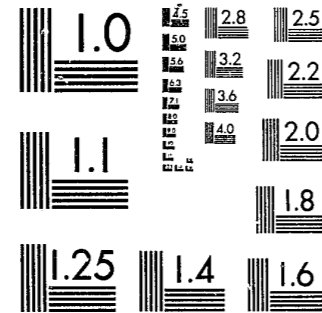


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

DATE FILMED

9/11/81

STATE OF MINNESOTA GOVERNOR'S COMMISSION ON CRIME PREVENTION AND CONTROL		PROGRESS REPORT
This report is submitted for the period indicated and is based on actual accomplishments of this project.	1. Grant Number 71-DF-1116	
	2. Date of Report August 22, 1973	
3. Title of Project: Consortium of States to Furnish Legal Counsel to Prisoners		
4. Type of Report: <input type="checkbox"/> Regular <input type="checkbox"/> Special Report <input checked="" type="checkbox"/> Final Report From <u>January 1, 1972</u> Through <u>April 30, 1973</u>		
5. Grantee Agency or Institution (Name, address and telephone) Governor's Commission on Crime Prevention and Control 276 Metro Square Bldg., 7th & Robert St. Paul, Minnesota 55101		Signature of Project Director <i>[Signature]</i> Signature of Authorized Official <i>[Signature]</i>
Begin below and add as many continuation pages as may be necessary. Report attached hereto		

699920

NCJRS

AUG 7 1980

ACQUISITIONS



U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Public Domain

U.S. Department of Justice

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

FINAL REPORT

Discretionary Grant No. 71-DF-1116
Consortium of States to Furnish Legal Counsel to Prisoners
1 January 1972 through 30 April 1973

Prepared by:
Charles L. Decker
The Consortium Center
Decker, Woodard & Associates
Suite 310, 1755 Massachusetts Ave., N.W.
Washington, D. C. 20036

STATE OF MINNESOTA GOVERNOR'S COMMISSION ON CRIME PREVENTION AND CONTROL		PROGRESS REPORT	
This report is submitted for the period indicated and is based on actual accomplishments of this project.		1. Grant Number 71-DF-1116	
		2. Date of Report August 22, 1973	
3. Title of Project: Consortium of States to Furnish Legal Counsel to Prisoners			
4. Type of Report:			
<input type="checkbox"/> Regular		<input type="checkbox"/> Special Report	
<input checked="" type="checkbox"/> Final Report		From January 1, 1972 Through April 30, 1973	
5. Grantee Agency or Institution (Name, address and telephone) Governor's Commission on Crime Prevention and Control 276 Metro Square Bldg., 7th & Robert St. Paul, Minnesota 55101		Signature of Project Director	
		Signature of Authorized Official	
Begin below and add as many continuation pages as may be necessary. Report attached hereto			

TABLE OF CONTENTS

	Page
Introduction	1
Part I GOALS	3
Part II IMPACT AND RESULTS	5
Part III METHODS AND TIMETABLE	14
Part IV EVALUATION	18
Part V RESOURCES	21
<u>Appendices</u>	
Table of Organization	A
Kansas New Disciplinary Program	B
<u>Addenda</u>	
Annual Report, Georgia	One
Annual Report, Kansas	Two
Annual Report, Minnesota	Three

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 71-DF-1116

FINAL REPORT

Introduction

This final report on Discretionary Grant No. 71-DF-1116 covers fifteen months, ending 30 April 1973. The program has been refunded in Discretionary Grant No. 72-ED-99-0013 for the period 1 May 1973 through 30 April 1974.

The consortium was designed to consist of three states operating under the guidance and supervision of a consortium center.

The grantee for the project is the Governor's Commission on Crime Prevention and Control, Minnesota. The three Consortium states are: Georgia, Kansas and Minnesota. The Consortium Center is in the offices of Charles L. Decker and Associates.

The grantee retains control of funds and responsibility for disbursement and audit. The Consortium Center is responsible for all other managerial and guidance functions.

The total population of the three states is roughly 11,000,000, the total prison population is over 12,000. In each state the program has the approval of the Governor, the corrections department, the state planning agency, the state bar association and the state university.

The states in the Consortium agreed to certain common concepts. The organization furnishing the legal counsel is free from the control of any other state agency. Each state has a supervisor who is widely known throughout the state, a full-time director of legal services, a clinical program for training law students, and law student assistants render a substantial part of the services to inmates.

Each state subgrantee has agreed to make legal advice available to each inmate as he or she enters the system and to advise entering inmates that the services are available. Each state has agreed to seek solutions to inmate problems at the lowest level at which a solution is available, to seek solutions to legal problems rather than conduct an attack on state

authorities, to work with state authorities whenever possible to correct conditions which give rise to legal problems, if such can be done without causing a conflict of interest.

Prior to the formation of the Consortium, such legal services as were available to inmates were usually provided through law school programs, or on a "special case" or "special campaign" basis by various organizations which often appeared to have done little to solve the problem concerned prior to going to court. Too often "special campaigns" aggravated situations by consciously or unconsciously causing publicity which in the opinion of many did little to help the inmate but did much to create conditions of tenseness and disturbance--perhaps contributing directly or indirectly to major disorders in the institutions.

Student programs were helpful, but these programs are first for the education of the student. In many areas, it was months before inmates received an interview after making a request for legal assistance. In a few states (as in Minnesota) the state public defender provides a good legal service on problems pertaining to the criminal side, but the state lacked a suitable service for civil legal matters.

It was with a view to providing legal services in all fields, including the intramural disciplinary and grievance problems, that the Consortium was established. From our experience to date, it appears that a probable one-third of the inmates will seek legal advice during a year. However, many of the problems during this first year were old ones that were brought up because legal services had not been available before. Whether the percentage will be lower in succeeding years remains to be determined. The Consortium is discovering that most problems can be solved intramurally without resort to the courts.

It also appears at this stage of our development that improved disciplinary and grievance procedures have lessened tensions, contributed to a somewhat improved average inmate attitude, and, eventually, it may be expected that legal problems arising out of occurrences subsequent to the inmate's entry into the corrections system will be substantially reduced.

Although riots had taken place in facilities in two Consortium states shortly before the formation of the Consortium, during the fifteen months since Consortium services were initiated, no major disorders have occurred in any of the three. We believe that to some extent the availability of legal services has contributed to what appears to date to be an improved situation.

The Consortium has recognized, and believes that officials of the states now recognize, that prisoners have more legal problems than does

nearly any other category of persons. The legal status of the prisoner's problems was aptly put by Justice Stewart recently in Preiser v. Eugene Rodriguez, et al.:

"It is difficult to imagine an activity in which a State has a stronger interest, or one that is more intricately bound up with state laws, regulations, and procedures, than the administration of its prisons. The relationship of state prisoners and the state officers who supervise their confinement is far more intimate than that of a State and a private citizen. For state prisoners, eating, sleeping, dressing, washing, working, and playing are all done under the watchful eye of the State, and so the possibilities for litigation under the Fourteenth Amendment are boundless. What for a private citizen would be a dispute with his landlord, with his employer, with his tailor, with his neighbor, or with his banker becomes, for the prisoner, a dispute with the State. Since these internal problems of state prisons involve issues so peculiarly within state authority and expertise, the States have an important interest in not being bypassed in the correction of those problems. Moreover, because most potential litigation involving state prisoners arises on a day-to-day basis, it is most efficiently and properly handled by the state administrative bodies and state courts, which are, for the most part, familiar with the grievances of state prisoners and in a better physical and practical position to deal with those grievances."

Promptly recognized and disposed of, the myriad legal problems (such as those involved in disciplinary proceedings) and the myriad problems that could be legal problems, do not go to the courts. A prompt and fair solution of the problem inures to the benefit of both the inmate and the state. Fair solutions that do not require court proceedings benefit not only the inmate, but all of us.

P. I. GOALS.

The first goal was to organize the Consortium. Notice of grant award dated January 19, 1972, was received by the grantee state late in January. The actual timetable will be discussed under Methods and Timetable. However, it should be observed here that no program is better than the key men who have the responsibility for the execution of the plan. The full-time directors selected were men of high qualifications, high motivation and common sense. Selection of quality legal personnel was essential to achieving what appears to have been exceptionally favorable results during the first year. The subgrantees received no funding from the grantee until

June of 1972. However, all but one of the subgrantees were proceeding on a fully staffed basis within six weeks. All states were fully staffed when one of the two full-time directors in Minnesota joined his organization in September 1972. The grantee, under the regulations, extended the grant period for three months (to April 30, 1973) to allow a full nine months of Consortium operations during the first grant year.

In addition to the formation of the Consortium as laid out in the grant plan, the State of Georgia during the year appropriated funds permitting the addition of two full-time lawyers to the Georgia staff. Further efforts are under way to secure additional augmentation for the Georgia project. Kansas intends to fund locally another lawyer and secretary in the organization during the summer of 1973, and Minnesota has made provision to add three full-time third-year law student interns during the summer of 1973 so that there will be no slowing of legal services during the summer vacation. A Table of Organization of the Consortium is attached as Appendix A. This table reflects the organization as it existed at the end of the grant year, and does not include the additional personnel contemplated for the coming year.

PERHAPS THE MOST IMPORTANT GOAL OF THIS PROJECT IS THAT OF CREATING PERMANENT LEGAL SERVICES TO BE FUNDED BY THE STATES THEMSELVES BY THE END OF THREE YEARS OF GRANT OPERATION. It appears that the State of Minnesota will be fully funded by state appropriations beginning sometime in 1974, the State of Kansas is arranging for the local funding of an additional lawyer and secretary in 1973, the State of Georgia has already funded two full-time lawyers over and beyond those supported by the grant. In each state, the manpower required to render prompt legal services to inmates was underestimated, but in each state the local funding of additional personnel augurs well for a permanent, ongoing service.

The goal of providing services to inmates and cooperating with state authorities has exceeded our expectations. The improved procedures relating to inmate grievances and disciplinary proceedings, the diminution of the burden on the courts, the lessening of institutional tensions, are all testified to by state authorities including the governor, judges, and corrections authorities in letters attached to the grant application for the second year of the project.

To date we have developed a preliminary statistical report which was submitted by each Consortium state. The records and reporting will be further refined during the coming year.

Under the original plan, during the second year we will prepare model plans and systems based on the evolving systems in each state and the

Consortium Center. The Table of Organization, the local forms used in each state, the statistics as unified to date show the evolving foundation upon which the model plans and systems will be based.

The rehabilitative effect of prompt legal services for inmates, from a standpoint of recidivism, cannot be evaluated with any validity at the end of nine months of such services. However, the firm opinions of the wardens that such services have lessened tensions, the observations of the Consortium lawyers themselves as they go through the prisons and talk with clients, are substantial evidence that prompt legal service does turn the assisted inmate's mind from his legal problem to a positive approach to securing rehabilitation and early release.

Follow-up legal services have been adopted on a minor scale in Kansas, but a full-scale effort is contemplated during the coming year. Experience to date, however, has indicated that the lawyers rendering legal services to prisoners are regarded by many released prisoners as "their lawyers," and we have reports of post-release individuals turning to our lawyers in Topeka for advice.

In Minnesota, the studies on inmate grievances have proceeded. Questionnaires have been dispatched to inmates, corrections, and custodial personnel, and preliminary analyses and recommendations are expected soon. A report will be forwarded, when completed, as an addendum to this report.

Our work with corrections authorities to reduce grievance sources and to resolve grievances has been one of our outstanding achievements. A completely new set of regulations on disciplinary hearings has been inaugurated in Kansas. Procedures have been favorably modified in Georgia. With the assistance of our legal services in Minnesota, a new council has been set up to reduce grievance sources and to resolve them.

Bringing other states into the Consortium was a goal for the second year. Inquiries have come to us from other states; however, during the first year, the organization and development of the legal services within the three original states and the Consortium Center have occupied all four subgrantees to the limit of their capacities. Beginning this past spring, the Consortium Center has started to work with a fourth state to develop a plan which should fit in well with the operation of the Consortium, and preliminary inquiries were made as to one of the few remaining jurisdictions that has no law school.

P. II. IMPACT AND RESULTS.

Impact on Inmates and Corrections Systems

The most direct impact of furnishing reasonably prompt legal services to inmates is on the inmates and the corrections systems.

The total number of inmate legal cases handled in the three state corrections systems during the grant year was 3,837. Based on adjusted caseload to date, it appears that inmate legal services are required by about 37% of the prison population. Assuming no change in inmate population next year and extrapolating results in Kansas and Minnesota to recognize the fact that our services in those states covered only nine months during the first grant year, the annual caseload should be approximately 4,300.

Some of the cases that were handled this year were "old cases," cases that would have been handled long before had legal advice been available. As we close out these old cases, perhaps the caseload will decrease. However, during this first year, there may be inmates who do not understand that legal services are available. Nevertheless, with an adjusted gross caseload indicating that approximately one out of three inmates has received legal service, it is hard to assume that there are many inmates who do not know that our services are available. Further, we have not considered the "turnover" in the inmate population, and consideration of additional inmates released or admitted might have some effect on the percentage of inmates receiving advice. However, taking the various items mentioned into consideration, it appears that the Consortium Center should advise, for planning purposes, that provision of prompt legal services in a corrections system in which such services have not been available before should be based on the probability that one out of three inmates will seek legal service during the first year of the program.

In evaluating the reports from the three Consortium states, the Center has considered as criminal in nature the cases reported from Kansas which involve K.S.A. 60-1507 proceedings and those which involve Disciplinary Board Actions. Technically, they may be properly classified as civil, but actually they involve legal efforts to effect release or reduction of sentence (60-1507); or they involve misconduct (Disciplinary Board Actions) which includes offenses such as assault with a dangerous weapon. So, classifying the Kansas cases, there are 103 cases civil in nature and 367 cases of a criminal nature. In Minnesota, we have not counted the criminal cases reported. Although they have consumed some time, the bulk of the criminal caseload is referred to the State Public Defender. However, Minnesota does have an appreciable workload relating to detainers and does handle some other matters of a criminal nature which has not been weighed in these considerations.

We have not considered cases emanating from the Federal institution at Sandstone, Minnesota, in this report because the LEAA Monitor stressed the fact that this Consortium was not permitted to use LEAA funds to give legal services to Federal prisoners except those at Leavenworth. This exception was permitted because it provides us with an ongoing Federal program and our access to its problems and statistics gives us a point of comparison between our state systems and the Federal system. We recognize that a LAMP attorney in our Minnesota program is placed in an embarrassing position when appointed by a Federal judge in a federal case. To refuse such an appointment could, at the least, damage the reputation of LAMP, and we hope that the legal aid group at Minnesota will try, in some way, to balance this overload which was not contemplated in our program. In our evaluation, we will count 848 civil cases, closed and open, in Minnesota. In Georgia, we dealt with 243 civil cases closed and open, and 2,276 criminal cases, closed and open.

Summing up:

	<u>Civil</u>	<u>Criminal</u>
Georgia	243	2,276
Kansas	103	367
Minnesota	848	-
	<u>1,194</u>	<u>2,643</u>

During the first year of operation, then, it appears that approximately one-third of our cases were of a civil nature and two-thirds of a criminal nature.

Cases of a Civil Nature

Variations in the case rates are marked. We can endeavor to go more deeply into the reasons for these variations in the second year. Georgia, inmate population 8,555, had a total of 243 cases, closed and open; Kansas, inmate population 1,613, had a total of 103 cases, closed and open; and Minnesota, with an inmate population of 1,403, had a total of 848 civil cases, closed and open.

Civil cases per 100 inmates:

Georgia	2.8
Kansas	6.4
Minnesota	60.4

Georgia gave legal assistance of a civil nature to over 2.8 per hundred. Kansas rendered assistance to 6.4 per hundred. Minnesota rendered assistance to more than 60 per hundred. The variation in results challenges analysis.

First, defining a "case" has baffled lawyers, accountants and sociologists for forty years. I know of no better way to defeat the purposes of our project than to define a case as one that involves litigation in court. For example, one lawyer confers with a new inmate, learns that the inmate's property has been unlawfully withheld from him, and recovers the property by making a telephone call. Another goes to court, files suit, recovers the property later with a court order. The telephone should be tried first in such cases--either way it is a law case. Simply and reasonably put, if an inmate believes he has a legal problem, and substantial time is spent on the problem, or a quick and favorable result is obtained, that is a case.

