

<p style="text-align: center;">STATE OF VERMONT AGENCY OF HUMAN SERVICES DEPARTMENT OF CORRECTIONS</p>	<p style="text-align: center;"><u>INTERIM MEMO:</u> Inmate Visits – Attorney Information</p>	<p style="text-align: right;">Page 1 of 2</p>						
<p>Local Procedure(s) Required: Yes. Applicability: All staff (including contractors and volunteers) Security Level: “B” – Anyone may have access to this document.</p>								
<p>Approved:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center; border-top: 1px solid black;">SIGNED</td> <td style="width: 33%; text-align: center; border-top: 1px solid black;">01/14/2019</td> <td style="width: 33%; text-align: center; border-top: 1px solid black;">01/14/2019</td> </tr> <tr> <td style="text-align: center;">Michael Touchette, Commissioner</td> <td style="text-align: center;">Date Signed</td> <td style="text-align: center;">Date Effective</td> </tr> </table>			SIGNED	01/14/2019	01/14/2019	Michael Touchette, Commissioner	Date Signed	Date Effective
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The purpose to this Interim Memo is to provide direction regarding attorney visits within Vermont correctional facilities. It shall supersede section 4(c) of the Department of Corrections’ (DOC) policy #327.01 *Inmate Visits*. All other requirements and processes outlined in DOC Administrative Directive #327.01 *Inmate Visits* shall still apply.

1. Attorneys or other legal representatives¹ shall be allowed to visit their inmate client in a correctional facility when the attorney or legal representative provides the correctional facility at least 24-hour notice of the visit.
 - a. The Superintendent or designee may grant the visit with less than 24-hour notice at their discretion.

2. Attorneys or other legal representatives do not need to be on the inmate visitor list; however, their visit shall be logged pursuant to local procedure.
 - a. Legal representatives must have a letter of introduction² signed by the inmate’s attorney on the firm’s stationary. The introduction letter shall include:
 - i. The name of the legal representative;
 - ii. The job title of the legal representative;
 - iii. The law firm;
 - iv. The name of the attorney; and
 - v. The inmate client.
 - b. Legal representatives must present a government issued identification card at the time of the visit.
 - c. Attorneys and legal representatives shall be required to sign in and out of the facilities using the main entrance sign in/out log.

¹ A legal representative may be the inmate’s attorney, or the attorney’s connected staff such as a co-counsel, legal assistant, para-legal, investigator.

²The DOC has a [sample introduction letter](#) available for attorneys and legal representatives to use.

3. There shall be no limit on the number of visits an inmate may receive from their attorney or legal representative.
 - a. Visits from attorneys or legal representatives shall be kept within the framework and times of normal business hours whenever possible.
 - i. Additional prior approval shall be required for visits expected to exceed normal business hours.
4. To reasonably preserve the confidentiality of the attorney-client relationship, all visits between inmates and their attorney or legal representative may be visually observed by supervising correctional staff, but shall not intentionally be overheard, listened to, or recorded in any manner.
5. The following items shall be allowed for use during the visit, but must be inspected and inventoried, using the [Attorney Visit inventory form](#), by correctional staff, and must leave the facility with the visitor, unless other arrangements have been made:
 - a. Laptop, tablet, or e-reader, without cellular capacity³;
 - b. Digital recorder;
 - c. Paper legal files⁴;
 - d. Writing utensils; and
 - e. Published legal materials.
6. The following items may be allowed during the visit, but must be inspected and inventoried using the Attorney Visit inventory form by correctional staff, approved by the Superintendent prior to admittance, and must leave the facility with the visitor:
 - a. External memory devices, such as external hard drives, USB flash drives, or compact discs.
7. The following items shall not be allowed during the visit:
 - a. Telecommunication devices, including cell phones or smartphones;
 - b. Any other technological device with internet capabilities⁵;
 - c. Mobile hotspots
 - d. Any paper fasteners including paperclips and binder clips, of any size; and
 - e. Scissors, or any other cutting tool.
8. If the Superintendent, or designee, determines that any legal materials would jeopardize the safety or security of the correctional facility, they shall:
 - a. Provide the attorney with a written explanation of why the item is not being permitted into the secure perimeter at that time; and
 - b. Allow the attorney to store the item outside the secure perimeter, in accordance with local procedure.

³ Attorneys are only permitted to bring in one of the following: laptop, tablet, or e-reader.

⁴ Paper files may include printed photographs, case notes, or other paperwork related to the inmate's case.

⁵ This may include but is not limited to: MP3 or MP4 music players, iPods, smart watches, smart glasses, or digital cameras.