials must not be removed from the law library, except as authorized by the Law Library Supervisor.
 - c. During lockdown, legal reference materials should only be provided to those inmates who verify they have a court deadline.
5. The process for an inmate to request personal copies of legal content from the electronic law library and the method and time for delivery. The inmate will be required to pay for the copies at the established rate.
6. Information on accessing typewriters, typing services or other resources to prepare legal documents, when necessary, should be provided. (5-ACI-3D-03)
7. The process for inmates to access and view their legal CD if received from the court or a verified attorney.
 - a. Staff must log and search the envelope and/or packaging containing the legal CD in the same manner as all other incoming legal correspondence; see Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*.
 - i. If no contraband is found during the search, staff will provide a copy of the envelope, any enclosed contents, and the legal CDs directly to the inmate in Security Level W - 3 institutions.
 - ii. Inmates cannot possess CDs in Security Level 4 and above institutions.
 - (a) If no contraband is found during the search, staff will record the number of legal CDs on the copy of the envelope and will provide the inmate with the envelope copy.
 - (b) Staff will forward the legal CDs to the Records Office to be stored until retrieved by staff for inmate viewing.
 - (c) When an inmate transfers, Records staff will ensure that the inmate's legal CDs are sent with the Facility Folder or Historical Hard Copy, as appropriate.
 - iii. Staff will turn over all suspicious items received to the appropriate investigative authority for evaluation.
 - b. Staff must record legal CDs as personal property in VACORIS; see Operating Procedure 802.1, *Offender Property*.
 - i. Staff will document receipt of a legal CD on a *Personal Property Request-Add/Drop* 802_F1 with a copy of the *Request* provided to the inmate and the original forwarded to the Personal Property Officer for recording in VACORIS.
 - ii. Staff will not count the number of legal CDs in an inmate's possession at Security Level W - 3 institutions towards the maximum number of CDs authorized.
 - iii. Inmates are not required to possess a CD player to receive their legal CDs.
 - c. If the inmate does not wish to retain a legal CD for viewing, the inmate may request a copy of any documents stored on the CD. The inmate will be required to pay for the copies at the established rate and dispose of the CD in accordance with Operating Procedure 802.1, *Offender Property*.
 - d. CDs, with content in standard formats for documents, audios, and videos that are platform independent, are the only acceptable data storage format for legal materials; all other data storage devices as well as CDs in a nonstandard format are prohibited and must be disposed of in accordance with Operating Procedure 802.1, *Offender Property*.
 - e. Staff may only visually scan legal CDs in the presence of the inmate; the documents cannot be read without first obtaining instructions from the appropriate Regional Administrator and the Attorney General's office. (5-ACI-3D-02; 4-ACRS-6A-01)
 - i. Reading documents on a legal CD may require court approval based upon specified probable



- cause that a state or federal criminal statute was violated or there exists a valid threat to the security of the institution.
- ii. Where such probable cause exists, staff may temporarily hold the CD until instructions are obtained or a court order is approved.
- f. Staff will utilize the law library computers for inmates to view their legal CDs. When inmates do not physically access the law library, staff must allow inmates to view their legal CDs on designated stand-alone/free standing computers.
8. Information on how to access available resources and receive assistance in obtaining legal information from the electronic law library when the inmate is not allowed physical access to the law library to conduct their own legal research. The information provided must include a written protocols on the following: (5-ACI-4A-22, 5-ACI-4B-22)
- a. Process to request copies of case law or other legal materials
 - b. Quantity of materials the inmate may receive
 - c. Length of time the materials may be retained by the inmate
 - d. Manner in which the requests for materials will be processed and delivered
 - e. Procedures utilized when an inmate fails to return requested materials within established timeframes
 - f. Process to review legal CDs on a designated stand-alone /free standing computer
 - g. Process to request staff assistance in obtaining copies of specific statutes and legal citations
 - h. Inmate responsibility for any copying charges and other fees incurred
- D. The law library will be supervised on a regular basis by a staff member who is responsible for the daily management of the law library and who will:
1. Provide additional assistance to inmates who are unable to make meaningful use of the law library on their own. (5-ACI-3D-03)
 - a. The staff member in consultation with the institution's American with Disabilities Act (ADA) Coordinator will make reasonable accommodations to ensure inmates with a disability are able to use the legal resources effectively.
 - b. Illiterate inmates may obtain assistance to complete necessary legal documents through appropriate institution channels.
 - c. Before assistance is provided, staff should establish by review of the record or direct knowledge that the inmate is unable to correspond or complete such legal documents.
 2. Ensure that law library equipment and resources i.e. books, pamphlets, materials, pre-printed legal forms, etc., are current, in proper order, and available for inmate use.
 - a. Inmates must use computers, typewriters, and other law library equipment for legitimate legal purposes only.
 - i. Law library computers must only be used to conduct legal research and view legal CDs. Use of the computers to prepare and store legal or personal documents is prohibited.
 - ii. Typewriters must be used for the preparation of legal documents only; the typing of personal letters or books, request forms, grievances, disciplinary appeals, etc. is prohibited.
 - b. Any inmate who uses law library computers, typewriters, or other equipment for a purpose other than as authorized in this operating procedure or as permitted by institution law library rules should be subject to a disciplinary offense; see Operating Procedure 861.1, *Offender Discipline, Institutions*.
 3. Submit all Information Technology (IT) requests regarding law library computers to include the installation and repair of equipment, installation and removal of software, and creation of individual law library accounts online at *School Dude*.

