



Virginia Department of Corrections

Inmate Management and Programs

Operating Procedure 866.3

Inmate and CCAP Probationer/Parolee Legal Access

Authority:

Directive 866, *Inmate Complaints and Legal Access*

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Access: Restricted Public Inmate

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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

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REVIEW

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

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, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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DEFINITIONS

Central Mail Distribution Center - A DOC unit under the office of the Security Operations and Emergency Preparedness Administrator that has the responsibility to receive and inspect inmate and CCAP probationer/parolee incoming legal correspondence, incoming religious correspondence, books, newspapers, magazines, photobooks, personal photographs, commercial photographs, and other publications before these items are forwarded to a facility for issuance to the inmate or CCAP probationer/parolee.

Communication Disability - Any impairment related to speech, language, and/or auditory processing; it includes hearing impairments, visual impairments, and cognitive impairments evidenced by an inability to speak, read, and/or understand written or oral communications of information provided at the facility.

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 regarding legal matters related to their incarceration.

Indigent Inmate and CCAP 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 access to facility court appointed attorneys or local magistrates are excluded from this definition.

Information Technology (IT) - Equipment, interconnected system, or subsystem used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. This term includes computers, peripherals, software, firmware, similar procedures, services, and related resources.

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 - An employee 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 - An employee 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, extensive, 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 unit or creates a direct threat to the health and safety of others. Undue hardship is an extremely high legal standard to establish for a state agency.

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. Employees must provide inmates and CCAP probationers/parolees with access to the courts, without the inmate or CCAP probationer/parolee being subject to reprisal or penalty to: (5-ACI-3D-01; 4-ACRS-6A-02; 2-CO-3C-01)
 1. Challenge the legality of their confinement.
 2. Seek redress for illegal conditions or treatment while in DOC custody.
 3. Pursue remedies in connection with civil legal problems.
 4. Assert against any rights protected by constitutional or statutory law.
 - B. Access to Counsel
 1. Employees must provide inmates and CCAP probationers/parolees, regardless of their housing status, with 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)
 2. Private Attorney
 - a. Inmates and CCAP probationers/parolees may, at their own expense, retain an attorney of their choosing.
 - b. Employees must allow inmates and CCAP probationers/parolees to contact their attorney by mail and by telephone in accordance with Operating Procedure 803.1, *Inmate and CCAP Probationer/Parolee Correspondence*, and Operating Procedure 803.3, *Inmate and CCAP Probationer/Parolee Telephone Services*.
 - c. An attorney, or the attorney's representative acting on official business, may request to visit with an inmate or CCAP probationer/parolee by submitting a *Legal Visit Request* 851_F3 to the Facility Unit Head or designee in accordance with Operating Procedure 851.1, *Visiting Privileges*.
 3. Facility Court Appointed Attorney
 - a. The Facility Unit Head or designee must make the facility court appointed attorney available to all inmates at the institution, 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 can 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 facility 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. An employee must post the name and address of the facility court appointed attorney in designated facility locations with unrestricted inmate access.



- ii. An employee must inform inmates new to the facility, in writing, of any specific procedures for contacting the facility court appointed attorney.
 - c. Inmates must send any 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.
4. Employee involvement in inmate or CCAP probationer/parolee and attorney interactions is prohibited except as requested by the attorney to facilitate communication.

C. Access to Local Magistrate

1. Inmates and CCAP probationers/parolees have direct access to a local magistrate with no limitations or restrictions based on 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. Employees must process all inmate and CCAP probationer/parolee correspondence to and from the magistrate as legal correspondence.
2. Employees must not interfere with an inmate's or CCAP probationer's/parolee's access to the Magistrate; however, the Facility Unit Head will designate an employee to liaison with the Magistrate and schedule appointments.
 - a. Employees must accommodate a requested interview in an expeditious manner.
 - b. No DOC employee, other than the designated liaison, is authorized to call or relay information to the Magistrate for an inmate or CCAP probationer/parolee.
3. Magistrates must 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 Unit Head or designee must provide a confidential meeting space for magistrates meeting with inmates and CCAP probationers/parolees.
 - b. A Corrections Officer should be present during the meeting to maintain 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.