Turning back to the problem of variation in case rates, it is probable that Georgia has more functional illiterates who would think of lawyers only in connection with criminal problems and not in connection with civil matters. Also, Georgia inmates probably have less property per person and some may feel less sense of family responsibility. Further, Georgia had a large backlog of cases of a criminal nature, and with only three full-time lawyers, even though backed up with a one hundred law student program, it is possible that some cases of a civil nature do not come to the attention of our lawyers. Minnesota has also had over 100 damage claims arising out of one major shakedown inspection. With additional full-time lawyers in the Georgia project, and no special events in Minnesota, it would appear that both states may gravitate toward the 6.4 cases per 100 in Kansas. The Kansas inmates probably should recognize most of their legal problems, and, if eligible, seek our services. At one time recently, the I. Q. of incoming inmates in Kansas was higher than that of the state population generally. Doubtless the Minnesota studies on the nature and categories of grievances may also be helpful in explaining these caseload variances.

The largest volume of civil nature cases involves domestic problems such as divorce and child custody. However, property wrongfully withheld from inmates, matters pertaining to pensions, social security payments, family welfare payments--all of the problems that plague the poor are among those of the inmates.

Cases of a Criminal Nature

Cases of a criminal nature have furnished the heaviest load for the Consortium. Although we have had comparatively few cases of a criminal nature in Minnesota, both Georgia and Kansas have had very heavy criminal caseloads. There is always the problem of how to classify cases. The Consortium Center has adopted, logically, we believe, the view that cases pertaining to detainers, disciplinary proceedings and length of sentence, as well as matters relating to the criminal conviction which resulted in the inmate's incarceration, are all cases of a criminal nature. Perhaps

we can best justify our categorization by noting that it includes proceedings involving alleged misconduct of the inmate or punishment for misconduct.

Turning to the two states providing complete services of a criminal nature, the totals are:

Georgia	2,276
Kansas	367

The rate per hundred is:

Georgia	27
Kansas	23

Post-trial relief work is the most time consuming and difficult of all work of a criminal nature. Post-conviction proceedings under post-conviction statutes or by way of habeas corpus are usually more laborious than appeals. In both Georgia and Kansas there was a heavy expenditure of attorney time in research and in obtaining and reading trial transcripts and records for post-trial relief pleadings. Because Georgia law does not require the furnishing of a transcript without charge unless a motion for new trial or an appeal has been timely filed, the law students there were of substantial assistance in interviewing and in investigating court and other records, and in obtaining records.

Detainers and extradition proceedings have required a substantial expenditure of time by both lawyers and law students in all three states. As noted by the Minnesota director, the experience in inter- and intrastate detainer matters provides law students with a first rate learning experience in negotiation. Again, as observed by the Minnesota director, removal of a detainer opens up rehabilitation opportunities because the institutions treat those with detainers as security risks. The removal of a parking ticket charge may make an inmate eligible for minimum security assignments, temporary paroles and furloughs, and may enhance his eligibility for parole itself. The foregoing observations, it is hoped, may lead to improvement of the corrections regulations--or the state laws--so that the minimal causes of detainers will be distinguished from those of substance.

At Lansing, Kansas, law students spend much time providing counsel in serious disciplinary proceedings. However, it appears to eliminate the court actions that arise out of similar proceedings in other states. If so, it is time well spent. The improved proceedings benefit four groups: the inmates, custodial and corrections personnel, the courts, and the law students. As mentioned by the wardens and other authorities, tensions appear to lessen when counsel is available; custodial personnel are more alert in handling infractions (and less arbitrary on occasion); and law students investigate and represent in cases where they follow through from

start to finish in a very short time indeed. Properly conducted proceedings foreclose resort to the courts. The experience for the law students is most valuable. Ten years hence in the legislature or twenty years hence on the bench they will still have a comprehension of the problems of inmates that will be of benefit to the state community.

Before leaving the impact of our services on the inmates and corrections systems, and the subject of caseload and the nature of the caseloads, we should summarize. The observations of Justice Stewart on the increased volume and nature of legal problems among prisoners proves out. There is a pronounced benefit in clearing up these problems by giving prompt legal service, in settling the problems at the lowest level in the quickest manner possible. Obviously, the prisoner is concretely benefitted in many ways. Further, we are bringing on a generation of lawyers that will have a better understanding of corrections problems. Law, regulations and practices have been improved in each of the Consortium states. Some improvements are directly attributable to our work; even more important is the pervasive favorable effect of improved laws and practices because effective and efficient legal help is available when needed. We have built within the framework of the law--without fanfare and in a spirit of cooperation. When we serve a client, we serve him well. In a recent report from Georgia, out of a total of nine cases which were taken to court for relief, the relief which we asked was granted in seven cases. Such results speak for themselves.

Reduction in Court Caseload

In the American Bar Association Journal (July 1973) there appears a brotherly exchange of views between Chief Justice Burger and retired Chief Justice Warren. The exchange relates to the Freund report and is concerned basically with the increased caseload of the United States Supreme Court.

Chief Justice Warren uses the observations of Chief Justice Hughes as well as his own in discussing workload, caseload and in forma pauperis petitions filed by prisoners on their own behalf:

"The short of it is, as Chief Justice Hughes pointed out in 1937, that counting the number of petitions submitted during the course of a term 'affords no satisfactory criterion of the actual work involved' and provides but 'an illusory basis' for any procedural reform. Any meaningful study of the Court's workload must probe far beneath the fact that 3,643 applications for review were filed during the 1971 term.

"To begin with, about two thousand, or more than half the total number, were filed in forma pauperis, mainly by

prisoners on their own behalf. It has long been true that these prisoner applications do not bear the proportionate part of the Court's workload that their sheer number would indicate. The overwhelming majority of them are totally and obviously without merit for certiorari purposes, and little time is, or need be, expended in disposing of them. At the same time, much of the highly touted increase in case filings over the past years is ascribable to a geometric increase in these prisoner applications that rarely meet the Court's standards for review. If we compare the 1941 and the 1971 terms, we find that virtually 70 per cent of the twenty-five hundred case increase in total filings is ascribable to the in forma pauperis applications." (Emphasis supplied.)

We have cut the court workloads in the Consortium states by effecting a large cut in pro se petitions. We have done so in two ways: (1) by advising inmates with nonmeritorious cases that they should not press legal proceedings; and (2) when the prisoner insists on pressing a nonmeritorious case, by offering to type and organize the inmate's proposal for his signature. Chief Justice Warren has observed that 70 per cent of the Supreme Court increase in filings lies in the in forma pauperis petitions from prisoners, most of them pro se. He also observes that "the overwhelming majority of them are totally and obviously without merit for certiorari purposes." Chief Justice Warren could have added "or for any other purpose." I believe it fair to say that there is a general consensus among Consortium lawyers that a large part of post-trial complaints arise, not because of legal error, but because the prisoner finds that he has been given too heavy a sentence for the offense of which he was convicted. Inmates who receive inappropriately heavy sentences soon discover that the sentence imposed on them is, in fact, disproportionate when their backgrounds and sentences are compared to the backgrounds and sentences meted out to others convicted of the same offense or offenses. In Kansas, there is a ninety day period after sentence during which the sentence can be modified by the judge after receipt of advice from the Reception and Diagnostic Center. In most other states, the sentence can be modified only during the term of court in which the sentence was imposed. Too often the term ends before the prisoner even arrives at a diagnostic center--if he ever goes to a diagnostic center. Most of us recognize the need to provide the sentencing judge with a period for diagnosis and report so that the sentence fits the offense and offender and, as far as possible, seems reasonable when compared to those imposed on others convicted of the same offense and with similar background and record. A few states make an ample time provision for diagnosis and change of sentence. A few others permit appeal on sentence. Abroad, in England, for example, appeals from convictions were reduced in large measure when appeal of sentence alone was permitted. Again, these observations are included in the hope that they may be observed

by judges and legislators and lead to improved legislation. However, with the situation as it is, if a sentence is legal, it furnishes no ground for legal attack. Forty years for one first offender for possession of marijuana who finds his sentence is out of line, however, does not make it easy for the corrections authorities to rehabilitate him. (This sentence was not imposed in a Consortium state.) In sum, the judge who imposes a sentence that is completely out of line when compared to like sentences adjudged for the same offense on other inmates with records like that of the man on whom excessive punishment is imposed, certainly causes a lot of trouble for the corrections authorities. State legislatures should correct this situation so that such sentences, when discovered, can be corrected administratively.

In our work, however, we give honest and straightforward legal advice, and when the inmate client presents us with a case that Chief Justice Warren describes as "totally and obviously without merit," we must so advise him and try to steer him toward a course of conduct that will lead to his earliest appropriate return to society. As stated in the Georgia report, most of the inmates respond favorably to our advice on nonmeritorious cases and do turn toward earning early release.

It appears that there has been about a 50 per cent reduction in post-conviction cases in Kansas and also a substantial reduction in the other two states. The one area in which there appears to be little reduction is in the Reidsville area. Reidsville has been the institution in which the most hardened and chronic offenders in Georgia have been housed. Many of these men have been their own "lawyers" for years, and such individuals frequently try to adapt new opinions of the courts to their own cases and prefer to go forward on their own. We believe that as our services continue effectively, these inmates will turn to us for advice.

Fair, Simple Administrative Procedures

In all three states our services have contributed to "due process related" procedures and to simplification. The representation at disciplinary proceedings in Lansing provides legally qualified counsel, and an inmate survey indicates that the inmates believe they receive fair treatment. The man who loses good conduct time or who goes to punitive segregation knowing that he had a fair hearing with representation is not likely to go to court. An evaluation of the new Kansas system is attached as Appendix B.

In Georgia, the pertinent court cases and the Kansas guidebook were presented to the authorities at the Jackson Reception and Diagnostic Center. Disciplinary proceedings were changed so that counsel is now permitted at disciplinary proceedings involving "extension of sentence." As we understand the law, disciplinary proceedings now meet the minimum constitutional requirements in all three states.

Soon after the commencement of our project in Minnesota, the authorities at Stillwater revived the use of a monthly progress report to each inmate. As mentioned, with the assistance of our project personnel, a simple board proceeding was set up to dispose of prisoner claims against the state.

Improvement in one state is made known to all of the lawyers in our Consortium, and an improved practice is explained to the appropriate authorities in the three states. Simpler and better administrative proceedings reduces resort to the courts, secures more rapid results for inmates, and, cumulatively, improves institutional morale. Both individually and collectively, a more constructive inmate approach to rehabilitation results.

When we have advised an inmate that he should not go to court, we always tell him he is free to consult other counsel or to go forward pro se. As explained in the Georgia report, if the inmate goes pro se and desires help, we will try to put his pro se petition into an organized and literate form. The court receives a document that is legible and as well organized as the inmate's view of his case will permit.

Demonstrated by these descriptions, the pervasive effect of simplification and moving legal problems to a lower level of administration works to the benefit of all, and our work is appreciated, particularly by corrections and custodial authorities.

Total Legal Services as a Contribution to General Efficiency

Going back only nine years to my first experience with setting up legal services for inmates, many of the problems have more or less evaporated. We have learned that the frictionable headline-hunting lawyer is not the best kind of lawyer to render legal services to inmates. Our lawyers must be reasonable and objective men who render faithful and efficient services to the inmates whom they serve. They must be willing to work within the framework of the law. They must avoid promised results. They must be willing to work with corrections authorities, parole and probation authorities, the courts, the Governor's office and the legislatures to bring about improved and simplified systems.

By their conduct and demonstrated efficiency, our lawyers now have gained favorable recognition so that our legal service in each state can report that the various offices above named refer inmate letters to them as a matter of routine, as do many of the judges. This feature alone saves many hours for other agencies of the government and assures the inmate of reasonably prompt and competent advice.

The labor of identifying many volunteer lawyers who are completely strange to prison systems and routine is eliminated in legal services organizations such as ours. Finding a family doctor or lawyer in general society

is difficult. Among inmates, finding a lawyer is too often an almost hopeless task. With our services, every indigent inmate has a family lawyer, and he is not told to write to some other organization for legal advice. With our student "backup" we can render services in any field of the law in which the indigent inmate may have a problem. We can prepare his case and present it properly. Coordination of the services with the corrections authorities, and having a full-time director on hand, simplify problems substantially for the corrections department.

The law students provide a very appreciable part of the services and profit from the clinical experience in working with clients. Additionally, their participation is an investment in the future, for through our work law students may see the part of the criminal justice picture that has received so little recognition among lawyers until recently. If any law study will mature a student in jig time, clinical study with us will certainly do the job.

P. III. METHODS AND TIMETABLE.

Methods

Our method of furnishing legal services to prisoners was conceived and built on several years of experimentation and experience.

The post-World War II period marks my first personal knowledge of the methods of rendering legal assistance on an organized basis to inmates. About the mid-forties, the Federal Bureau of Prisons placed a lawyer in a Federal penitentiary to give legal assistance to inmates. The lawyer was competent, but he was, so to speak, a sole source of legal service at the institution. After he had advised many inmates that their cases were non-meritorious, inmate gossip stamped the lawyer an "establishment man."

Other programs were tried. One that appeared to work well was a program in the Disciplinary Barracks at Ft. Leavenworth. An appellate attorney from Washington visited the barracks each week, advised his appellate clients and interviewed other inmates who had legal problems. The other inmates were referred to the legal assistance officer at Ft. Leavenworth who gave prompt assistance. Morale was good and tension was low. The drawback to this plan was the expense.

Almost historically, law professors have taken prisoner cases from time to time.

In the fifties and sixties, the eye of the legal profession turned toward law schools for inmate legal services. Students wanted clinical experience;

law firms wanted newly graduated lawyers who were experienced in working with clients. By the mid-sixties several law school clinical programs furnished legal services to prisoners. However, recurring faults appeared in most of the programs.

The programs were too often underfunded. Consequently, the sole supervisor of the program was often a law teacher who could give only part time to the service. The students participated on a quarterly or one semester basis, and continuity was lost. Some programs fell further and further behind and the backlog grew. By 1970, a class action brief was filed to which was attached a number of prisoner affidavits stating that they had asked for legal assistance from the local law school program, that they had received mimeographed memoranda indicating that they would be interviewed in due course, that eight months later the inmates had received no further information.

In planning our own method of approach in the Consortium states, we have tried to profit from experience. We have tried to use a combined lawyer-law student program in each state. To preserve continuity and to provide sound, experienced direction, each program is built around a full-time lawyer-director. Additional full- and part-time lawyers and a law student program in each state provide a "mix" of interviewers. To avoid the stamp of establishment, each director is independent of governmental control. Each has law school faculty status, thereby providing a basis for academic credit for student work. The full-time director also provides an appropriate liaison with the corrections authorities so that legal service visits may be scheduled with a minimum of inconvenience to the corrections system.

In each state, we also have a part-time state supervisor whose background includes a general familiarity with the state, its status in regard to the administration of criminal justice, and the general operation of the law schools, the state bar and the judiciary. The supervisor serves as a link between the director and these organizations, and as a "backup" man to the director when he is needed.

With a part-time supervisor and a full-time director, other lawyers, full-time and part-time, are added to the service. To the extent that volunteer lawyers may participate, our programs can give them administrative guidance that will enable them to function with less loss of time to themselves and less inconvenience to corrections personnel.

Supportive of the lawyer contingent in each state is a corps of law students ranging from 20 in Minnesota and 35 in Kansas to 100 in Georgia. Each state has a student practice rule permitting the third-year law students to practice law under supervision. The students all receive training in our work prior to actual client contact. These trained students are efficient and cost about one-fifth of the price paid to an attorney. Each state program has been able to bridge the hiatus periods in the student programs--

chiefly examination periods and vacations--by providing lawyers to cover examination periods and by making arrangements to employ law students full time during vacation periods.

This concept and plan initially was drawn up in the Consortium Center and the three states were chosen and asked to participate. Although variations in organization in each state were permitted to enable the program to best serve in the local scene, all Consortium members agreed to adopt, and have followed, the common concepts developed by the Consortium Center and set forth in the original grant application. The Center stays in constant touch with the various states, assists in the solution of problems and promotes the interchange of ideas and practices. The Center has conducted two conferences for key personnel of the state programs and state corrections personnel.

These methods appear to work well. We now have a year of experience and have a better knowledge of the needed ratio of lawyers to inmates to provide prompt legal advice to entering inmates. Our legal services are already reasonably prompt. At the principal centers, interviews are effected in from one to two weeks. With additional personnel to be added in Kansas and Georgia, we hope to be able to interview all inmates who desire services within two weeks, regardless of where they may be.

