

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 309.15.01	Page 1 of 7
	Original Effective Date: 04/01/93	New Effective Date: 01/06/20
	Supersedes: 309.15.01	Dated: 11/15/15
	Administrator's Approval: Makda Fessahaye, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 309 Resources for Inmates		
Subject: Law Library		
Guidance Document	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Posting date 12/23/19

POLICY

The Division of Adult Institutions shall ensure inmates are afforded meaningful access to the courts, judicial process, legal services and legal materials by providing an adequate law library consistent with the Wisconsin Administrative Code.

REFERENCES

Wisconsin Statutes s. 809.19 – Rule (Briefs and appendix)

Wisconsin Administrative Code s. DOC 303.70 – Minor Penalties

Wisconsin Administrative Code s. DOC 303.72 – Major Penalties and Schedule of Penalties

Wisconsin Administrative Code s. DOC 309.51(2)(a) – Funds for Legal Correspondence and Copying

Wisconsin Administrative Code s. DOC 309.155 – Legal Services

DAI Policy 300.00.35 – Americans with Disabilities Act

DAI Policy 300.00.56 – Notary Services to Inmates

DAI Policy 309.51.01 – Legal Loans

Attachment A – Legal Research Collection

Attachment B – Legal Forms Resources

DEFINITIONS, ACRONYMS AND FORMS

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-184 – Disbursement Request

DOC-1008 – Area Pass Log

DOC-2757 – Library Attendance Log

Electronic Inmate Law Library System (EILLS) – Web-based legal research system customized for the Wisconsin DOC by a state contracted vendor.

Law Library – Designated location(s) within the facility where access to legal materials, information and resources is provided in print and/or electronic format.

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MSDF – Milwaukee Secure Detention Facility

USPS – United States Postal Service

PROCEDURE

I. Law Library Services

- A. Technical assistance for the use of the DOC provided legal materials shall be available.
- B. Legal advice shall not be provided to inmates by staff or inmate library workers.
- C. Fee-based photocopying and computer printing of legal documents shall be provided.
 1. Photocopying and printing of legal documents shall be provided at a cost consistent with Wisconsin Administrative Code s. DOC 309.51(2)(a).
 2. All requests for photocopying and printing of legal documents shall be accompanied by a completed DOC-184.
 3. Printing or photocopying of legal research materials shall be limited to one set of requested documents per inmate unless a need for multiple sets can be verified.
 4. Inmates requesting documents printed from EILLS shall note the identifying information (i.e., name and citation) of the item(s) on the DOC-184.
 5. Legal loan photocopies and computer printouts shall be provided in accordance with DAI Policy 309.51.01.
- D. Notary services may be provided in accordance with DAI Policy 300.00.56.
- E. Electronic filing (e-filing) services for court documents may be provided in accordance with a facility's agreement with specific court(s).

II. Law Library Materials

- A. Facilities shall provide a law library with a required core collection of legal information and resources as noted in Attachment A.
 1. Access to the majority of legal resources shall be provided using EILLS.
 2. Individual libraries may supplement the legal core collection with other legal resources.
- B. Facilities shall provide current legal forms from the resources noted in Attachment B when requested by inmates.
 1. Costs for copies of legal forms shall be charged as consistent with Section I.C. of this policy.
 2. Inmates are responsible for identifying the legal forms they are requesting by noting the form name and the form number on the DOC-184.
 3. No more than the required number of forms shall be provided.

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4. When an inmate requests a copy of a legal form, it shall be obtained from the websites noted in Attachment B of this DAI policy.
 5. Inmates may correspond directly with the court to request legal forms at their own expense.
- C. Facilities shall provide colored paper for use as appellate brief covers as required.
1. Blue, red and gray colored paper shall be made available.
 2. In accordance with appellate court rule:
 - a. Only the color of paper required at the time requested shall be provided.
 - b. No more than the required number of sheets of colored paper shall be provided.
 3. Costs for colored paper provided for brief covers shall be charged as consistent with Section I.C. of this policy.
 4. Inmates are responsible for verifying their need of appellate brief covers (e.g., by presenting their appellate court briefing order/schedule).

III. Access to Law Library

- A. Facilities shall:
1. Specify the frequency and duration of law library access using the criteria below for scheduling access.
 - a. Date of request.
 - b. Existence of court deadline(s).
 - c. Need for equitable access for all inmates.
 - d. Number of available EILLS computers.
 - e. Number of access requests from inmates.
 2. Ensure the law library is available for a reasonable number of hours to allow inmates time for research to meet court deadlines.
- B. Maintain records of individual inmate use of the law library using either a DOC-1008 or DOC-2757.
- C. Inmates participating in the Challenge Incarceration waive their rights to law library access under Wisconsin Administrative Code s. DOC 309.155 and DOC 309.51.
- D. Reasonable accommodations shall be made for inmates with documented disabilities in accordance with DAI Policy 300.00.35.

IV. Law Library Staffing

- A. Facilities shall have at least one librarian/designee who is responsible for the supervision of the law library.

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B. Facilities, with the exception of minimum security centers and MSDF, shall provide inmate library workers to assist inmates in using the legal research resources. Legal advice shall not be given.