D. Access to Diplomatic Representative

1. Inmates and CCAP probationers/parolees who are foreign nationals must have access to the diplomatic representative of their country of citizenship. (5-ACI-3D-07)
2. Employees 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 embassy and consulate can be found at www.embassyworld.com.

II. Legal Calls

A. Inmate and CCAP Probationer/Parolee Telephone System

1. All inmate and CCAP probationer/parolee telephone calls with an attorney must be conducted through the inmate and CCAP probationer/parolee telephone system and are subject to the provisions of Operating Procedure 803.3, *Inmate and CCAP Probationer/Parolee Telephone Services*.
2. Inmates and CCAP probationers/parolees who do not want their telephone calls to their attorney monitored and recorded must submit a *Request to Block Attorney Numbers* 803_F4.



3. Facility employees must provide inmates assigned to a Restorative Housing Unit with institution specific information on how to contact their attorney of record through the inmate and CCAP 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 a designated facility employee, an inmate or CCAP probationer/parolee may be permitted to receive and 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 must be limited to a bona fide emergency where access through the inmate and CCAP probationer/parolee telephone system is not feasible.
 - b. When the employee, designated to coordinate attorney calls, determines that access through the inmate and CCAP probationer/parolee telephone system is feasible; the employee will instruct the inmate or probationer/parolee and attorney to utilize the inmate and CCAP probationer/parolee telephone system.
2. Employees 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 or CCAP probationer/ parolee through the administrative telephone system.
 - a. A court representative will provide designated facility employees with the attorney's contact information and a copy of the court order.
 - b. The Facility Unit Head will designate an employee to schedule and coordinate such calls, as necessary, throughout the duration of the inmate's or CCAP probationer's/parolee's case.
 - c. The employee must arrange all calls directly with the court appointed pro bono attorney.
3. In all cases, attorney calls through the administrative telephone system must be conducted as follows:
 - a. An employee member must dial the telephone number and maintain only visual observation of the inmate or CCAP probationer/parolee during the call.
 - b. Verified attorney calls must not be recorded.
 - c. The time limit for telephone calls on the administrative telephone system should not exceed 20 minutes.

III. Legal Correspondence

- A. All incoming and outgoing legal correspondence are subject to the provisions of Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*.
- B. Inmates and CCAP probationers/parolees are not allowed to receive legal correspondence or other documents by email or FAX.
- C. Employees will only process correspondence as legal if the correspondence meets the DOC definition of legal correspondence.
- D. Employees must provide inmates and CCAP probationers/parolees who are illiterate or have a communication disability with appropriate assistance in reading and writing their attorney requests if the inmate or CCAP probationer/parolee requests such assistance.