Again, as made clear in Parts I and II, we work within the framework of the legal system and join with other agencies in working for improved and simplified practices. Our key target and first priority is always competent prompt legal services to indigent inmates and a sure opportunity for each entering inmate to receive whatever legal service he may need when he first enters the corrections system.

Timetable

Our original timetable was based on anticipated approval of our grant in July, 1971. The grant was not approved until January, 1972, and the subgrantees received no money from the grant until June, 1972. However, all subgrantees except Kansas were able to borrow funds and start organizing as soon as telephonic informal advice of approval was received on January 7, 1972.

The first step in organizing was a call from the Consortium Center to arrange for conferences in each Consortium state. Each state supervisor arranged a conference between the Consortium Coordinator and key state personnel. The Consortium Coordinator then made a trip to each state, explaining the entire plan and responding to questions. These conferences were completed in three weeks, by the end of January, 1972.

Throughout the Consortium, the search for personnel and organizing the student programs was underway in February. By March, Georgia, Minnesota and the Consortium Center had arranged for interim loans to carry them until LEAA funds became available. The Kansas operation was based on a plan providing for the establishment of a new nonprofit organization to furnish legal counsel to prisoners. The Kansas supervisor formed the nonprofit corporation and organized a board of directors of exceptional standing and quality. However, there was no local source of loan funds, and the organization could not start operating until LEAA funds were available in June.

In April, 1972, the State Planning Agency in Minnesota announced the Project Director. He called a meeting of the subgrantees during the same month. The required operating procedures were explained; the proposed contract was presented, discussed and modified. Thereafter, the contract was put in final form, circulated for signature by all parties, requests for funds were made in May, and the first payments were made in June.

Georgia secured a full-time director who took office in March. Minnesota secured a full-time director who took office in April. The Kansas full-time director took office in July.

By August, the full lawyer complement and law students were functioning in Georgia and Kansas. Minnesota was completely staffed except for one full-time director who took office in September. Because the state supervisors and full-time directors were all lawyers highly familiar with our plan and experienced in rendering inmate legal services, full personnel complements were producing fully within a month after they started operations in each state.

During the summer and fall, the Consortium Coordinator spent 10 days out of the office on three occasions, making evaluation trips to the Consortium states, visiting each office, the institutions in which we rendered services, and talking with a sampling of law students in the programs, as well as a sampling of our inmate clients.

Our first Consortium Conference was held two months after the last full-time director took office, and was attended not only by the supervisors and directors, but also by corrections representatives, the project director, Mr. Clark, and the LEAA Monitor, Mr. Pappas.

The work in each state and the coordination through the Center now function smoothly. The full-time directors work directly with the Consortium Coordinator. By the time of the second Conference, at the end of the grant year, plans were already underway for securing state financing at the end of our three year grant program.

P. IV. EVALUATION.

(This report on evaluation follows the scheduled evaluation questions discussed in the grant application at Page 14.)

Based on written reports, telephone consultations with each state on approximately a weekly basis, at least two visits to each state, and lengthy field visits, the Consortium Coordinator renders the following evaluation.

Each state has complied with its commitment in the grant application. Legal services are rendered with reasonable promptness and are certainly of good quality. Kansas intends to expand post-release counseling during the current grant. Because of the late start on the first year, this particular part of the Kansas commitment had to await its normal turn in the course of development.

The financial records, to include the control of funds and auditing, were retained by the grantee state. However, each of the organizations concerned and the Consortium Center are subject to regular audit in accord with usually accepted accounting procedures.

The follow-up on referrals for service has developed into a non-problem. Any referral made on behalf of an inmate, if he thinks it not well handled, is made known to our services.

The personnel funded under the program are efficient and competent. Most are superior in performance and highly motivated. This observation includes the law students who participate in the program.

The funding for the Minnesota operation is sufficient and the Minnesota operation is current in its work.

The funding in Kansas falls short of the mark. However, an additional full-time lawyer and secretary are to be funded locally, and during the second year, Kansas should operate on a completely current basis. Kansas has stayed reasonably abreast through the overtime efforts of Mr. Farabi, the full-time director, the law students, and Professors Wilson and Meyer.

The funding in Georgia needs further augmentation. The supervisor, Professor Peckham, and the full-time director, Mr. McCartin, are, in my opinion, brilliant and highly motivated lawyers who have carried an exceptional workload and have motivated their students to an exceptional degree. The corrections authorities have been highly cooperative and have assisted them in securing state funds for two additional lawyers. One of these, the Assistant Director, Mr. Bonner, is exceptionally well qualified and highly

regarded by Professor Peckham and Mr. McCartin. The assistant attorney has left his \$10,000 per year job for one that pays better, and, at present rates for lawyers, it may be that this salary is a little low.

Comparison with the other two states shows clearly that Georgia needs a larger organization. Minnesota requires two full-time directors and 20 students to provide full legal services of a civil nature to 1,400 inmates in the state. Kansas requires two full-time lawyers, one attorney at 40% of time, one law professor at 66% of time, and 35 law students to furnish full legal services to 1,613 inmates. For 8,555 inmates, Georgia has three full-time lawyers, four full-time students, and a backup of roughly 100 students to furnish full-time legal services. Although Professor Peckham has no time allocated to the project, I am of the opinion that a probable 20 to 40 per cent by way of his overtime goes to the program. It would appear to me that the Georgia program, with an exceptionally mature and dedicated law student contingent, needs a total of at least eight full-time lawyers for 8,555 inmates. Kansas needs one lawyer for about 600 inmates to provide full legal services; Minnesota one lawyer for about 700 inmates to provide full civil nature legal services. To approximate one lawyer for 800 inmates, Georgia needs five more lawyers, in my opinion. High motivation and overtime have kept Georgia abreast but there must be some augmentation in the number of full-time lawyers.

The requests for legal services of a civil and of a criminal nature have been discussed in Impact and Results.

Grievance procedures are under study in Minnesota and the annual report of their progress to date is expected this month. The plans and initial questionnaires which I saw on my last visit to Minnesota appeared to be within normal limits.

Until Kansas expands its follow-through after release program, no definitive or helpful information on this activity will be available.

Third-year law students perform outstandingly in our program. Prior to contact with inmate clients, the best training procedure is a practical course stressing post-conviction proceedings and other work closely associated with inmate problems. The practical course should follow completion of evidence, substantive and procedural criminal law. First interviews should be made with experienced personnel. Thereafter the student does well on his own.

We find that inmates do respond favorably to mature law student interviewers. Students, on average, spend more time in interviewing inmate clients than do the lawyers. Most of the inmates appreciate this student attitude and feel that the students are sympathetic.

A few students are depressed by work involving prisons; however, the great majority see inmate legal service as one part of a lawyer's work. The most severe limitation on the use of law students is that of their law school schedule--a chronic problem in all clinical instruction.

I have discussed my personal views on the value to the law student of work in our program under Impact and Results.

Post-conviction and pro se problems were discussed under Impact and Results. The results are, as expected, favorable in each state.

The kinds and volume of legal problems have been discussed heretofore. Aside from our "shortfalls" in our original personnel estimates, our planned state programs meet the legal needs of the inmates and are of benefit to the rehabilitation process.

Our program can be improved by filling out the state organizations in Kansas and Georgia with additional full-time lawyers and necessary clerical personnel. This objective we will accomplish with local funds, thus bringing the Consortium closer to our goal of locally funded organizations at the end of the three years. It appears at this stage of development that there should be a law teacher supervised law student group in each participating law school. The full-time director should have an office at or near the Reception and Diagnostic Center. Any grouping of 400 or more inmates at distances of more than seventy-five miles from the Reception and Diagnostic Center (depending on road conditions) warrants consideration of a separate office, preferably manned by a full-time attorney. Interviewers and attorneys should make regular visits to maximum and medium security institutions. For honor camps, work release groups, halfway house groups, and inmates requiring minimum security, it saves time and money to send the inmate to the closest office occupied by the legal services group.

Law libraries--even "working libraries" are expensive. The best solution for our programs is not to spend money on law books for inmates. Very few inmates ever become qualified to handle their own cases. Even a lawyer is ordinarily well advised in not serving as his own counsel. The money spent on law books for inmates should be spent on lawyers for inmates. If acceptable legal services are provided to inmates, there is no legal requirement that they be provided with law libraries. On each visit to a Consortium state and at each Conference of the Consortium, the subject of law libraries has been raised. On no occasion has there been any support whatsoever for providing law books to inmates. We have also discussed the use of prisoners as paralegal help, and the use of inmate lawyers. No state has as yet deemed it advisable to use such help. Although it is an open subject, present indications make it doubtful that there will be much experimentation along this line.

The proponents of similar programs for other states would so well to follow the procedures which we have used in the Consortium. The proponents should secure the endorsement of the state bar association, the director of corrections, the chairman of the board of parole, and appropriate representatives of the judiciary, of participating schools and the office of the Governor.

We believe that the combined plan--full-time lawyers plus law school program--is the best plan to date. After setting up the table of organization and the budget, the plan, the organization and the budget should be made known to all concerned. The sponsors should meet with the director of corrections and with each warden, making sure that the operation is clear to all. We found that our plans were well received by all of those with whom we dealt--particularly by corrections, parole and pardon personnel. They know the need.

There are alternatives to our project programs which have not been tried. One alternative to the program would be "Judicare." Under such a program, any indigent inmate could select his own lawyer and the state would pay the lawyer at a rate set by statute. It might be hard on the inmates to secure the lawyers they desire at the price paid by the state--or at any other price. Further, hourly rates and mileage for such services might turn out to be very expensive for the state.

A volunteer lawyer program most probably would require paid lawyer coordinators, and experience with unpaid assigned counsel systems may cause a long lapse in time before such all-volunteer programs are tried. A modification of the all-volunteer program might be built around a panel of lawyers similar to that contemplated in the laws providing for organized defenders at Federal criminal trials. Such a program remains for future consideration. Again, it would probably be costly and the service might be slow.

These are only two alternatives to our programs. As to our Consortium programs, it does appear that in two more years we will be able "to graduate" our three Consortium states as having economical programs, fully funded locally, and serving the inmate population competently.

P. V. RESOURCES.

(Biographies of key personnel are attached to the original application for grant.)

The resources of this program remain sound. We have lost no local support, and local judges and county officials are joining those at the state level in expressing approbation.

The Consortium has been very fortunate in the minimal turnover of personnel. At the Consortium Center, the same personnel serve the Consortium. In addition, Paul L. Woodard, Esq., has become a senior partner in the organization. Our distinguished state supervisors give full support and attention to the program. The Consortium Coordinator, the Consultant at the Center, and the State Supervisors were all experienced in rendering legal services to inmates when this program was started. The full-time director in each state was likewise experienced in rendering legal services to inmates. Added to our combined experience when we started this work is a year of working together with key common policies.

The resources which we underestimated in our application for the grant are the corrections personnel and other official state groups. They have appreciated our work and have supported us.

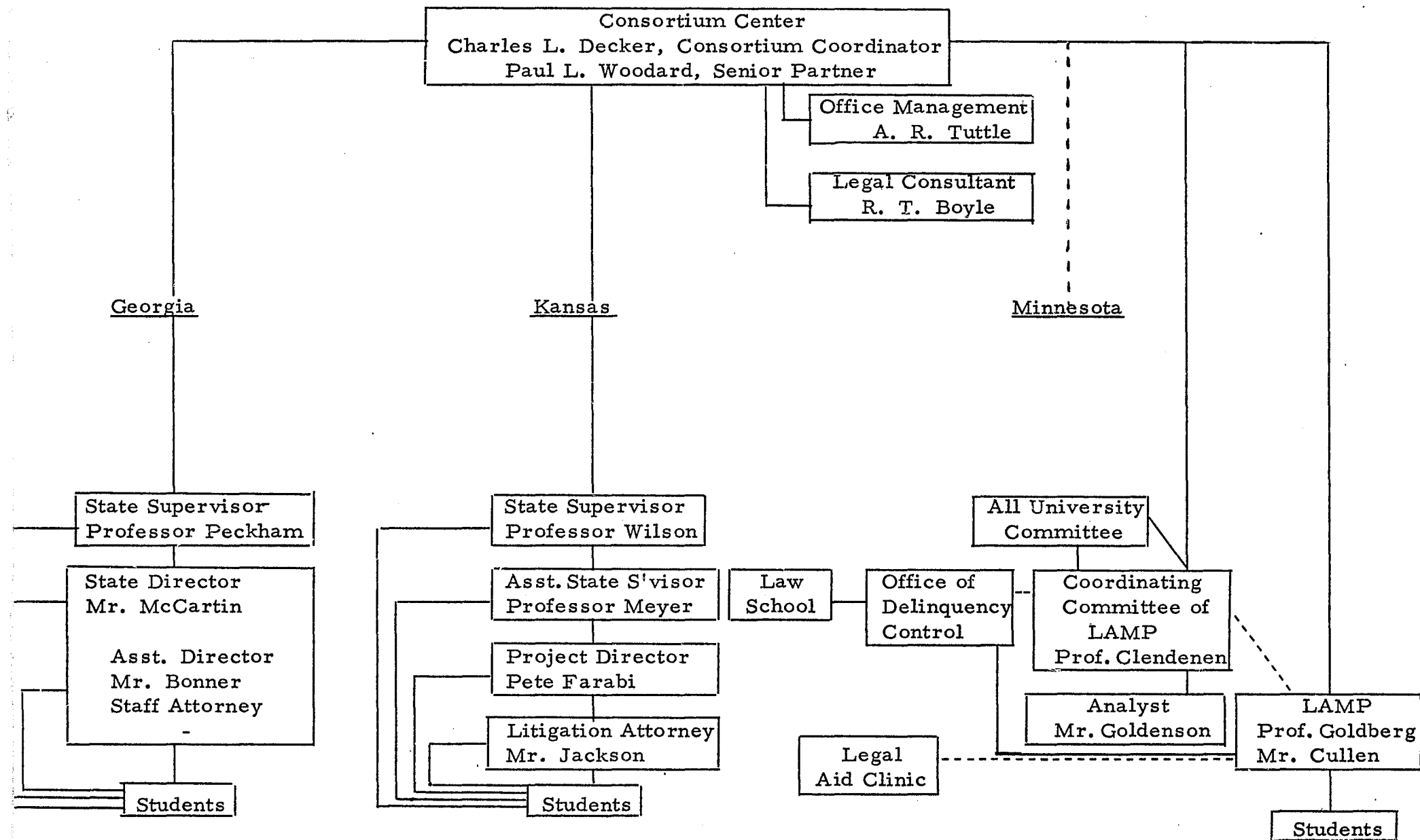
We should also count our law students as resources. They have served well and worked well. As long as we train them well before they meet their clients, they will continue to set a fine example.

We have still another resource, almost indefinable. In any organization which produces well and offers the opportunity to progress, a quiet "momentum" develops. We have that quiet momentum.

Appendix A

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 71-DF-1116

TABLE OF ORGANIZATION



Appendix B

GENERAL

In August 1972, a new method for handling inmate disciplinary procedures was introduced in the Kansas Penal System. Basically it initiated an adversary system in Disciplinary Board proceedings. It provided for due notice to the respondent, provision of legal counsel upon request, an open hearing, restrictions on pre-hearing administrative segregation and an improved system for appeal.

It was anticipated that the change would meet resistance on the part of some personnel, the extent of which could not be determined. As the system has been in effect for six months, an evaluation of its impact is timely.

The purpose of this study is to evaluate the degree of acceptance of the system by correction officers at KSP, its impact on morale, and to identify any other ramifications.

Other elements, always present to some degree, might effect attitudes and cloud the basic question. Correction officers were therefore afforded the opportunity to express themselves in such areas as relationship with treatment and other personnel, with supervisors, management, inmates, and their self-image as Correctional Officers.

A questionnaire was developed and given to seventy Correctional Officers. The sampling was one-third of the total force and consisted of officers working day shift and evening shift on Friday and Saturday, February 23 and 24; and 17 officers beginning the Behavioral Science class. The sampling ranged from young officers with as little as three months

experience to those with over twenty years at the institution.

Individual interviews were randomly conducted with thirteen officers and their feelings are generally reflected in comments received previously on questionnaires.

DISCIPLINARY PROCEDURES

Eighty-one percent* of the officers polled felt that "inmates get away with more than they did a year or two ago". Interviews and comments revealed that they felt this was primarily in the areas of disobedience or assault on officers and the use of alcohol and marijuana. This did not seem to be a strong and positive feeling except in the case of alcohol. It is generally attributed by officers to lack of punishment for those guilty and a feeling that the seriousness of drunkenness is downgraded. It is significant that several who agreed with the majority could be identified as employees with a year or less service. Their opinion is probably based on what they hear from the older officers.