V. Law Library Space

A. Facilities shall provide space for EILLS workstations and other legal materials and resources. Typewriters and/or word processing equipment may be provided.

B. EILLS workstations and other legal resources shall be provided in Restrictive Housing units with staff supervision.

VI. Inmate-to-Inmate Legal Assistance and Routing of Legal Mail

A. Facilities shall develop a procedure to regulate how inmates may assist each other with legal work per Wisconsin Administrative Code s. DOC 309.155.

B. Inmates are not allowed to store other inmate's legal work on storage device.

C. Inmate-to-inmate legal mail shall not be routed via intra-facility mail.

D. Inmates shall be required to utilize the USPS to correspond and share documents with other inmates.

E. Inmates shall retain all envelopes associated with any legal correspondence sent to them from other inmates.



Administrator's Approval: _____

Makda Fessahaye, Administrator

Date Signed: 12/20/19

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Columbia Correctional Institution		
Original Effective Date: 04/01/93	DAI Policy Number: 309.15.01	Page 5 of 7
New Effective Date: 07/12/21	Supersedes Number:	Dated:
Chapter: 309 Resources for Inmates		
Subject: Law Library		
Will Implement <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DAI 309.56.01 – Technology

DEFINITIONS, ACRONYMS AND FORMS

CCI – Columbia Correctional Institution

FACILITY PROCEDURE**I. General Guidelines****A. Law Library Materials**

1. The CCI Law Library shall maintain a collection of legal materials (in EILLS or in print format).
2. The Librarian/designee shall conduct periodic inventory of these materials to ensure all materials are maintained.
3. Primary law books and materials are available for use in the Law Library only.

B. Access to the Law Library

1. The law library will operate Monday through Friday, 7:45am – 8:45pm.
2. Inmates shall write the Librarian/designee to be scheduled for law library.
3. Inmates without a court deadline shall be placed on the schedule for a week (assigned times Monday-Friday).
4. Inmates providing proof of a court deadline within 30 days shall be placed on the schedule for all assigned times until the court deadline date.
5. Inmates with a court deadline will be given precedence on the schedule.
6. Inmates serving cell confinement shall not attend the law library unless they have been approved with a court deadline.

II. Computer Usage

- A. Inmates must sign in on the Law Library clerks sign in sheet. The Law Library clerk will assign computers and include computer numbers on the sign in sheet.
- B. Word processing is to be used in accordance with DAI 309.56.01 Technology.
- C. Inmates may save legal work on computers in the “My Documents” folder.
- D. Word processing computers may only be used to create, research, and save approved legal materials. Approved legal materials include litigation and

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correspondence to courts, attorneys, and parties in litigation. Any other use or saving of unauthorized documents is prohibited.

- E. Inmates may purchase a flash drive to use for legal work from the Librarian. See DAI Policy 309.56.01 Technology.
- F. Inmates will be held accountable for all material entered or saved on personal computer accounts. Having inappropriate documents in a personal computer account may result in the account being locked and disciplinary action.
- G. Case law may not be saved to inmate accounts.
- H. Settings are not to be altered on any computer.

III. Copy Requests

- A. Inmates may request printed copies of legal work and court forms. All copyright rules will be followed.
- B. Documents will be printed at a cost of \$0.15 per page.
- C. Documents containing misinformation which serves to deceive, misinform, or misrepresent an inmate, the legal system, CCI staff, etc. will not be copied (for example: American Sovereign, Sovereign Citizen Material).
- D. Pornography and/or derogatory writing or pictures will not be photocopied.
- E. CCI staff may inspect and/or scan any documents, including legal materials, which are to be, or have already been copied.
- F. Inmates who attempt to photocopy another inmate's property are in violation of unauthorized transfer of property (303.40) and possession of contraband – miscellaneous (303.47).

IV. Legal Consulting

- A. The Librarian and Library Clerks may not assist inmates in legal work.
- B. The Librarian and Library Clerks may assist in the proper use of legal materials, locating information, and use of the electronic law library.
- C. Legal consultation may be pursued between only two inmates. Inmates working together must reside on the same housing unit.
- D. Other joint legal endeavors must be transacted via US mail. Transfer by other means shall be considered unauthorized transfer of property (303.40) and/or possession of contraband (303.47).

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V. Restrictive Housing Law Library

- A. The Librarian will maintain a law library collection in the restrictive housing units. The institution will make every reasonable attempt to promptly replace missing, damaged, or destroyed legal material.

- B. Access to law time will be scheduled by the restrictive housing unit sergeant.

RESPONSIBILITY**I. Librarian**

- A. Maintain library hours as scheduled.

- B. Maintain and inventory legal materials.

- C. Verify court ordered deadlines.

- D. Schedule law library time for inmates.

- E. Supervise Law Library Clerks in conjunction with Library Officer

II. Library Officer

- A. Supervise inmates in law library.

- B. Supervise Law Library Clerks.

III. Inmates

- A. Submit requests for law library time to Librarian.

- B. Provide documentation showing court ordered deadline.

- C. Report to library at scheduled times.

- D. Follow all library rules.