

2-08/010.00 Access to Courts and Counsel

“Inmates have a constitutional right to unimpeded access to attorneys and legal representation.” Within Court Services access is a routine daily occurrence; however, in those courts without secure interview areas, cooperation between attorneys and Deputies in expediting interviews is essential. Interviews may be conducted, subject to the general following restrictions. Branch Supervisors shall prepare specific interview procedures for their courts.

- An accredited attorney may interview an inmate any time during a court session.
- The interview shall allow as much privacy as space limitations and security requirements permit.
- No time limit can be imposed on the length of the interview; however, it shall be permissible to request cooperation of the attorney in conducting his/her business as soon as possible.
- Attorneys are permitted to give their client one business card.
- Contraband should not be given to the inmate for their personal use. Any papers that are to be read by the inmate shall be handed to them by the bailiff or lockup personnel.

An inmate has the right to accept or refuse an interview at any time, even after requesting the service himself. When an inmate refuses an interview, the attorney involved shall be notified. Such refusal involves no obligation to the attorney, either on the part of the inmate or the Department.

Refer to: Title 15, 1068 - Access to the Courts and Counsel.