Seventy-one percent agreed that "under controlled circumstances, inmates should have the right to question Correctional Officers who charge them with violations". Nineteen percent tended to disagree and only ten percent indicated disagreement. As the right to face the accuser is basic to the adversary system, this is a most significant indicator of the degree of acceptance of the new procedures.

Eighty-three percent responding agreed that "a policeman testifying in court is really the same thing as a Correctional Officer appearing before

* Unless otherwise stated agreements consist of both "agree and tend to agree" columns on the questionnaire.

a courtline". This is a positive and favorable response in its indication that officers relate courtlines to the due process model of criminal court procedures.

To the statement "courtlines are fair to all concerned", seventeen percent said always, fifty-five percent said normally, twenty-seven percent indicated sometimes, and one percent said never. Interviews and interpolation of other questionnaire results would indicate the "unfairness" is in sentencing and in favor of the inmate. Interviews unanimously indicated that the board chairman conducted a fair and impartial hearing and that the officer was protected from harassment or badgering from the inmate or his counsel. Officers respect the legal knowledge and manner of performance of the board chairman.

To the statement "having to appear in courtline over writing up an inmate is a distasteful experience for an officer", seven percent said always, eighteen percent said normally, forty-four percent said sometimes, and thirty-one percent indicated never. From interviews it was determined that this is attributable primarily to self-consciousness and to inconvenience of work schedule versus courtline schedule. The officers who feel threatened by the process are probably those very few who resent the system and have trouble accepting the concept of inmate rights.

My conclusion is that the implementation of the Disciplinary procedures at the Kansas State Penitentiary should be considered a success at this point. I would attribute this to the attention given to it by key personnel at all levels, by placing a most capable individual as board chairman, by the orientation and training given to all personnel before and after initiation of the procedures and, in a more intangible sense, by the

improved attitude for acceptance of change which has apparently permeated the Institution in recent years.

I was advised that Kansas University Law School has been provided records of disciplinary board proceedings to date for a statistical analysis. I shall await their results to avoid duplication of effort; however, detailed analysis should be made at this time if for nothing more than to provide a basis for later comparative evaluation.

Primary areas for future research are study of rates of incidents by type brought before the board, analysis of who is writing reports, and effectiveness of punishment administered.

RELATIONS AMONG ACTIVITIES

Seventy-seven percent of the officers responding indicated that "many workers (psychiatrists, social workers, chaplains, etc.) don't understand the need for discipline among inmates". This was also revealed in interviews as a feeling that security, control and discipline was left to the Correctional Officer and therefore, they were the "bad guys" and other employees and supervisors of inmates were the "good guys".

Ninety-four percent felt that "too many times, employees leave matters of control and security to Correctional Officers".

Seventy-eight percent indicated agreement that "security and treatment are so opposed in their methods and objectives that they are always going to be in conflict". It may be more significant that twenty-two percent feel the two functions can exist without conflict.

There is ample evidence of the universal schism between the custody and treatment functions; however, interviews and comments revealed that

the officers appreciate the basic concepts of treatment and inmate programs and support them. There was an apparent frustration on the part of some officers that there was not enough and they would like to be able to play a greater part in working with inmates. They feel a basic conflict in their job requirements and their role as "correctional" officers.

It is significant that many Correctional Officers recognize and accept the broad goals of the institution and desire to more actively participate in the process of rehabilitation.

MANAGEMENT AND SUPERVISOR RELATIONSHIPS

Only twenty-four percent agree with the statement "the higher the man in the organization, the less he appreciates the needs and problems of inmates". Fifty-two percent, however, felt that "the higher the man in the organization, the less he understands the problems of Correctional Officers".

Seventy-two percent believe that "the organization is so big and complex that the line Correctional Officer is too often not considered".

To the statement "officers have the support of supervisors in their efforts to maintain order and control", twenty-seven replied always, thirty-five said normally, thirty-seven percent said sometimes, and one said never. Interviews revealed the reasons for these feelings to be generally too few officers, particularly in cell houses, and the standards established for punishment and administrative segregation.

The statement "my work and efforts are appreciated by my superiors", elicited the following: eighteen percent always, fifty-three percent said normally, twenty-seven percent sometimes and two percent never.

Interviews revealed a concern about communications. To the statement "my supervisors are open to questions and suggestions", the response was thirty-five percent always, thirty-five percent normally, twenty-nine percent sometimes and one percent never. The problem seemed to be of concern more to correctional supervisors. Some felt that they had trouble getting decisions on problems presented; that they were sometimes placed in the position of not being able to answer inmates or officers because they themselves could not get questions or problems resolved. It was difficult to identify specifics and those that were seemed almost trivial. They are symptomatic of a generally disgruntled attitude.

Officers generally indicated a desire to be more involved and to be made aware of what management was doing and why. They would like to see and hear more from top administrators. They feel that their problems do not get to the top and that top level policies sometimes get down to them distorted.

CORRECTIONAL OFFICER SELF-IMAGE

While this portion of the study was by no means in depth an attempt was made to obtain an indication of how the Correctional Officer sees himself and his role in the institution.

Officers would like more leeway to exercise their own judgement. Seventy percent disagreed with the statement "officers should write up all violations he observes and leave the counseling to others". Seventy-four percent felt that "officers should be given the discretion to write up only what he feels are significant violations". Interviews indicated that some officers felt restricted in dealing with drunks and that

drunkenness was becoming tolerated by supervisors.

Job satisfaction may be indicated by the following: seventy-five percent felt that "officers feel a sense of satisfaction in the importance and sensitivity of their work". To the statement "the Correctional Officer's image is improving in the community", seventy-three percent agreed. Ninety-eight percent agreed that "I feel I am well qualified for my job". To the statement "I like the challenge and difference of prison work", thirty-five percent said always, forty-six percent said normally, eighteen percent said sometimes and one said never. The statement "I consider my job very frustrating" was answered by seven percent as always, by thirteen percent as normally, sixty-seven percent said sometimes and fifteen percent said never. In interviews several younger officers objected to the uniform. They felt it was a stigma in the community and should be changed. There was a general indication of a desire for more information on the Kansas System and more generalized training in Corrections.

COMMENTS FROM QUESTIONNAIRES

Cooperation between security and other activities - 3
 There should be no female employees - 1
 Rosters are short on weekends and nights - 4
 Only two officers in cellhouse - 7
 Having to short A & T exercise - 2
 Don't get answers for questions - 1
 Inability to handle inmate problems - 1
 Other activities putting their work on security - 2
 Shift Captains should make own rosters - 1
 Lack of communications up and down chain - 7
 Control of inmates - 8
 Better public relations - 1
 Drinking and pot smoking by inmates - 1
 Being able to work with inmates - 11
 Lack of discipline - 4
 Too much idleness - 1
 Cooperation and backing of supervisors - 2
 Courtline too carefully in favor of inmates - 1
 Conflict of help vs authority - 1
 Lack of pay - 5
 Lack of experience - 5
 Consistency between shifts - 3
 Correctional Officer doesn't have opportunity to help - 1
 Advancement - 1
 Inflexibility - 1
 Uniforms of Correctional Officers - 2
 Lack of training - 3

	EE	D TO EE	D TO MGR/EE	ADMT
Many workers (psychiatrists, social workers, chaplains, etc.) don't really understand the need for discipline of inmates.	36	18	8	
Inmates get away with more than they did a year or two ago.	40	17	9	
Under controlled circumstances, inmates should have the right to question Correctional Officers who charge them with violations.	34	15	13	
The higher a man is in the organization, the less he appreciates the needs and problems of inmates.	7	9	22	0
A Correctional Officer should write up all violations he observes and leave the counseling to others.	13	8	20	2
Too many times, employees leave matters of control and security to Correctional Officers.	43	20	2	
Several Correctional Officers I know would resign if they could find an equivalent job elsewhere.	42	17	6	
The higher the man is in the organization, the less he understands the problems of the Correctional Officer.	20	16	15	1
A Correctional Officer should be given the discretion to write up only what he feels are significant violations.	31	21	9	
Inmates get along better with treatment personnel than they do with Correctional Officers.	21	18	23	
Most Correctional Officers feel a sense of satisfaction in the importance and sensitivity of their work.	30	21	14	
Security and treatment are so opposed in their methods and objectives that they are always going to be in conflict.	20	32	9	
The Correctional Officer's image is improving in the community.	22	27	11	
Individual Correctional Officers usually develop a feeling of trust and mutual respect with certain inmates.	29	24	4	1
The concern about being brought into court by an inmate effects some Correctional Officers' performances of duty.	19	26	14	
Prisons should anticipate and act in certain areas before the courts get involved and force changes.	37	19	6	
A policeman testifying in court is really the same thing as a Correctional Officer appearing before the Courtline.	38	19	3	
I feel I have benefited from the training in behavioral sciences.	30	21	7	
The organization is so big and complex that the line Correctional Officer is too often not considered.	22	26	10	
I feel I am well qualified for my job.	40	24	0	

	SAY	HEAR	SEEK
I have trouble understanding what treatment personnel are really trying to do.	4	13	49
I like the challenge and "difference" of prison work.	24	32	12
In this institution it is possible to improve or "correct" inmate behavior.	12	18	33
The Correctional Officer is the person who can most positively influence inmates.	13	33	21
Correctional Officers have the support of supervisors in their efforts to maintain order and control.	18	24	26
Courtlines are fair to all concerned.	11	36	18
I feel that my work and efforts are appreciated by my superiors.	11	32	16
Criticism or correction from supervisors is in a constructive and positive manner.	15	38	16
I consider my job very frustrating.	5	8	46
Prison disturbances are the result of a lack of discipline.	12	24	30
There is a degree of fear in the work of a Correctional Officer which effects his attitudes and actions.	5	12	49
In dealing with inmates, I am worried about getting myself in trouble legally or with supervisors.	3	3	34
Having to appear in courtline over writing up an inmate is a distasteful experience for a Correctional Officer.	5	13	31
I think the courts overreact to inmate complaints.	4	24	35
I think I am sufficiently kept informed of policies, rules and regulations in the institution.	16	30	17
My supervisors are open to questions and suggestions.	24	24	20

Addendum One

CONSORTIUM OF STATES TO FURNISH
LEGAL COUNSEL TO PRISONERS
Discretionary Grant No. 71-DF-1116

STATE OF GEORGIA

ANNUAL STATISTICAL REPORT

This report covers the activities of the Georgia portion of the Grant Project through the close of the Grant year, April 30, 1973.

SUMMARY

The Georgia portion of the Grant has furnished legal advice, counseling and assistance to more than 2500 individual prisoners since its operational inception on March 27, 1972. Most individuals (90%) were interviewed personally either at the Georgia Diagnostic and Classification Center, Jackson, Georgia (the Project's headquarters and offices) or at Georgia State Prison, Reidsville, Georgia. The remainder were initiated through direct correspondence from the individual prisoner to the Project, or by referral from State officials, the Offices of the Governor and Lieutenant Governor, the Department of Corrections, the Board of Pardons and Paroles, individual Wardens and Corrections Officers or by the "grape-vine". Cases were carried on by direct correspondence or interview from the Project to the prisoner wherever he might be within the Corrections System.

Legal services furnished ranged from the explanations that, under the facts and law available (from prison records, court orders, letter and telephone inquiries to courts, state agencies, District Attorneys, trial defense counsel and witnesses as well as some transcripts of trials) there was no problem or even hope of changing the results of the individual's trial and, in some cases, appeal, to the preparation of pleadings and representation in state and federal courts. The services furnished include advice and assistance in connection with "jail time" credit, the calculation of statutory and extra good time, requests for speedy trial or other disposition of pending charges, warrants and detainers from intra and interstate and federal jurisdictions as well as all aspects of the trials which resulted in the incarceration of the prisoners. When requested, advice and assistance was given on civil type legal problems, principally domestic relations, tax and miscellaneous other matters. These

Action Date Init.

ART _____ 7/8/74 _____

RTB _____ _____ _____

CLD _____ _____ _____

PLW _____ _____ _____

ART _____ _____ _____

civil law problems represented only a very small portion of the services rendered and most involved referral to, or obtaining the assistance of, the bar or attorneys in the locality where the cause arose.

Corrections authorities of the State have cooperated fully in permitting the Project to furnish these services freely and independently and without interference or hinderance with the Project's obligation to its clients. The Project and its personnel for their part make every effort to carry out its mission of furnishing competent and reasonable legal services to its clients without interference with, or disruption of, correctional duties or programs and actions, so long as the obligation of the Project to furnish competent legal services to the individual prisoners permit. Letters from officials of the Department attached as Exhibit(s) 1-5 to this report evidence their views of the program. Additionally the direct contribution of salaries for two more attorneys and increased logistical support for the Project by the Correctional System indicates their belief in the Projects value to them.

The Project makes strenuous efforts to acknowledge and act on, or to indicate to the requesting prisoner that, the assistance or advice he sought will be forthcoming as soon as possible. Where further information is needed it is requested through interview or correspondence. Advice on the status of efforts on the part of the Project in individual cases is frequently made to prisoners who have been transferred to other institutions whenever possible and feasible.

While the desires of prisoners cannot always be met in obtaining favorable resolution of their problem and they tell us they are unhappy with the time consumed in the Project's efforts to serve others as well as themselves, (and they say so) many more prisoner-clients express gratitude that someone is working solely for them within a system that, to most, seems stacked against them.

As a result of the Project's continuing presence at Jackson and the enlightened attitude of the Correctional personnel stationed there, Project personnel have been able to advise correctional personnel on modern disciplinary and grievance procedures when no specific case or client is involved. After the Project had been at Jackson for some six to eight months that institution's disciplinary procedures were amended to permit advocacy, and additional hearing and recording guidelines were promulgated.

The majority of the Project's clients seem satisfied with the efforts made by the students and attorneys on their behalf, but no one can win all the time. Additional supportive personnel para professionals and attorneys would allow greater efforts, an increased availability of the services to all Georgia prisoners and a speedier reaction time.

GOALS

At the inception of the Georgia phase of this consortium of States, emphasis was placed on furnishing competent and reasonable legal services through the practical approach to the solving of prisoner's legal problems by administrative, and extra judicial measures, and invoking the time consuming judicial procedures only when absolutely necessary. When the enforcement or insistence on protection of prisoner rights could only be accomplished by judicial action, would be more expeditions, or might otherwise adversely affect the prisoner, judicial action was initiated immediately. This attitude was designed to enable Project personnel to obtain the maximum possible results for the prisoners with the minimum expenditure of labor and with as little judicial and other official burden as possible. It also enabled the Project to maintain a low visibility profile avoiding unwanted, unnecessary and unhelpful publicity.

Another goal envisioned was to obtain the widest possible use of the available legal services for the maximum number of prisoners, consistent with manpower and other available Project resources. In interviewing and processing over 2500 individuals with real or fancied legal problems in little more than a year with the personnel assigned, this goal was approached.

Prompt response to prisoner requests for advice and assistance has been a touchstone of the Georgia project. Initial interviews in almost all cases at Jackson have been scheduled within three to seven days. Response for initial assistance or interview at Georgia State Prison in Reidsville, Georgia have been scheduled, where possible, for the next week's trip to that institution. When the prisoner cannot be seen on the first trip he, ordinarily, is rescheduled regularly until seen.

Investigation of allegations by prisoners usually takes more time than the prisoner thinks necessary. Project personnel, either personally, or in writing, make every effort to assure, and reassure, the prisoner that his case is being investigated. Attempts are made, with reasonable success, to explain to the prisoner logical reasons why his case cannot be thoroughly investigated within the time he believes adequate.

To the extent possible, every action taken on behalf of an individual is recorded either in his case file, or on his index card, so that the built in change-over of personnel will have only minimal affect on the investigation and processing of the individual's problem. This recording of problem, facts and data while not perfect and subject to some slippage due to personnel shortages does enable the Project to maintain a running history of problems considered, action taken and explanations made or solutions obtained.

The students, who have been members of the Project have rendered tremendous service to the prisoners not only in advising and assisting them with their legal problems, but also in treating prisoners sympathically, yet realistically, as individuals. Meanwhile the students have gained invaluable insight into the workings of the judicial and corrections system and have received experience such as few others have. They have also been exposed to the necessity, while still students, of making the right, persuasive approach to judges and other officials in order to further the interests of their clients. They have also been impressed with the necessity, and value of following up unanswered inquiries and requests for actions without the deadlines and clout of judicial rules and action requirements.

