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ADMINISTRATIVE REGULATION

OPR: MEN'S AND WOMEN'S SERVICES

NUMBER 412

INSTITUTIONAL LAW LIBRARY

I. GENERAL

The Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures for an institutional law library.

II. POLICY

It is the policy of the ADOC to provide legal resources and to allow inmates access to approved legal materials.

III. DEFINITIONS AND ACRONYMS

- A. **Inmate Law Library Clerk**: An inmate assigned to assist other inmates in utilizing the institutional law library.
- B. **Law Library Supervisor**: An employee designated by the Warden to oversee the operation and maintenance of the institutional law library.
- C. **Legal Resources**: Items may include, but are not limited to, computers, typewriters, law books, and supplies.

IV. RESPONSIBILITIES

- A. The Warden is responsible for developing their institutional Standard Operating Procedures (SOPs), as necessary, for the implementation of AR 412, *Institutional Law Library*.
- B. The Legal Division is responsible for approving materials and equipment in the institutional law library.

- C. The Information Technology (IT) Division is responsible for maintaining the computer equipment and software for the institutional law library.
- D. The Law Library Supervisor is responsible for the operation and maintenance of the institutional law library.
- E. The inmates are responsible for compliance with AR 412.

V. PROCEDURES

- A. Legal resource subscriptions, as approved by the ADOC Legal Division, shall be purchased utilizing budgeted funds. Personal computers and related accessories shall be purchased by the IT Division with funds budgeted for computers. General office materials, such as paper and writing instruments, shall be purchased with funds from the facility budget or the Institutional Contingency Fund.
- B. The institutional law library shall be open a minimum of twenty (20) hours per week to provide access for inmates.
- C. An inmate in segregation, or otherwise restricted, is not allowed physical access to the institutional law library but may submit an Inmate Request Slip to the Law Library Supervisor to receive legal resources.
- D. The Law Library Supervisor shall ensure that:
 - 1. Writing instruments, plain paper, and envelopes are provided for inmate use in preparing legal correspondence and documents.
 - 2. The law library legal resources are accounted for and maintained.
 - 3. Inmate Law Library Clerks are supervised.
 - 4. Legal resources are delivered to restrictive housing or other specialized housing units at least three times per week.
 - 5. Daily logs of the use of the legal resources are maintained.
 - 6. Inmates are informed of the Law Library hours.
 - 7. The forms are available that are listed in Annex A, *Institutional Law Library and Court Forms*.

8. Inmate requests for legal materials that are not approved by this regulation shall be submitted to the ADOC Legal Division for review and disposition.
 9. Inmate Law Library Clerks do not charge for legal services nor engage in the unauthorized practice of law. Inmates violating this policy shall receive disciplinary action in accordance with AR 403, *Procedures for Inmate Rule Violations*.
 10. An incident of theft, damage, destruction, or refusal to return legal resources is properly documented on ADOC Form 302-A, Incident Report. Inmates violating this policy shall receive disciplinary action in accordance with AR 403, *Procedures for Inmate Rule Violations*.
 11. An inmate who has been found guilty of violating AR 403, *Procedures for Inmate Rule Violations* that involves the destruction or damaging of legal resources shall be denied physical access to the law library for up to thirty (30) days; and may be required to pay for any damage to law library resources from their Inmate Trust Fund.
 12. If unauthorized documents and files are discovered on the law library computer, then the Law Library Supervisor/designee shall complete and submit an ADOC Form 302-A, *Incident Report*.
- E. The Information Technology Division shall:
1. Install the contracted software law library updates to the institution law library computer. Only authorized documents and files as designated by Legal are allowed on the computer.
 2. Periodically inspect the law library computer(s) and software and remove any unauthorized documents, files, viruses, or software.
 3. Inform the Warden/designee if any unauthorized files, documents, or software are discovered on the law library computer(s).
- F. The Warden/designee shall:
1. Investigate any reported findings of unauthorized documents or software on the institutional law library computer and take appropriate corrective action(s).

2. Coordinate with ADOC Legal Division concerning an inmate's request for legal assistance that cannot be handled at their institution.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. ANNEXES AND FORMS

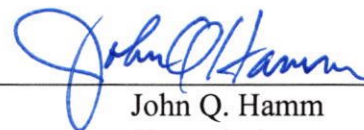
There are no forms prescribed in this regulation.

VIII. SUPERSEDES

This Administrative Regulation supersedes AR 412, *Institutional Law Libraries*, dated April 4, 2016, and any changes.

IX. PERFORMANCE

- A. American Correctional Association (ACA), Standards for Adult Correctional Institutions, Fourth Edition, 4-4268 and 4-4276.
- B. Code of Alabama 1975 § 14-1-1.1 *et seq.*



John Q. Hamm
Commissioner