

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 300.00.80	<b>Page</b> 1 of 3
	<b>Original Effective Date:</b> 03/20/18	<b>New Effective Date:</b> 03/20/18
	<b>Supersedes:</b> N/A	<b>Dated:</b> N/A
	<b>Administrator's Approval:</b> Jim Schwochert, Administrator	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> <b>Inmate</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 300 Administrative		
<b>Subject:</b> Use of 2751 for Inmate Proof of Service		

**POLICY**

For state court service of legal documents on staff members, inmates shall properly complete a DOC 2751.

**REFERENCES**

Wisconsin Statutes s. 302.025(1) – Service of process on prison officers, employees or inmates

Wisconsin Statutes s. 801.10 – Summons, by whom served

**DEFINITIONS, ACRONYMS AND FORMS**

DOC – Department of Corrections

DOC-2751 – Inmate Proof of Service

DOJ – Department of Justice

Legal Document – A document related to a lawsuit filed against a State of Wisconsin DOC employee, DOC or its Divisions.

Litigation Coordinator/Designee – Facility staff designated to accept service of legal documents and coordinate responses. Coordinator functions as the liaison between the facility, DOJ and OLC.

OLC – Office of Legal Counsel

**PROCEDURE****I. Inmate Personal Service of Legal Documents**

A. An inmate may contact the Litigation Coordinator/designee at his/her facility to request to serve a legal document to a staff member.

B. Inmates shall complete the DOC-2751 for service of all documents.

**II. State Court Process**

A. An inmate shall:

1. Request a DOC-2751 from the facility library.
2. Request to serve defendants who work only at that facility.

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3. Contact the Litigation Coordinator for service.
  4. Personally serve documents upon the Litigation Coordinator without a third party involved or send a summons, complaint or pleading through the facility mail directly to the Litigation Coordinator to be served on named defendants at the respective facility.
  5. Ensure the DOC-2751 accompanies the documents served.
- B. Inmates shall utilize outside third parties to serve defendants at other facilities per Wis. Stat. 302.025(1) and Wis. Stat. 801.10.
- C. Inmates shall file a DOC-2751 with State courts only.
- D. Litigation Coordinator shall:
1. Accept service only from inmates at your respective facility.
  2. Only accept service for staff at your respective facility.
  3. Identify who you are accepting service for when filling out the bottom portion of the DOC-2751.
  4. Return the completed original DOC-2751 to the inmate and retain a copy for the Litigation Coordinator file.
- E. Once service is accepted by the Litigation Coordinator he/she shall scan and send documents to OLC, indicating on the cover letter who service was accepted for and the date on which it was accepted.
1. If it is served by mail, include the envelope.
  2. If it is served personally, include the page with the service stamp.
  3. The DOC-2751 may or may not be included in the scanned documents to OLC.

**Administrator's Approval:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_  
Jim Schwochert, Administrator

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
<b>Original Effective Date:</b> 03/20/18	<b>DAI Policy Number:</b> 300.00.80	<b>Page</b> 3 of 3
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<b>Chapter:</b> 300 Administrative		
<b>Subject:</b> Use of 2751 for Inmate Proof of Service		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS, AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
    - 1.
      - a.
  - B.
  - C.
  
- II.
  - A.
  - B.
  - C.