This Project has already had some influence on the revision and publication of disciplinary action procedures and guidelines at Jackson. Dissemination of the Kansas Project's Disciplinary Actions Rules and Regulations to select corrections officials was accomplished in an effort to help bring about corrections wide revision and adherence to one set of rules and regulations.

A model plan based on Georgia experiences is in the process of being formulated for submission at a later date.

IMPACT AND RESULTS

Hard data on the impact of this Project so far as the prisoners are concerned is not available. That they are generally aware of the services available is evident from the fact that many times our personnel are stopped in the halls at Jackson, or in the yard, or corridors, at Reidsville and asked: "Are you the Legal Aid people?" The Project has also received two letters from prisoners in the Florida prison system and one from the Michigan system asking for legal advice and assistance.

Project personnel have been pleasantly surprised, on occasion by the apparent willingness of prisoner-clients to accept the fact that they have no ground for any further action, and the Project's advice that they should concentrate on getting ready for parole. Those who accept the Project's evaluation of their cases seem to pay close attention to suggestions about actions they should take through family, friends and employers to achieve a climate conducive to favorable consideration for release on parole.

Success in reducing the number of pro se petitions for writs of habeas corpus in the Butts County Superior Court, Jackson, Georgia (Diagnostic Center jurisdiction) was evident early, when the average number of petitions for writs of habeas corpus filed, without any being filed by the Project, dropped from an average of over 10 a month to an average of just over five a month, during the first seven months the Project was in operation. During the entire period of operations at Jackson, the number of petitions for writs of habeas corpus totalled 79 with nine being filed by the Project.

At Georgia State Prison, in Tattnall County, Georgia, the largest concentration (2200-2400) of long term prisoners in Georgia, which is visited by Project personnel an average of one day each week the picture is not so clear. In seven months of 1971 (May through December) 85 petitions were filed. In the year 1972 141 petitions were filed and in the first three months of 1973, 38 were filed. Project visits to Georgia State Prison began in August 1972. In the four months during 1972 when the Project visited that prison 60 petitions were filed with the Tattnall County Superior Court. In the first three months of 1973, 38 petitions were filed, including nine filed by the Project.

In twenty-eight cases throughout the State, the Project has filed, is about to file or has assisted in the preparation and filing of post trial relief pleadings of one sort or another. Three additional cases are also before the federal courts. The nine in Tattnall County are all awaiting decision. In Butts County six are awaiting decision. Of the nine post trial actions, filed by or with the assistance of the Project, which have been already decided and not carried to federal court, in seven the relief requested was granted. The remaining two were denied. The Butts County Superior Court judge has already noted in open court and in writing the reduction in the number of petitions filed in his court.

Letters and individual complaints from prisoners are referred to the Project at Jackson by many state officials from the Governor on down through an individual warden and correctional officers and including some legislators, officials of the Department of Offender Rehabilitation and the State Board of Pardons and Paroles.

The revised and recently repromulgated rules and guide lines for disciplinary hearings at Jackson has already been mentioned together with the introduction of the advocacy program into such hearings.

METHODS AND TIMETABLE

The emphasis placed by the Georgia Project on making legal services available to the greatest number of inmates possible, was made possible by the Project's presence inside the Diagnostic Center at Jackson where most prisoners enter the system and the great majority of prisoners are "diagnostics", undergoing evaluation and testing, prior to being sent to a institution as a "permanent". In carrying out that emphasis, insistence on rapid response and use of non-judicial methods in attempting to solve legal problems enabled the Project to handle more than 2500 individual clients, some with multiple problems, and many with five or more interviews.

All inmates at Jackson are informed of the availability of legal services, at their initial orientations by the corrections authorities. This is done orally through a film strip talk, and in writing, by handouts. Both the oral and written information was prepared and approved by the Project. The fact that the legal services are furnished through personnel entirely separate from, and independent of, the Department of Offender Rehabilitation is stressed. Prisoners are informed the legal advice and assistance on problems involving the inmates themselves or those of their families can, and, where appropriate, will, be given.

Prisoners are supplied with forms available to all, to request legal interviews. Additional copies are maintained in each cell house. Prisoners are informed that any indication by letter or note addressed to Legal Counsel, or orally to a corrections officer or institution counselor will, when received by the Project result, at Jackson, in an interview being scheduled, generally on the third day after the Project receives the request. When necessary, or required, an interview is held as soon as the prisoner can be made available. Interviews have been provided on five minutes notice and even, subject to security requirements, instantaneously, on direct request of the prisoner to Project personnel. When a divorce answer or an objection to proposed adoption of the prisoner's child or children is needed, the prisoner gets the answer or objection typed immediately, he signs it, the Project arranges for notarization, if necessary,

and mails the document immediately. In one instance a pro se notice of appeal was taken to a distant county and filed, to try to preserve the prisoner's right to appeal.

At Georgia State Prison a different picture is presented, and other procedures required. As previously indicated, it is the principal, and largest, maximum security prison in Georgia housing between 2200 to 2400 prisoners. Most are long term, maximum security risks. Project personnel are not stationed there.

Information about the legal services and their availability is furnished to the Georgia State Prison Warden through copies of the handout prepared at Jackson. This was reproduced and is disseminated to incoming prisoners orally and by the typed handout as in Jackson.

Because of the security measures at Georgia State Prison, the large number there and with no Project representative stationed there, requests for interviews are usually sent to the Assistant Warden, Care and Treatment. A list is then sent to the Project at Jackson. Requests for interviews and other requests may, and frequently are, sent directly to the Project at Jackson. The list and written requests are then combined into a "hold in" request sent to Georgia State Prison by teletype for a specified day in the week. Seldom does the teletype list fall below twenty names. The last contained 36 names. The request list and the mailed requests enables the Project, in most cases, to obtain the prisoner's file or information pertaining to his inquiry and have it available for the interview.

An attorney, or an attorney and one or more students, travels to the prison at Reidsville on the designated day. Beginning at approximately nine o'clock in the morning, interviews are held as quickly as possible (but without stinting the time necessary), and continue as rapidly as prisoners are made available until they stop coming. Because of the size of the prison and the diverse activities going on there, not all prisoners requested show up for the interviews. Activities slow down within the prison as the evening meal approaches at 3:30 or 4:00 P.M. Interviews have continued, at times, until 5:15 or 5:30 in the main part of the prison and then in the "trustee" wing until after 6:00 P.M.

When the prisoners requested cannot be interviewed on the day scheduled, their names continue to be listed until they can be interviewed. Most of them are interviewed within two weeks after any request is received.

The Georgia Industrial Institute at Alto, Georgia is another State institution originally serviced on a weekly basis by the Project from Jackson. The work load engendered by the Jackson and Reidsville institutions, together with correspondence from other institutions and referrals by state authorities, became so heavy that service to that institution is now being handled by the State Coordinator, out of his Legal Aid Society, Inc. Office at Athens. His office also has arranged for female law students to offer legal services to women prisoners at the Georgia Rehabilitation Center for Women, at Hardwick, Georgia. Figures and statistics given herein do not include services furnished out of the Legal Aid Office at Athens.

An attorney is always present, to whom a student, or inmate, can refer for any type of advice or guidance and frequent discussion of facts, law and tactics occur. When students are initially assigned to the Project, an attorney, or more experienced student, usually sits in on interviews by the new students until the new student feels secure and has an idea of what sort of information he needs.

All typing of letters or documents goes through the hands of the Project's single secretary, who brings any questionable matters to the attention of the Director, or an attorney, for approval before it is typed. If inappropriate or unclear, the questionable material is taken up with the student or attorney, and discussed until cleared up.

When the basic facts are obtained from the inmate and his problem isolated, his prison records are checked when necessary for verification of some of the facts. Necessary inquiries are then initiated by mail or telephone to obtain more information. When all possible information has been gathered, or before - if indicated, any necessary research is carried out either at Jackson, through student research available at the University of Georgia Law School, or at other law libraries in Atlanta, principally that of Emory University Law School. When deemed advisable the case is discussed with other members of the Project.

The prisoner is then advised of the Project's opinion in the matter and its proposed solution, or future course of action for the individual. If he agrees with the Project's proposal or accepts its opinion action is initiated. If he does not agree even after full discussion and explanation, he is advised he is not bound to accept the opinion or advice and is free to ignore it. He is free to obtain other advice on his problems. Most prisoners accept the Project's advice, opinion or suggestion, but

those who do not are advised that the Project cannot take any further action on his problem, but will cooperate with any other attorney on his case.

Based upon the Project's experiences a model plan is to be developed and forwarded to the Consortium Center by early fall 1973.

EVALUATION

In addition to the evaluation of the Georgia Project contained in the Consortium Center report the letters from the Corrections Officials and the Butts County Superior Court judge (Exhibits) are a form of evaluation from one side of the picture. Although not universal by any means, the reaction of inmates may be inferred from the number of inmates who have sought the Project's help, bearing in mind that the Project is their only source of legal assistance available in the prison system. A surprising number of inmates, after full explanation of the various aspects of their cases, seem to accept advice that they concentrate on getting ready for parole as the best thing they can do for themselves.

As set forth in the original Grant Application, the most effective time to make legal services available to prisoners is when they first come into the system. Once they pass into "permanent" prisoner status they are more affected by the general attitude of prison life and that of the older recidivist prisoner.

With an average prisoner population in the State of Georgia (Grant Year) of 8288, the Project as presently constituted cannot possibly make the legal services contemplated available to all within the system. Additional attorneys together with para legal and additional secretarial and typing assistance would be required. A steady manning level would also help do a better job.

RESOURCES

The Georgia Project was planned to begin with a State Coordinator, the State Director, a secretary and four law students as personnel, offices and office equipment at the Diagnostic Center in Jackson and 2,000 hours of student research available at the law school at Athens. Students were to spend a full school quarter at Jackson and then be replaced by an equal number of students. Because of school schedule conflicts and the distance between Jackson and the Law School campus at Athens, only two graduate students and one third year student arrived the first quarter. One of the graduate students left for a full time law office job at \$10,000 a year ten days after his arrival. The summer quarter brought four rising third year students. During the fall and winter quarters only one student was available per quarter. Two arrived for the spring quarter 1973.

The State early recognized the need for more attorneys for the Project and entered into a contract with the University to supply the Project with two attorneys at Jackson, additional Project students at Athens and provided some logistical support at Jackson principally typing assistance, when available. An experienced post-trial relief attorney, James C. Bonner, Jr. joined the Project in June, titled as Legal Counselor since State money could not be used to hire him as an attorney without putting him under the control of the Attorney General of Georgia. J. Wallace Speed awaiting his Georgia Bar examination was hired as a Graduate Assistant. He subsequently passed the Bar and became a "Legal Counselor". As of April 1, 1973, Speed left the Project to become an Assistant District Attorney in Fulton County, Atlanta, Georgia.

The secretary at Jackson does all the typing, filing and most of the recording for the entire Project at Jackson. She handles all files and maintains records and record cards.

Originally it was contemplated that all legal research would be done by the student research operation at Athens. This soon proved to be inefficient for day to day counseling since at least a week was lost between recognition of the problem and completed research. The State offered to supply a legal library at Jackson and a mobile library to travel to other institutions. Cancellation of funds aborted both.

Both attorneys and students felt that something more than the Georgia Code Annotated was needed at Jackson to enable quick research into minor or major problems requiring speedy answers. This belief coincided with the Project's attempts to give quick timely service to the maximum number of prisoners. As of April 1, 1973 \$2000 in Project funds were to be used to obtain a more complete

library for Jackson. With the additional legal materials available the Project should be able to be even more effective in the ensuing year.

Frequent exchanges of information, discussion and advice are obtained from the State Coordinator in Athens. He also appears on pleadings as counsel since Mr. Speed's replacement has not been hired in spite of continuing efforts to obtain another attorney.

The State Department of Offender Rehabilitation has also indicated it is contemplating supplying additional "Legal Counselors" in the future to the Project.

One of the principal resources of the Project has been the enthusiasm and plain hard work of the Project staff. All pitch in to get the job done, and done well. Cooperation between institution staffs, corrections and Department authorities and the Project has been continuously excellent, and mutually beneficial.

Additional personnel as already indicated is required to do a better job for the thousands of inmates not yet reached.

ANNEX

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 71-DF-1116

State of Georgia

ANNUAL STATISTICAL REPORT

(All Answers as of Close of Grant Year, 30 April 1973)

PART I - CLIENT SERVICES

1. Number of persons in state corrections system on 30 April 1973. 8,555

2. Number of cases March 27 1972 to 30 April 1973. 2519

	<u>Civil</u>	<u>Criminal</u>
a. Closed	<u>230</u>	<u>2004</u>
b. Open	<u>13</u>	<u>272</u>
c. Closed by court action	<u>3</u>	<u>7</u>
d. Closed by other means *	<u>227</u>	<u>1997</u>

*"Other means" is taken to mean decision that no further action is warranted.

3. a. Brief description of general nature of cases handled--what kind constituted greatest volume of cases, what kind of cases required the most lawyer time, the most student time? See attached sheet

b. Are you at this time able to handle your inmate clients' cases in the regular course of business without undue delay or backlog? If you are not, indicate short falls and, also, plans for increasing your staff or changing your operating procedure so that you can eliminate backlogs and undue delays. See attached sheet

Please use separate sheet for answering 3a and 3 b.

3a. All types of cases were handled from domestic relation advice to carrying state court criminal decisions to Federal courts.

The vast majority of cases involve request for post-trial relief. They want to "get back to court". The greatest volume of cases involve explanation of jail time credit and sentencing. This, together, with explanation of the effects of a guilty plea and plea bargaining represented 60-70% of the Project work load. This percentage required great amounts of investigation, and checking, with courts, attorney,s witnesses, sheriff's offices and corrections authorities.

Most attorney time was required in research and obtaining and reading trial transcripts and records when it appeared post-trial relief might be in order and when found in preparing pleadings. Most student time was consumed by interviewing, and investigation into court and other records and attempts to obtain needed records. Georgia law does not require the furnishing of a transcript without charge unless a Motion for a New Trial or an appeal from the trial court has been timely filed.

3b. At present we are able to initiate interviews without undue delay or backlog and keep reasonably current. There is a tremendous court workload building up which while still current could become unmanageable. Hire of the replacement attorney (two staff attorneys authorized only one on board) and the States proposed increase in attorneys (with supporting personnel) will keep it manageable. The State Coordinator is presently using every available means to procure the replacement attorney.

4. Are all inmates taken into the corrections system notified of availability of legal service to indigent inmates? Yes X No

a. By written notification? X

b. By interviewer or first counselor? unknown

c. Other means? At Jackson X

Comment: At Jackson the prinicpal place of entry all inmates are advised by film strip talks and written handouts and advice from all personnel. At Georgia State Prison written notification is given to all incoming inmates. At Alto the only other entry point we are told written notification is given.

5. When they think it needed, do corrections personnel refer inmates for legal advice? Yes X No

Comment: All corrections personnel seem to be aware of the legal services available and they frequently suggest a request for an interview to the prisoner and then tell project personnel of the prospective request.

6. Are measures taken from time to time to remind inmates that legal services are available? Yes X No

a. If yes, how? Handouts are available for distribution at the three entry points. Those institutions which have newspapers and share them wit other institutions have run articles about the Program.

b. Do you give a first interview within ten days of receipt of request for legal service? Yes X No

c. Do you have a system that permits an indigent inmate with an emergency legal problem to secure prompt legal advice? Yes X No

If yes, how? When notified we immediately interview at Jackson, and schedule on next trip to Georgia State Prison. Respond immediately to letters indicating an emergency.

7. Do you keep a file on prisoner requests you have processed so that you can check each new request to see whether you already have performed services for the individual before? Yes X No

PART II - RELATIONSHIP WITH STATE OFFICIALS AND JUDGES

1. a. Have you taken action to alert state officials to refer to you prisoner letters involving legal problems--thus expediting service and lightening the load on the official? Yes X No

b. If yes, what action? An early article was published in the Department newsletter. Have advised the Supreme Court Justices Association representatives of the availability of the services. The Governor's office knows about it. No further publicity has been sought to avoid increasing the work load beyond capacity.
If no, why not?

c. Will you send a copy of your coming annual report under appropriate cover letter to judges and to other state officials who should be interested? Yes No X

d. Have the legal services rendered to indigent inmates reduced the load on the state courts? Yes X No

If yes, explain briefly on a separate sheet and give your method of calculating the reduction achieved. See attached sheet

e. Have you reduced the time spent by corrections personnel on court work or in court? Yes X No

If yes, estimate percentage and explain briefly below or on a separate

sheet. At Jackson (Butts County) approximately 50% (See 1a Part II above). At Georgia State Prison, Tattnall County unknown. Special Assistant Attorney General for Butts County writs (Larry Evans of Griffin) states appreciable cut.