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 must 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 the 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. Inmate accessible department and local level operating procedures, implementation memoranda and those operating procedures the Facility Unit Head or designee determines to be appropriate for inmate viewing.
 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. The Facility Unit Head or designee must maintain a written protocol for the daily operation of the law library that includes, at minimum, the following:
1. Hours of operation and the process to accommodate law library access for inmates who may be involved in work, school, or programs; adjustments may be needed to accommodate other institution schedules.
 2. General rules posted in a conspicuous place on the use of the law library and law library materials, that includes but is not limited to the following:
 - a. The number of inmates authorized to use the law library at any given time.
 - b. The recordkeeping process for documenting inmates who enter the area.
 - c. Any limitations or prohibitions on items that can be carried into and out of the law library such as food and drinks, publications, media devices, legal CD's, etc.
 3. Information on the on-line electronic law library, where available.
 - a. Inmates who wish to utilize the on-line electronic law library at applicable institutions must submit a request to the Law Library Supervisor to have an account created.
 - b. Upon receipt of the request, the Law Library Supervisor must request the account creation online through *School Dude*.
 - i. Law library accounts are normally created within five working days.
 - ii. If the inmate has a verified court deadline and access is needed sooner than five working days, the Law Library Supervisor must submit the account creation request as an emergency and must document the court deadline in the *Comments* section of the on-line request.
 - c. 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 and request 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 who have verifiable deadlines.
 - b. Inmates are prohibited from removing legal materials from the law library, except as authorized by the Law Library Supervisor.
 - c. During facility lockdown, legal materials should only be provided to those inmates who verify that 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 must be provided. (5-ACI-3D-03)
 7. The process for inmates to access and view their legal CD if the legal CD was received from the court or the Central Mail Distribution Center.
 - a. Employees must log and search the envelope and packaging in the same manner as all other incoming legal correspondence; see Operating Procedure 803.1, *Inmate and CCAP Probationer/Parolee Correspondence*.
 - i. If no contraband is found during the search, employees at a Security Level W - 3 institution must provide the inmate with a copy of the envelope, any enclosed contents, and the legal CD.
 - ii. If no contraband is found during the search, employees at a Security Level 4 and above institution must:
 - (a) Record the number of legal CDs on the copy of the envelope and provide the inmate with the envelope copy.
 - (b) Forward legal CDs to the Records Office to be stored until retrieved by a facility employee for inmate viewing.
 - (c) Ensure the inmate's legal CDs are sent with the Facility Folder or Historical Hard Copy to the new institution upon an inmate's transfer.
 - iii. Employees must turn all suspicious items received in the envelope over to the appropriate investigative authority for evaluation.
 - b. Employees must record legal CDs as personal property in VACORIS; see Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*.
 - i. The employee must document receipt 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.
 - ii. At Security Level W - 3 institutions, employees will not count the number of legal CDs in an inmate's possession towards the maximum number of CDs authorized.
 - iii. Inmates are not required to possess a CD player to receive their legal CDs.
 - c. If an inmate does not want to retain their legal CD, the inmate may request a copy of the documents stored on the CD.
 - i. The inmate will be required to pay for copies at the established rate and must dispose of the CD in accordance with Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*.
 - ii. CDs, with content in standard formats for documents, audios, and videos that are platform independent, are the only acceptable data storage format; 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, *Inmate and CCAP Probationer/Parolee Property*.
 - d. Employees may visually scan legal CDs in the presence of the inmate only; the employee is not



- allowed to read the documents 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, employees may temporarily hold the legal CD until instructions are received, or a court order is approved.
- e. Employees must allow inmates to utilize the law library computers to view their legal CDs. When inmates do not physically access the law library, employees must allow inmates to view their legal CDs on designated stand-alone/free standing computers.
8. Information on how to access available law library resources and how to 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, must include 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 legal materials the inmate may receive.
 - c. Length of time the inmate may keep the legal materials.
 - d. How the requests for legal 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 employee 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 must be supervised on a regular basis by the Law Library Supervisor who is responsible for the daily management of the law library and is responsible for the following:
1. Provides additional assistance to inmates who are unable to make meaningful use of the law library on their own. (5-ACI-3D-03)
 - a. The Law Library Supervisor in consultation with the institution's American with Disabilities Act (ADA) Coordinator must make reasonable accommodations to ensure inmates with a disability are able to use legal resources effectively; see Operating Procedure 801.3, *Managing Inmates and Probationers/Parolees with Disabilities*.
 - b. Inmates who are illiterate or have a communication disability may obtain assistance to complete necessary legal documents through established institution channels.
 - c. Before assistance is provided, an employee 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 the law library 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 facility law library rules will be subject to disciplinary action; see Operating Procedure 861.1, *Inmate Discipline*.
 3. Submit all Information Technology (IT) requests related to law library computers to include the

following:

- a. Installation and repair of equipment.
 - b. Installation and removal of software.
 - c. Creation of individual law library accounts online at *school dude*.
4. Supervise and train law library aides.
- a. Law library aides are to be under the supervision of an employee supervisor and are paid under the current DOC pay system; see Operating Procedure 841.2, *Inmate Work Programs*.
 - b. The duties of a facility law library aide may include:
 - i. Providing clerical assistance.
 - ii. Maintaining inventory of law library materials.
 - iii. Assisting inmates with navigating the electronic law library.
 - iv. Assisting inmates with locating the proper resources needed for legal work.
 - v. Providing janitorial services.
 - vi. Assisting employees with the daily operation of the law library.
 - vii. Accessing 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.
 - c. Inmates utilizing the law library are not to enter the areas inside the law library designed as work areas for law library aides.
 - d. Under no circumstances is a law library aide allowed to:
 - i. Review another inmate's legal documents without the inmate's consent.
 - ii. Provide legal guidance or interpretations, or otherwise act as an attorney or legal assistant.
 - e. 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, *Inmate Discipline*.