4. Supervise and train law library aides, whose duties may include providing clerical assistance, maintaining inventory of law library materials, assisting inmates with navigating the electronic law library, providing janitorial services, and the day to day operation of the law library.
 - a. Law library aides are to be under the supervision of a staff supervisor and are paid under the current DOC pay system; see Operating Procedure 841.2, *Offender Work Programs*.
 - b. Law library aides are to assist inmates with locating the proper resources needed for legal work.
 - c. Law library aides may access the on-line reference materials to assist in providing case law or other legal information available from the law library to inmates who are not provided physical access.
 - d. Inmates are not to enter those areas inside the law library designed as work areas for law library aides.
 - e. Under no circumstances is a law library aide allowed to review another inmate's legal documents without the inmate's consent.
 - f. Law library aides will not provide legal guidance or interpretations, or otherwise act as an attorney or legal assistant.
 - g. No aide can receive any compensation from another for services rendered. Charging or accepting any kind of compensation from another inmate for legal or other services is a violation of Operating Procedure 861.1, *Offender Discipline, Institutions*.

V. Notary Services

- A. Each facility must make notary services available for the affirmation of inmate and CCAP probationer/parolee documents; see COV §47.1-1 et seq., *Virginia Notary Act*.
 1. The elements for the affirmation notarial act require that the inmate or CCAP probationer/parolee appears in person before the notary, the inmate's or CCAP probationer's/parolee's identification is confirmed, and the inmate or CCAP probationer/parolees makes a vow of truthfulness or fidelity on penalty of perjury.
 2. Notary services will be provided free of charge and granted within one working day of the request.
- B. The inmate or CCAP probationer/parolee must provide adequate space for all signatures and the information required by COV §47.1-1 et seq., *Virginia Notary Act*
- C. The notary must verify the inmate's or CCAP probationer's/parolee's identity before providing notary services. The inmate or CCAP probationer/parolee must present their identification card to verify they are the subject of the notarial act before signing the documents to be notarized and before such documents are notarized.
- D. The notary will not read any documents submitted for notary services except as required for notarization and will notarize such documents in the presence of the inmate or CCAP probationer/parolee, sign, and return them directly to the inmate or CCAP probationer/parolee.
- E. The notary must ask the inmate or CCAP probationer/parolee, "Do you swear or affirm that the contents of this document are accurate and truthful under penalty of perjury?"
 1. The notary will include the information required by the *Virginia Notary Act* and notarize the document only after the inmate or CCAP probationer/parolee confirms the truthfulness and fidelity of the document.
 2. The notary must not notarize documents without such confirmation.
- F. To ensure there is no conflict of interest in the notary being a party to the document, each notarial act should include the following statement, which must be signed by the inmate or CCAP probationer/parolee under oath: "I certify that the above notary is not a party to this action." (Inmate or CCAP probationer/parolee signature).



VI. Copying Services and Legal Supplies

- A. Inmates and CCAP probationers/parolees have access to copying services and are required to pay for all copies to include legal copies at the rate set by the current *Copy Charges Memorandum*; see Operating Procedure 050.6, *Offender Access to Record Information*.
1. Staff will provide indigent inmates with legal copies in response to a court requirement with the cost of the legal copies debited to the inmate's account.
 2. Any inmate or CCAP probationer/parolee who has an account debit in excess of \$50.00 for copies will not receive any further copies until the inmate or CCAP probationer/parolee presents a court order instructing the facility to provide additional photocopying service loans.
 3. Repayment of the loan will be in accordance with Operating Procedure 802.2, *Offender Finances*.
- B. Inmates and CCAP probationers/parolees are generally required to purchase their supplies for their legal work from the commissary.
1. Newly received or are indigent inmates may obtain a legal package containing legal supplies by submitting a *Request for Indigent Services*; see Operating Procedure 802.2, *Offender Finances*.
 2. The facility may establish a limit on requested legal supplies for items such as various types of paper, envelopes, pens and pencils.
- C. Inmates and CCAP probationers/parolees are responsible for the storage of their legal materials, documents, and supplies; if the storage of materials becomes excessive, the facility may restrict possession of legal materials to pending cases or those that the inmate or CCAP probationer/parolee is preparing to file in accordance with Operating Procedure 802.1, *Offender Property*.

REFERENCES

COV §47.1-1 et seq., *Virginia Notary Act*
COV §53.1-40, *Appointment of counsel for indigent prisoners*
28 USC §2254, *State custody; remedies in Federal courts*
28 USC §2255, *Federal custody; remedies on motion attacking sentence*
42 USC §1983, *Civil action for deprivation of rights*
Operating Procedure 050.6, *Offender Access to Record Information*
Operating Procedure 802.1, *Offender Property*
Operating Procedure 802.2, *Offender Finances*
Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*
Operating Procedure 803.3, *Offender Telephone Service*
Operating Procedure 841.2, *Offender Work Programs*
Operating Procedure 841.4, *Restorative Housing Units*
Operating Procedure 851.1, *Visiting Privileges*
Operating Procedure 861.1, *Offender Discipline, Institutions*



ATTACHMENTS

None

FORM CITATIONS

Personal Property Request-Add/Drop 802_F1

Request to Block Attorney Numbers 803_F4

Legal Visit Request 851_F3