Part III

1. d. In Butts County Superior Court petitions for writs of habeas corpus (monthly average) reduced 50% in first seven months of operation. Five cases now pending in that court were prepared and typed by Project staff. See also letter of Judge Sosebee (Narrative Report Exhibit 5.)

In Tattnall County no appreciable decrease in number of writs, but nine pending prepared and typed by Project. Previously almost all petitions were handwritten, inappropriately worded and frequently almost illegible.

PART III - PERSONNEL

Lawyers - Full time

- 1. Number of full time lawyers who now work in your program? 2
- a. Number funded by grant? 1
- b. Number funded locally? 2 (One position vacant)
- c. Total months each lawyer above has been with program? _____

Director (McCartin) 13

Staff Atty/Asst Dir (Bonner) 10

Lawyers - Part time

- 2. How many lawyers participated part time in Consortium work at the end of this grant year? (State coordinator not counted) 0

a. Number and percentage?	Percentage of Time	Nature of Work	Cost of Time Devoted to Project
(1) Grant funded?	_____	_____	_____
(2) Locally funded?	_____	_____	_____

RECAP: Total Cost, all lawyers (III, 1 and 2) (Now in Project) \$30,200 annual*
*cost for speed not included-left program

Students

- 3. Total law student hours spent in program during year, including academic instruction? 26 Hours
- a. Grant funded? 2000 Hours

represents soft match contribution.

- b. Locally funded or provided without funding? 26 hours
- c. Number of students who received academic credit for project work or project related courses? 120 students

Non-lawyers, Non-students

	Number of Full time	Number of Part time	Cost Both Full time & Part time
4. a. Number engaged in direction and supervision?	N O N E		
(1) Grant funded?	_____	_____	_____
(2) Locally funded	_____	_____	_____
(3) Total cost?	_____	_____	_____
b. Number engaged in special studies?	N O N E		
(1) Grant funded?	_____	_____	_____
(2) Locally funded?	_____	_____	_____
(3) Total cost?	_____	_____	_____
c. Number engaged in administrative or clerical services?			
(1) Grant funded?	<u>1</u>	_____	<u>\$5400</u>
(2) Locally funded?	_____	<u>2</u>	<u>3000</u>
(3) Total cost?	_____	_____	<u>\$8400</u>

2713

Department of Offender Rehabilitation

LEE ARRENDALE
CHAIRMAN
JACK T. RUTLEDGE
VICE-CHAIRMAN
E. B. REGISTER, SR.
MEMBER
GRAHAM W. JACKSON, SR.
MEMBER
W. F. EASTERLIN, JR.
MEMBER



ELLIS C. MACDOUGALL
COMMISSIONER

Room 815
270 Washington Street S. W.
Atlanta, Georgia 30334

March 27, 1973

Major General Charles L. Decker
Charles L. Decker and Associates
The Brookings Institute Building
Suite 310, 1755 Massachusetts Ave., N.W.
Washington, D. C. 20036

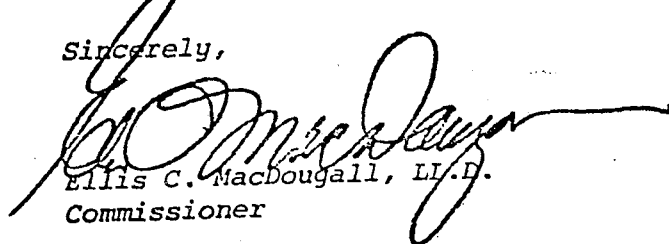
Dear Major General Decker:

I wish to offer my complete endorsement of the program initiated to provide legal services to prisoners which is being offered by the Legal Aid and Defender Society at the University of Georgia, School of Law.

They have provided legal assistance in Disciplinary Board Hearings; have represented inmates before the Disciplinary Committee; have provided general guidance and support in advising inmates of their legal rights; and have assisted many of them in clearing up legal problems that exist outside the Correctional System that bring a great deal of anxiety and concern on inmates who are in prison and have no control or access to legal services in the free world.

It is my hope that the Legal Aid and Defender Society, University of Georgia, School of Law, will continue to offer services to the offenders in Georgia. We have, in fact, planned for the support of additional positions to provide these individuals with the kind of personnel needed to assist them in meeting all the legal needs of inmates in our Correctional System.

Sincerely,


Ellis C. MacDougall, LL.D.
Commissioner

ECM:REL:bp

Exhibit-1



Georgia Diagnostic & Classification Center

Department of Offender Rehabilitation

Jackson, Georgia 30233

March 19, 1973

Allen L. Ault, Ed. D.
Superintendent & Warden

General Charles L. Decker
Charles L. Decker and Associates
The Brookings Institution Building
Suite 310, 1755 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Dear General Decker:

In support of refunding the Consortium of States to Furnish Legal Counsel to Prisoners, the following statements are made:


The Legal Counsel for Prisoners Project has been operating in the prison I supervise for one year. I believe the project to be one of the most effective programs in our prison system. It has contributed greatly to the inmate morale because they believe, and it is true, that they now have fair and equal access to the courts.

In addition to the immeasurable help provided to the inmates, this project has also assisted the prison staff and courts by actually reducing the total number of writs. This, in turn, provides a greater opportunity for inmates who have substance to their writs.

The legal staff has assisted the administration in improving many of their programs by giving us legal advice in matters of civil rights.

I strongly feel, that due to the project, inmates have made real progress in the past year, in securing justice and due process.

Sincerely yours,


Allen L. Ault, Ed.D.
Superintendent

ALA/w

CC: Col. George McCartin, Jr.

Exhibit-2

4/2/73

GEORGIA STATE PRISON



E. B. CALDWELL
WARDEN

REIDSVILLE GEORGIA 30453

March 28, 1973

Mr. George J. McCartin, Jr.
Director, Prisoner Legal
Counseling Project
Georgia Diagnostic & Class. Ctr.
Jackson, Georgia 30233

Re: Legal Aid Services

Dear Mr. McCartin:

I am writing this letter to you to inform you that we at Georgia State Prison definitely feel that your Legal Service Unit has been very satisfactory. The Unit has served as another of our many rehabilitative programs. It has been helpful in helping our inmates to relate to our counseling staff and has helped the inmate better relate to the entire staff in this institution.

I feel that the serious incident rate is certainly being reduced and also the number of inmates and the length of time being spent in segregation for administrative reasons is also on a downward trend. The Legal Unit's service in this institution has given the inmate a service that he could not have received in any other way and we are also grateful for this. I receive many comments from the Correctional Staff as well as the Counseling Staff commenting on the excellent job you and your staff are doing in this institution.

I certainly urge the continuation of this vital service and realize the effect it would have on the inmate population if it should be discontinued. Again, let me say that I think our system is very fortunate to have this type service and I, along with other members of my staff, are very grateful and will be happy to help you in any way we possibly can to assure that it is not discontinued.

If I can help you in any way, feel free to call me at any time.

Sincerely,

E.B. CALDWELL
WARDEN

EBC:msh.

CC: Mr. Ellis C. MacDougall, Commissioner

Mr. Al Dutton, Deputy Commissioner

Exhibit-3

7/20/73

GEORGIA STATE PRISON



E. B. CALDWELL
WARDEN

REIDSVILLE, GEORGIA 30453

March 27, 1973

Mr. George J. McCartin, Jr.
Director, Prisoner Legal
Counseling Project
Georgia Diagnostic & Class. Ctr.
Jackson, Georgia 30233

Re: Legal Aid
And Defender Society

Dear Mr. McCartin:

The purpose of this letter is to inform you of the excellent work I feel your unit is doing in this institution. I believe your work has been very instrumental in upgrading the morale and answering numerous legal questions our inmates have. I believe that Georgia has been very fortunate in having this type service and I must sincerely urge its continuation.

I, along with others in this institution including numerous numbers of inmates, feel that it would be difficult now for us to be without the services your unit renders.

I, personally, feel that our serious incident rate is definitely on the decline. I also feel that the number of inmates in all types of segregation shows a downward trend. I must again say that we are very appreciative of your sincerity and the type service you have furnished our inmates.

If we at this institution can be helpful to you in any way in helping to continue the program, we will be happy to do so. If, at any time, we can furnish you with advice or information concerning our institution, please advise.

Sincerely,

Bruce Brown
Assistant Warden
Care and Treatment

BB:msh Exhibit-4



SUPERIOR COURTS
FLINT JUDICIAL CIRCUIT

BUTTS, HENRY, LAMAR AND MONROE COUNTIES

SEP 21 1972

FORSYTH, GEORGIA 31629

HUGH D. SOSEBEE
JUDGE

September 14, 1972

Mr. George J. McCartin, Jr.
Director
Legal Aid and Defender Society
Georgia Diagnostic Center
Jackson, Georgia 30233

Dear Mr. McCartin:

This has reference to your letter of August 28, 1972. I have no objection to your setting up a program for legal seminars for state prisoners in which you would seek to explain to them why certain grounds for habeas corpus relief are not in order.

As you may know, until your services became available to the inmates at the Jackson institution, we were having approximately twelve to fifteen habeas corpus petitions per month. This number has been reduced for the last two or three months. I am not sure just exactly how many cases have been filed, but this information is readily available in the Office of the Clerk of the Superior Court of Butts County. I am sure he can give you a good comparison on the number of cases heard each month. Your assistance to these inmates has up to this point been very helpful and has certainly saved the Court a great deal of time.

With kindest regards, I am

Sincerely,

Hugh D. Sosebee

HDS:fr

Addendum Two

LEGAL SERVICES FOR PRISONERS, INC.
5600 WEST SIXTH
Box 829
TOPEKA, KANSAS 66601

DIRECTOR
PETE FARABI
LITIGATION ATTORNEY
FRED S. JACKSON

July 10, 1973

Charles L. Decker
Brookings Institution Building
Suite 310
1755 Massachusetts Ave. N.W.
Washington, D.C. 20036

Dear General Decker:

Enclosed please find the annual report for the State of
Kansas.

Very truly yours,


Pete Farabi
Director

PF:mfg
Enclosure

Action Date Init.

ART	Rec'd	7/13/73	URS
RTB	✓	7/12/73	RFB
CLD	_____	_____	_____
PLW	_____	_____	_____
ART	_____	_____	_____

TELEPHONE
AREA CODE 913
272-4522

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 71-DF-1116

State of Kansas

ANNUAL STATISTICAL REPORT

(All Answers as of Close of Grant Year, 30 April 1973)

SUMMARY

Prior to August of 1972 adequate and competent legal services for inmates of the Kansas Correctional Institutions was essentially inadequate. The establishment of a legal services program in the State of Kansas, through the Consortium of States to Furnish Legal Counsel to Prisoners, was initiated to furnish adequate and competent legal counsel to indigent prisoners incarcerated in state institutions in Kansas.

The personnel for Legal Services for Prisoners have cooperated with the correctional authorities where the attorney client privilege would not be endangered. We have also worked closely with the clinical personnel at the correctional institutions in the State of Kansas.

In our role as legal counsel to the indigent inmates of the Kansas Penal System we have assisted the penal authorities in isolating the sources of inmate grievances and in solving the problems at the lowest possible level. In negotiating the problems at the lowest possible level Legal Services for Prisoners has reduced the volume of litigation affecting the authorities of the Kansas Penal System and the prisoners of the State of Kansas. In so doing we have reduced the pro se proceedings and the post conviction proceedings filed in Kansas.

I. GOALS

The establishment of legal services for indigent inmates of the Kansas Penal System was a primary goal of Legal Services for Prisoners, Inc. The personnel of Legal Services for Prisoners have endeavored to render efficient services to the inmates of the Kansas Penal System and to do so within a reasonable amount of time. We have developed a records system which makes the handling of the legal services both efficient and economical.

Legal Services for Prisoners, Inc. was to provide follow up legal services during the post release phase of rehabilitation, however, this has only been accomplished on a somewhat limited basis. The primary reason for limiting the involvement of Legal Services for Prisoners in the follow up legal services during the post release phase of rehabilitation has been our involvement in representing inmates at Disciplinary Board hearings.

Effective August 1, 1972, policy guidelines on inmate disciplinary procedures for the State of Kansas were established by the Director of Penal Institutions. The stated policy was to provide inmates with fundamental due process when they were accused of having violated institutional rules. Attached to this report, and marked as attachment "A", is a report by the litigation attorney for Legal Services for Prisoners, Inc. entitled "Disciplinary Board Hearings at Kansas State Penitentiary". I would refer the reader to attachment "A" which will clarify the reason Legal Services for Prisoners, Inc. has not implemented to its fullest extent the follow up legal services during the post release phase of rehabilitation.

Legal Services for Prisoners, Inc. assisted the Director of Penal Institutions in preparing the policy guidelines on inmate disciplinary procedures and procedures in grievance matters. The Director's rules on inmate disciplinary procedures have been designed to handle problems of inmates at the lowest possible level resulting in a minimum need for the inmate to resort to litigation to resolve grievance problems or disciplinary problems that he might have while incarcerated in Kansas.

II. IMPACT AND RESULTS

The inmates of the Kansas Penal System have been the recipients for the first time of prompt and adequate legal services. We cannot emphasize too strongly the need for not only adequate but prompt legal assistance. The State of Kansas has had in the past a program to provide legal services to inmates of the Kansas Penal System and the services rendered were at all times adequate, however they were not always prompt. The backlog of cases prior to the formation of Legal Services for Prisoners, Inc. caused a delay which ranged from six to ten months before the applicant for legal assistance was interviewed.

Legal Services for Prisoners, Inc. has experienced delays of thirty to forty days while the law schools are in session and during the summer months. The delay has been somewhat longer during the Christmas holiday break and the spring semester break. The prompt attention given to the inmates' legal problems, imagined or real, has given a breath of new faith to the inmates in regard to our system of justice. The new faith, coupled with the removal of the legal problem, has enhanced the inmates chances for rehabilitation.

As stated earlier, an attachment has been included which was drafted by the litigation attorney in regards to the Disciplinary Board hearings at the Kansas State Penitentiary and I might emphasize that the same proceedings which take place at the Kansas State Penitentiary are also taking place weekly at the Kansas State Industrial Reformatory at Hutchinson, Kansas, the Kansas Correctional Institution for Women at Lansing, Kansas, and the Kansas Reception and Diagnostic Center at Topeka, Kansas. The only difference is that the litigation attorney, together with the law students, handles the bulk of the work at the Kansas State Penitentiary, while the full time Director handles the disciplinary hearings at the Kansas State Industrial Reformatory at Hutchinson, and at the Kansas Reception and Diagnostic Center at Topeka. With the addition of another attorney to handle the problems at the Kansas State Industrial Reformatory at Hutchinson, the Director will be freed to assist the litigation attorney with the disciplinary hearings at Kansas State Penitentiary.

As evidenced by the number of support letters submitted to the Consortium Center in regards to our program, the governmental officials of the State of Kansas have been favorably affected by our program. The proliferation of pro se letters and post conviction filings that have in the past taken substantial amounts of time of not only legislators, members of the executive branch, and particularly the judiciary, has been reduced because the governmental officials and judges now have a central program to which they can refer problems involving inmates of the Kansas Penal System. The number of pleadings and letters written and filed with legislators, members of the executive branch and the judiciary, has been reduced. Pro se and post conviction proceedings involving the authorities of the Kansas Penal System have been reduced approximately 45% in Kansas. The correctional authorities, the Board of Probation and Parole, the Attorney General's office, the Governor's Pardon and Extradition Attorney, members of the Bar, and minority organizations have referred prisoner complaints to Legal Services for Prisoners, Inc.

The relationship of Legal Services for Prisoners and the correctional authorities for the State of Kansas has been one of mutual respect. Legal Services for Prisoners does not try to sensationalize the problems brought to it by the prisoners of the State of Kansas. We have always tried to keep the problems within the penal system and to have the authorities resolve the problems if at all possible. However, the reason we can accomplish so much by negotiation is that the authorities know that if need be we are ready and willing to take a meritorious complaint to the state courts and the Kansas Federal Courts if the problem cannot be resolved at the administrative level. The administration also knows that we will not make unreasonable demands nor will we make demands simply to cause the administration added problems. Legal Services for Prisoners in turn is fully aware that the authorities are reasonable and highly competent men and that they will not engage in practices simply to cause problems for the inmates of the Kansas Penal System or for Legal Services for Prisoners, Inc.