V. Notary Services

- A. Each Facility Unit Head or designee must make notary services available to affirm inmate and CCAP probationer/parolee documents; see COV §47.1-1 et seq., *Virginia Notary Act*.
1. The elements to affirm a notarial act requires that the inmate or CCAP probationer/parolee appear in person before the notary, that the inmate's or CCAP probationer's/parolee's identification is confirmed, and that the inmate or CCAP probationer/parolees makes a vow of truthfulness or fidelity on penalty of perjury.
 2. The Facility Unit Head or designee must provide notary services free of charge within one working day of the inmate's or CCAP probationer's/parolee's request.
 3. To ensure there is no conflict of interest in the notary being a party to the document, each notarial act must 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).
- B. The inmate or CCAP probationer/parolee must:
1. Provide adequate space on the document for all signatures and information as required by COV §47.1-1 et seq., *Virginia Notary Act*.
 2. Present their identification card to the notary before they sign the documents and before such documents are notarized.
- C. The notary must:
1. Verify the inmate's or CCAP probationer's/parolee's identity before providing notary services.



2. 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?" The notary will not notarize documents without such confirmation.
3. Add the information required by the *Virginia Notary Act*.
4. Notarize the document in the presence of the inmate or CCAP probationer/parolee after the inmate or CCAP probationer/parolee confirms the truthfulness and fidelity of the document.
5. Sign and return the documents directly to the inmate or CCAP probationer/parolee.

D. The notary must not read any documents submitted for notary services except as required for notarization.

VI. Copying Services and Legal Supplies

A. Inmates and CCAP probationers/parolees are provided access to copying services.

1. Inmates and CCAP probationers/parolees are required to pay for all legal copies at the rate set by the current *Document Copying and Printing Charges Memorandum* associated with Operating Procedure 050.6, *Access to Inmate and CCAP Probationer/Parolee Record Information*.
2. Employees must provide indigent inmates and CCAP probationers/parolees with legal copies in response to a court requirement with the cost of the legal copies debited to their trust account.
3. Any inmate or CCAP probationer/parolee who has an account debit that is more than \$50.00 for copies must 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.
4. Inmates and CCAP probationers/parolees must repay the loan in accordance with Operating Procedure 802.2, *Inmate and CCAP Probationer/Parolee Finances*.

B. Inmates and CCAP probationers/parolees are generally required to purchase their own supplies from the commissary to prepare their legal work.

1. Inmates and CCAP probationers/parolees newly received at a facility and indigent inmates and CCAP probationers/parolees may obtain a legal package that contains legal supplies by submitting a *Request for Indigent Services* in accordance with Operating Procedure 801.6, *Inmate and CCAP Probationer/Parolee Services*.
2. The Facility Unit Head may establish a limit on the quantity of legal supplies such as various types of paper, envelopes, pens and pencils provided to the inmate or CCAP probationer/parolee.

C. Inmates and CCAP probationers/parolees are responsible for the storage of their legal materials, documents, and supplies; if the amount stored becomes excessive, the Facility Unit Head may restrict the possession of legal materials to pending cases or those that the inmate or CCAP probationer/parolee is preparing to file.

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, *Access to Inmate and Probationer/Parolee Record Information*

Operating Procedure 801.3, *Managing Inmates and Probationers/Parolees with Disabilities*

Operating Procedure 801.6, *Inmate and CCAP Probationer/Parolee Services*

Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*



Operating Procedure 802.2, *Inmate and CCAP Probationer/Parolee Finances*

Operating Procedure 803.1, *Inmate and CCAP Probationer/Parolee Correspondence*

Operating Procedure 803.3, *Inmate and CCAP Probationer/Parolee Telephone Services*[s](#)

Operating Procedure 841.2, *Inmate Work Programs*

Operating Procedure 841.4, *Restorative Housing Units*

Operating Procedure 851.1, *Visiting Privileges*

Operating Procedure 861.1, *Inmate Discipline*

ATTACHMENTS

None

FORM CITATIONS

Personal Property Request-Add/Drop 802_F1

Request to Block Attorney Numbers 803_F4

Legal Visit Request 851_F3