The State of Kansas, through the Governor's Committee on Criminal Administration, has funded an additional full time lawyer to be housed at the Kansas State Industrial Reformatory to provide legal assistance to the inmates at the Kansas State Industrial Reformatory at Hutchinson, Kansas and the four Honor Camps spread throughout Kansas. The initial grant was for \$30,250.92. The Governor's Committee on Criminal Administration has awarded Reno County, Kansas \$22,605.32 and the sub-grantee, Reno County, Kansas, has contributed \$7,645.60. The major factor in obtaining this grant from the Governor's Committee on Criminal Administration has been the support given to Legal Services for Prisoners, Inc. by the correctional authorities, the Attorney General's office, the judiciary of the State of Kansas, the Kansas Bar Association, and the accomplishments of Legal Services for Prisoners, Inc. in the months that it has been in operation in the State of Kansas.

The full time Director has initiated a program which can best be described as an orientation period for incoming inmates to the Kansas Penal System. The result of this orientation program has been the identifying of legal problems when an inmate is first taken into the Kansas Penal System. This then allows Legal Services for Prisoners, Inc. to dispose of the problem at the earliest possible point in time by negotiation, litigation, or by notifying the inmate that his problem does not have merit. The added advantage is that the inmate can then direct his energies toward the task at hand which is the rehabilitation of himself so that he may re-enter society and become a productive citizen.

As of 30 April, 1973, the number of cases handled or in process in the State of Kansas was: 445 cases.

III. METHODS AND TIMETABLE

METHODS

Legal Services for Prisoners, Inc. is a non-profit corporation governed by a Board of Directors. The Board of Directors employs a full time director, a part time litigation attorney, a full time administrative assistant/secretary, and a full time secretary. In addition the State of Kansas has a Project Supervisor who spends ten percent of his time on problems relating to Legal Services for Prisoners and an Assistant Project Supervisor who devotes two thirds of his time to the project.

The Assistant Project Supervisor for the State of Kansas, Professor Keith Meyer of the K.U. School of Law, devotes a portion of his time to the legal assistance provided to the prison population of the Federal Penitentiary at Leavenworth, Kansas. The prison at Leavenworth, Kansas, was added to the Consortium of States so that a comparative study of work loads could be made and so the modern concepts spreading through the federal system could be utilized in the states which are members of the Consortium.

The Director of Legal Services for Prisoners, Inc. and the Director of Penal Institutions for the State of Kansas work together in regard to the services that are to be rendered by Legal Services for Prisoners, Inc. We therefore insure that we will not interfere with the programs set up by the correctional institutions.

Legal Services for Prisoners, Inc. developed an orientation program which is a continuing program held every Wednesday at 1:30 p.m. at the Kansas Reception and Diagnostic Center, Topeka, Kansas. The majority of all adult male felons convicted in the State of Kansas and sentenced to the care and custody of the Director of Penal Institutions are sent to the Kansas Reception and Diagnostic Center for evaluation and classification, before being assigned permanently to one of the correctional institutions in the State of Kansas. Therefore, Legal Services for Prisoners, Inc. felt it imperative to establish contact with the inmate population of the Kansas Reception and Diagnostic Center so the inmate problems could be handled promptly and adequately when the inmate first comes into contact with the Kansas Penal System. Since January of 1973, Legal Services for Prisoners, Inc. has received ninety one requests for assistance from inmates of the Kansas Reception and Diagnostic Center. This is an average of 5.2 requests per week since the beginning of 1973.

Interviews at the Kansas Reception and Diagnostic Center are conducted by interns from the Washburn School of Law Legal Clinic and by the Director of Legal Services for Prisoners, Inc. The interns interview the inmates and take down initial information from the inmate concerning his problem. The intern then discusses the inmate's problem with the supervising attorney for that case. The supervising attorney could be either the Director for Legal Services for Prisoners, Inc., the litigation attorney for Legal Services for Prisoners, Inc., or one of the professors in charge of the Washburn Legal Clinic. At the meeting the supervising attorney and the intern will discuss the problem the inmate has conveyed to the intern and a course of action for resolving the problem will be outlined. The intern will then do the initial investigation and preparation of a memo to submit to the supervising attorney. The supervising attorney will then make a final determination as to whether or not the case is one which has merit or one which does not have merit. Upon making the determination of merit or no merit the supervising attorney and the intern will convey to the inmate the results of the investigation and inform the inmate of the opinion arrived at by the supervising attorney and the intern. The inmate will be advised of any valid problems he may have and how the lawyer proposes they should be resolved.

The requests for legal assistance received from inmates of the Kansas State Penitentiary at Lansing, Kansas are assigned to interns from the University of Kansas School of Law Defender Project. The interns travel to the Kansas State Penitentiary to conduct the initial interviews. After an initial interview has been completed the intern meets with the Director of Legal Services for Prisoners, Inc. and discusses with the Director the specific problem the inmate has

conveyed to the intern and all problems the intern has uncovered in his initial interview. The Director then confers with the intern and a determination is made as to the direction the investigation of the problem should take. If, after the initial investigation, it is determined that the problem is without merit the inmate is so informed. However, if the case has merit the inmate is advised of the method the lawyer proposes they should use to resolve the problem.

The students enrolled in the Defender Project at the University of Kansas School of Law must enroll in and complete a five week course in "State and Federal Post Conviction Remedies" before they are allowed to conduct initial interviews. The classes are two hours in length for a total of thirty-two classroom hours. Professor Keith Meyer, Assistant Project Supervisor, conducts the five week course. Professor Meyer has developed a comprehensive manual for the course which is used in the classroom, and will be used by the interns in the practical work with inmates. Course material covered is: (1) Writs of Habeas Corpus, (2) Collateral Attacks on Sentence, (3) Detainers, (4) Extradition, (5) Classification of Crimes and Penalties in Kansas, (6) Parole Board Regulations, (7) Clemency in Kansas, (8) Duties of and Statutes Dealing with the Bureau of Prisons.

During the summer months the University of Kansas School of Law Defender Project employs six full time students who conduct initial interviews, do the initial investigating and preparation of all legal pleadings under the direction of the Director of Legal Services for Prisoners, Inc. and the Assistant Project Supervisor. During the period August 1, 1972 through April 30, 1973 Legal Services for Prisoners, Inc. has received a total of 318 requests for legal assistance from inmates at the Kansas State Penitentiary.

The Board of Directors for Legal Services for Prisoners, Inc., at one of its first monthly meetings, passed a resolution that the emphasis of Legal Services for Prisoners, Inc. would be placed at the Kansas State Penitentiary, Lansing, Kansas, and at the Kansas Reception and Diagnostic Center, Topeka, Kansas. This left the Kansas State Industrial Reformatory, Hutchinson, Kansas, and the Kansas Correctional Institution for Women, Lansing, Kansas, at a disadvantage in regard to the services rendered to them by Legal Services for Prisoners, Inc. However, because of the recent grant from the Governor's Committee on Criminal Administration, Kansas State Industrial Reformatory at Hutchinson, Kansas will have a full time attorney assigned to it and the Honor Camps of the State of Kansas to provide legal assistance to the inmates incarcerated therein.

The full time Director of Legal Services for Prisoners, Inc. periodically travels to Hutchinson, Kansas to conduct interviews with inmates incarcerated at the Kansas State Industrial Reformatory. During the period August of 1972 through April 30, 1973, the Director of Legal Services for Prisoners, Inc. received requests for

services from 61 inmates of the Kansas State Industrial Reformatory at Hutchinson, Kansas. The method of obtaining information in regard to the problem referred to by the inmate was as follows: The Director would conduct the initial interview, do the initial investigating, and report back to the inmate as to whether or not his claim had merit. If his claim lacked merit the inmate was so advised, however, if the claim was one wherein the Director felt there was merit the Director would advise the inmate on the avenues available to resolve the problem. The Director would then handle the case from the initial interview to closing.

Enclosed you will find copies of the Personal Data Sheet and Financial Inquiry Sheet that are used by the interviewer at the initial interview to obtain information from the inmate in regard to the legal problems the inmate may have. These are marked as attachment "D".

Legal Services for Prisoners, Inc. endeavors to see the inmate within a thirty day period after the Request for Assistance is received. However, in some instances the delay has run as long as forty five days. In an emergency situation the inmate is placed at the top of the list and interviewed as expediently as possible. In no case do we not see him within the emergency time limit.

Posted throughout the Kansas State Penitentiary, Kansas State Industrial Reformatory, and the Kansas Reception and Diagnostic Center are Xerox copies of a letter addressed to the inmate population of each institution which sets out the services available to the inmates through Legal Services for Prisoners, Inc. The letter states that we will provide legal assistance to all indigent inmates of the Kansas Penal System. At the orientation program at the Kansas Reception and Diagnostic Center the Director informs each incoming inmate that Legal Services for Prisoners, Inc. will not only provide legal assistance to them while incarcerated at Kansas Reception and Diagnostic Center, but will provide legal assistance to them at their institution of permanent incarceration. We inform inmates that they may obtain forms from their classification officer at their parent and permanent institution and also can pick up Request for Assistance forms from the Director at the orientation program or from the authorities at the Kansas Reception and Diagnostic Center, if, in the future, they have a problem arise and are in need of legal assistance. See attachment "C".

TIMETABLE

Legal Services for Prisoners, Inc. became operational on the first day of August, 1972. At that time Legal Services for Prisoners, Inc. had employed a full time director, a litigation attorney, an administrative assistant/secretary, and a full time secretary to be housed in the University of Kansas School of Law. Legal Services for Prisoners, Inc. was operational during the first grant period for a total of nine months.

IV. EVALUATION

See Consortium Center Report.

V. RESOURCES

Professor Paul E. Wilson of the University of Kansas School of Law, Project Supervisor for Kansas.

A.B., A.N., University of Kansas; L.L.B., Washburn University. Kane Professor of Law, University of Kansas; wide experience in both prosecution and defense; key man in new codes of criminal law and procedure for the State of Kansas; key role in clinical education in criminal law and leadership in such work in the Association of American Law Schools.

Keith G. Meyer, Professor of Law, University of Kansas School of Law, Assistant Project Supervisor.

A.B., Cornell College; J.D., University of Iowa; Note Editor of Law Review; Law Clerk for Hon. Carl McGowan, Judge of the Circuit Court of Appeals District of Columbia; Associate Professor of Law, Georgetown University; Professor of Law, University of Kansas; member A.B.A. Criminal Law Section on Defense Services; Director of Defender Project, University of Kansas School of Law.

Pete Farabi, Director Legal Services for Prisoners, Inc.

See attached resume.

Legal Services for Prisoners, Inc. utilizes the services of law students enrolled in the Legal Clinic at the University of Kansas School of Law, and at the Washburn University School of Law. Approximately fifteen students are enrolled in the program at the University of Kansas School of Law and approximately twenty students are enrolled at the Washburn University School of Law Legal Clinic. The student participants are enrolled and receive appropriate classroom instruction in a course designed by Professors Wilson and Meyer at the University of Kansas School of Law. The students at Washburn Legal Clinic spend the entire semester in the Clinic program and are advised by two full time professors on the faculty of the Washburn University School of Law.

Fred S. Jackson, Litigation Attorney for Legal Services for Prisoners, Inc.

A.B., Washburn University; J.D., Washburn University; Assistant County Attorney Shawnee County; U.S. Commissioner; Law Journal Board of Editors; member of Kansas Bar Association, A.B.A., and Topeka Bar Association.

RESUME

NAME: Peter James Farabi, II

Age: 30 Married, one child 2-1/2 years old.

EDUCATION:

High School: Wentworth Military Academy, Lexington, Missouri - Graduated 1960

Undergraduate degree from Kansas State College of Pittsburg, Kansas - B.A. in History, 1966

Legal Education - Washburn University School of Law, J.D. 1969

LEGAL EXPERIENCE:

Law clerk for the Motor Vehicle Department of the State Highway Commission of the State of Kansas, October 1968 to June 1969

Staff attorney with the Kansas State Highway Commission, August 1969 to February 1970

Private practice in Pittsburg, Kansas, in law firm of Farabi & Spigarelli, February 1970 to January 1971. Practice consisted of general practice in the area of criminal and civil law concentrating in plaintiff trial work, domestic relations, workmen's compensation, contract and property law.

Assistant Attorney General of Kansas, January 1971 to July 1972. Duties consisted of legal advisor to the Director of Penal Institutions for the State of Kansas, legal counsel to the Kansas Commission on Civil Rights and member of the litigation section for state and federal trial work.

Director of Legal Services for Prisoners, Inc., July 1972 to present. This is a nonprofit corporation organized to provide legal assistance to inmates of the Kansas Penal System. The State of Kansas, together with Georgia and Minnesota, work in a common program coordinated and guided by Charles L. Decker and Associates of Washington, D.C. to form a consortium of states to furnish legal counsel to prisoners. We provide legal assistance to inmates in Kansas in both civil and criminal areas. We utilize the services of Kansas University law students and Washburn University-law students as interviewers to determine the nature of the inmate's problem, we then attempt to confirm the information given us and we counsel the client as to whether or not he has any legal remedy available. If there is a legal remedy available, our organization assists the client in marshalling the necessary evidence

RESUME

NAME: Peter James Farabi, II

Age: 30 Married, one child 2-1/2 years old.

EDUCATION:

High School: Wentworth Military Academy, Lexington, Missouri - Graduated 1960

Undergraduate degree from Kansas State College of Pittsburg, Kansas - B.A. in History, 1966

Legal Education - Washburn University School of Law, J.D. 1969

LEGAL EXPERIENCE:

Law clerk for the Motor Vehicle Department of the State Highway Commission of the State of Kansas, October 1968 to June 1969

Staff attorney with the Kansas State Highway Commission, August 1969 to February 1970

Private practice in Pittsburg, Kansas, in law firm of Farabi & Spigarelli, February 1970 to January 1971. Practice consisted of general practice in the area of criminal and civil law concentrating in plaintiff trial work, domestic relations, workmen's compensation, contract and property law.

Assistant Attorney General of Kansas, January 1971 to July 1972. Duties consisted of legal advisor to the Director of Penal Institutions for the State of Kansas, legal counsel to the Kansas Commission on Civil Rights and member of the litigation section for state and federal trial work.

Director of Legal Services for Prisoners, Inc., July 1972 to present. This is a nonprofit corporation organized to provide legal assistance to inmates of the Kansas Penal System. The State of Kansas, together with Georgia and Minnesota, work in a common program coordinated and guided by Charles L. Decker and Associates of Washington, D.C. to form a consortium of states to furnish legal counsel to prisoners. We provide legal assistance to inmates in Kansas in both civil and criminal areas. We utilize the services of Kansas University law students and Washburn University law students as interviewers to determine the nature of the inmate's problem, we then attempt to confirm the information given us and we counsel the client as to whether or not he has any legal remedy available. If there is a legal remedy available, our organization assists the client in marshalling the necessary evidence

and assembling the initial documents. As Director I supervise 15 law students at Washburn University and 20 students at Kansas University in the work they do for our organization. We assist the corrections authorities in locating sources of inmate friction and expediting solutions. We have tried to emphasize the resolution of inmate legal problems through counseling and negotiation, thus reducing the volume of litigation and effecting a drastic reduction in pro se proceedings and post conviction proceedings of all kinds. We have tried to assist members of related disciplines in serving in the corrections program, particularly social workers working with families of inmates.

ACTIVITIES:

Guest lecturer at Washburn University of Topeka for corrections in-service training seminars, fall and spring sessions.

Lecturer on inmates' rights at Kansas State Industrial Reformatory.

Lecturer on correctional officers' rights at Kansas State Industrial Reformatory and Kansas State Penitentiary.

Member of Crawford County, Kansas, Bar Association Program on Drug Abuse and Rehabilitation, which received outstanding achievement award at the American Bar Association meeting in the summer of 1970 at St. Louis, Missouri, for work with students in high school and junior high.

Former member of the Young Lawyers' Section of the Kansas Bar Association Penal Reform Committee.

Member of Kansas Council on Crime and Delinquency, Committee on Adult Programs.

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 71-DF-1116

State of Kansas

ANNUAL STATISTICAL REPORT

(All Answers as of Close of Grant Year, 30 April 1973)

PART I - CLIENT SERVICES

1. Number of persons in state corrections system on 30 April 1973. 1,613

2. Number of cases August 1, 1972 to 30 April 1973. 1470
445

	<u>Civil</u>	<u>Criminal</u>
a. Closed	closed <u>35</u>	<u>61</u>
b. Open	<u>21</u>	<u>47</u>
c. Closed by court action	<u>2</u>	<u>13</u>
d. Closed by other means	<u>33</u>	<u>54</u>
e. K.S.A. 60-1507	open 19, closed <u>17</u>	<u> </u>
f. Disciplinary Board Actions	open 0, closed <u>203</u>	<u> </u>
g. Miscellaneous	open 7, closed <u>40</u>	<u> </u>

3. a. Brief description of general nature of cases handled--what kind
constituted greatest volume of cases, what kind of cases required the
most lawyer time, the most student time? (See attached sheet)

b. Are you at this time able to handle your inmate clients' cases in the
regular course of business without undue delay or backlog? If you are
not, indicate short falls and, also, plans for increasing your staff or
changing your operating procedure so that you can eliminate backlogs and
undue delays.

Please use separate sheet for answering 3a and 3 b.

Annual Statistical Report

3. b. (cont'd.)

Kansas who request assistance from Legal Services for Prisoners, Inc. have been notified by letter that an attorney will be assigned to Kansas State Industrial Reformatory within a short period of time to handle their problems. At the present time Legal Services for Prisoners, Inc. is interviewing attorneys for the position at Hutchinson. We are hopeful that we will have an attorney on board and operating by 1 August of this year. The initial grant from the Governor's Committee on Criminal Administration for the State of Kansas is for an eleven month period. The Governor's Committee on Criminal Administration has assured me that the grant will run from August 1, 1973 until June 30, 1974.

4. Are all inmates taken into the corrections system notified of availability of legal service to indigent inmates? Yes X No

a. By written notification? X

b. By interviewer or first counselor? X

c. Other means?

Comment: (See attached sheet)

5. When they think it needed, do corrections personnel refer inmates for legal advice? Yes X No

Comment: (See attached sheet)

6. Are measures taken from time to time to remind inmates that legal services are available? Yes X No

a. If yes, how? (See attached sheet)

b. Do you give a first interview within ten days of receipt of request for legal service? Yes No X

c. Do you have a system that permits an indigent inmate with an emergency legal problem to secure prompt legal advice? Yes X No

If yes, how? (See attached sheet)

7. Do you keep a file on prisoner requests you have processed so that you can check each new request to see whether you already have performed services for the individual before? Yes X No

4. Comment: The classification officers at the Kansas State Penal Institutions are aware of our program and have forms available to supply to inmates requesting our services. A letter has been posted in strategic places on bulletin boards within cell houses, bulletin boards at the classification offices and other points within the various institutions notifying the inmates of our services and the type of services we provide. The Director of Legal Services for Prisoners, Inc. conducts an orientation program for all incoming inmates at the Kansas Reception and Diagnostic Center. The Director notifies them of our services and of the availability of requests for our services at the institution in which they will be permanently incarcerated.

5. Comment: On various occasions the Warden of Kansas State Penitentiary and the Deputy Warden of the State Penitentiary have referred inmates to us who the authorities felt had a justifiable complaint. The Superintendent and Assistant Superintendent at the State Industrial Reformatory at Hutchinson have also referred numerous inmates to our organization. The Superintendent of the Kansas Reception and Diagnostic Center has worked closely with our organization and has referred problems to us.

6. a. The orientation program presented by the Director at the Kansas Reception and Diagnostic Center is a weekly orientation program and all inmates are notified at that time of our services and of the availability of requests for our services at their parent institution if in the future they desire our services. The litigation attorney weekly conducts hearings at the Kansas State Penitentiary and at these hearings he constantly informs the clients that he represents our services if in the future they are desirous of using our services. The Director of Penal Institutions has on numerous occasions made reference to our organization to his personnel, who have in turn relayed it to inmates that we are available for indigent inmates who have legal problems.

c. The inmates of the Kansas Penal Institutions request the assistance of Legal Services for Prisoners, Inc. by obtaining an application for legal assistance from the Director at the orientation program presented at the Kansas Reception and Diagnostic Center or from their classification officer at the institution in which they will be permanently incarcerated, or by submitting a letter to the Director of Legal Services for Prisoners, Inc. On the Application for Legal Assistance we ask for a short description of the problem. After reviewing the description given to us of the problem, we can make a determination of whether or not an emergency situation exists. If it does we place the man at the top of our list of people to be interviewed.

6. c. (Cont'd.)

The inmate will then be interviewed as quickly as possible. Whenever an inmate requests services from Legal Services for Prisoners, Inc. we mail a letter to the inmate notifying him of the delay in interviewing him and requesting him to notify us if an emergency exists, or of a time limit he might have in regard to filing an appeal or filing some type of responsive pleading to an action which has been filed against him. This procedure insures us of locating the inmates with problems of an emergency nature or problems which have a time limit imposed upon them.

PART II - RELATIONSHIP WITH STATE OFFICIALS AND JUDGES

1. a. Have you taken action to alert state officials to refer to you prisoner letters involving legal problems--thus expediting service and lightening the load on the official? Yes No

b. If yes, what action? (See attached sheet)

If no, why not?

c. Will you send a copy of your coming annual report under appropriate cover letter to judges and to other state officials who should be interested? Yes No

d. Have the legal services rendered to indigent inmates reduced the load on the state courts? Yes No

If yes, explain briefly on a separate sheet and give your method of calculating the reduction achieved. (See attached sheet)

e. Have you reduced the time spent by corrections personnel on court work or in court? Yes No

If yes, estimate percentage and explain briefly below or on a separate sheet.

Since the inception of Legal Services for Prisoners, Inc. the authorities of the Kansas Penal Institutions have not been required to appear in court on any pleading filed during that period. The Director of Penal Institutions and the Warden of the Kansas State Penitentiary and the Superintendent of the Kansas State Industrial Reformatory did appear in court in regard to a 42 U.S.C. 1983 case filed by inmates of the Kansas State Penitentiary in the fall of 1970.

PART II - RELATIONSHIP WITH STATE OFFICIALS AND JUDGES

1. b. The Director of Legal Services for Prisoners, Inc. has notified the Governor's Pardon and Extradition Attorney to refer to our office all problems from inmates which do not concern the Governor or the Governor's Pardon and Extradition Attorney. The Governor's Committee on Criminal Administration has been contacted and they refer all prisoner problems to our office. The Attorney General's office has also been contacted by the Director and they in turn refer to our office all problems which do not concern the Attorney General's office that they receive from inmates of the Kansas Penal System. We have not as yet received any referrals from the Judiciary of the State of Kansas.

d. At the present time the Judicial Council of the State of Kansas is preparing their fiscal report on the disposition of cases in the Judicial Districts of the State of Kansas. The computation has not been finalized as of the filing of this report but as soon as the report is completed a copy will be forwarded to the Consortium Center to become a part of our annual report. However, when the Director of Legal Services for Prisoners, Inc. was an Assistant Attorney General of the State of Kansas assigned as the legal advisor to the Director of Penal Institutions he developed a legal log which was utilized to log in and out all correspondence, pleadings, and papers involving legal proceedings against the State of Kansas or against any official of the Kansas Penal System. The log has been maintained since the formation of the Director of Legal Services for Prisoners, Inc. and a check of the log has shown that the number of pleadings logged in at the Director of Penal Institutions office has been reduced by 50% during the period August 1, 1972 through April 30, 1973.

PART III - PERSONNEL

Lawyers - Full time

- 1. Number of full time lawyers who now work in your program? 1
- a. Number funded by grant? 1
- b. Number funded locally? 0
- c. Total months each lawyer above has been with program? 10

Lawyers - Part time

- 2. How many lawyers participated part time in Consortium work at the end of this grant year? 3

a. Number and percentage?	Percentage of Time	Nature of Work	Cost of Time Devoted to Project
(1) Grant funded?	<u>40%</u>	Litigation	<u>\$8,000.00</u>
(2) Locally funded?	<u>66-2/3% & 10%</u>	Project Supv. Ass't. Project Supv.	<u>\$13,834.00</u>

RECAP: Total Cost, all lawyers (III, 1 and 2) \$40,334.00

Students

- 3. Total law student hours spent in program during year, including academic instruction? 2,947
- a. Grant funded? _____

- b. Locally funded or provided without funding? 2,947
- c. Number of students who received academic credit for project work or project related courses? 65

Non-lawyers, Non-students

	<u>Number of Full time</u>	<u>Number of Part time</u>	<u>Cost Both Full time & Part time</u>
4. a. Number engaged in direction and supervision?			
(1) Grant funded?	_____	_____	_____
(2) Locally funded	_____	_____	_____
(3) Total cost?	_____	_____	_____
b. Number engaged in special studies?			
(1) Grant funded?	_____	_____	_____
(2) Locally funded?	_____	_____	_____
(3) Total cost?	_____	_____	_____
c. Number engaged in administrative or clerical services?			
(1) Grant funded?	<u>2</u>	<u>1</u>	<u>\$10,337.01</u>
(2) Locally funded?	_____	_____	_____
(3) Total cost?	_____	_____	<u>\$10,337.01</u>

Attachment "A"

DISCIPLINARY BOARD HEARINGS AT KANSAS STATE PENITENTIARY

Effective August 1, 1972, policy guidelines and inmate disciplinary procedures for the Kansas State Penal System were established by the Director of Penal Institutions in Kansas. The stated policy was to provide inmates with fundamental due process when they are accused of having violated the institutional rules. Procedures were established for the prosecution of disciplinary actions against the inmate who is alleged to have violated institutional rules. The prosecution is initiated by the filing of a disciplinary report by any employee who views or has knowledge of the alleged offense. In this report, the employee simply states the facts necessary to constitute the offense. In more serious offenses, the inmate may be confined in administrative segregation pending a hearing before the disciplinary board. The hearing is normally scheduled for the week following the filing of the report. Either the institution or the inmate may be granted a continuance by the board not to exceed 60 days beyond the initial hearing date.

The Director of Penal Institutions has designated the offenses for which an inmate may be prosecuted before the disciplinary board. These range from Class 1 offenses, or what are deemed to be felonies such as aggravated assault, escape, arson, possession of contraband, etc., to Class 2 offenses which are deemed to be misdemeanors, many of which are purely institutional offenses such as refusing a direct order or possession of unauthorized store cards. All Class 1 offenses and the more serious Class 2 offenses are punishable by confinement in disciplinary segregation and/or the forfeiture of good time. The Class 2 offenses which are considered least serious are punishable by restrictions only. The Director's office has designated the minimum and maximum prescribed punishment for each offense. Under the Director's rules, the inmate is entitled to counsel when he is charged with an offense which may result in disciplinary segregation or a good time forfeiture. The counsel may be any available legal aid, a private attorney retained by the inmate or inmate counsel. The State of Kansas does not provide counsel at state expense. It is in the capacity

The Director of Penal Institutions has designated the offenses for which an inmate may be prosecuted before the disciplinary board. These range from Class 1 offenses, or what are deemed to be felonies such as aggravated assault, escape, arson, possession of contraband, etc., to Class 2 offenses which are deemed to be misdemeanors, many of which are purely institutional offenses such as refusing a direct order or possession of unauthorized store cards. All Class 1 offenses and the more serious Class 2 offenses are punishable by confinement in disciplinary segregation and/or the forfeiture of good time. The Class 2 offenses which are considered least serious are punishable by restrictions only. The Director's office has designated the minimum and maximum prescribed punishment for each offense. Under the Director's rules, the inmate is entitled to counsel when he is charged with an offense which may result in disciplinary segregation or a good time forfeiture. The counsel may be any available legal aid, a private attorney retained by the inmate or inmate counsel. The State of Kansas does not provide counsel at state expense. It is in the capacity

of counsel for the inmate at disciplinary board hearings that the major portion of my time as litigation attorney for Legal Services for Prisoners, Inc., is spent.

The administrative board before which the inmate is tried consists of the Deputy Warden, Robert A. Atkins, who acts as Chairman, the Chief Classifications Officer or his designate and the Chief Correctional Officer or his designate. I feel that we have been extremely fortunate, since the inception of this program to have Deputy Warden Atkins as Chairman of the disciplinary board for the reason that he has a far better than average conception of legal procedures, the presumption of innocence and fundamental rules of evidence.

The disciplinary board at Kansas State Penitentiary has, upon many occasions, dismissed charges against an inmate because of the failure of the disciplinary report to state facts sufficient to constitute the offense. As an administrative board, it is, of course, not bound by the formalities of a court of law; however, the board does adhere to the more fundamental rules of evidence and requires a reasonable foundation for the introduction of evidence.

Since we have worked with the board, since its inception, we have developed an excellent working relationship with the board and have, on occasion, been called upon by the board to assist it in formulating policies and procedures. At the outset we were able to persuade the board to adopt "clear and convincing evidence" as the burden of proof requirement for conviction. We are now in the process of assisting with recommendations by the administration at KSP to the Director's office regarding the proposed amendments to the Director's rules.

The disciplinary board at Kansas State Penitentiary normally sits 2 days of each week. The lesser offenses and those not having counsel are heard on Tuesday and the more serious offenses involving counsel are heard on Wednesday. It has been the practice up to the present time to interview the accused inmate and any witnesses for the defense on Wednesday immediately prior to the inmate's hearing. On rare occasions, extra trips to the institution have been required in order to interview witnesses in serious cases. If our case load continues to increase, it should be anticipated that more than one day each week will be required in

at the disciplinary hearings has been of considerable value to the inmates who are accused of disciplinary infractions and that the procedures now employed at these disciplinary hearings are far better than those previously employed at the institution. Comments made to me by inmates indicate many of them are surprised at the fundamental fairness of the board and the fact that they are accorded due process. In many cases, the board has a prior knowledge of the inmate and indeed of the incident for which the inmate is being prosecuted; however, this, in my opinion, has not unduly hampered the board in permitting a fair hearing or applying the presumption of innocence.

order to interview accused inmates and witnesses.

Law students and interns from both Washburn University and Kansas University have been of considerable assistance in the handling of disciplinary board cases. The students are assigned to interview a specific defendant and necessary witnesses and then try the case to the board under my supervision.

I feel that the work of the students has been excellent and they seem to feel that the disciplinary hearings provide them with an excellent learning experience. This is substantiated by the increasing number of volunteers, particularly from Washburn University.

The Director's rules provide for an appeal to the Director from the decision of the disciplinary board at the institution and we have assisted inmates in filing appeals by preparing a memorandum of law to be submitted to the Director, together with the notice of appeal and transcript of the proceedings. To date, several convictions have been reversed by the Director's office.

It is my impression that providing counsel to the inmate

Attachment "B"

LEGAL SERVICES FOR PRISONERS, INC.

STATISTICAL ANALYSIS OF
CASE LOAD
July 1, 1972 - April 30, 1973

<u>Type of Problem</u>	<u>Kansas State Penitentiary</u>	<u>Kansas State Industrial Reformatory</u>	<u>Reception & Diagnostic Center</u>	<u>Other</u>
Inquiries re: civil damage actions				
opened	3	0	3	0
closed	3	0	3	0
Lack of communication with attorney of record				
opened	5	1	5	0
closed	3	0	5	0
Detainers, charges pending, extradition				
opened	20	3	6	0
closed	9	2	5	0
No assistance needed				
opened	7	2	8	0
closed	7	2	8	0
Jail credit or sentencing				
opened	12	6	7	3
closed	5	1	5	3
Institutional grievance				
opened	6	2	2	0
closed	4	0	2	0
Miscellaneous				
opened	9	3	4	0
closed	1	1	4	0
Wanted to get into NARA drug program				
opened	3	0	0	0
closed	3	0	0	0

CONTINUED

1 OF 2

Type of Problem	KSP	KSIR	KRDC	Other
\ Parole, clemency				
opened	10	6	0	1
closed	7	4	0	1
\ Alleged error in trial and/or proceedings				
opened	8	4	3	0
closed	2	1	2	0
\ Appeals, K.S.A. 60-1507 motions				
opened	28	4	4	0
closed	13	0	4	0
\ Wanted transfer to another institution				
opened	6	0	6	0
closed	5	0	6	0
\ Alleged improper medical care				
opened	5	3	0	0
closed	5	2	0	0
\ Disciplinary board hearings				
opened	181	22	0	0
closed	181	22	0	0
\ Welfare				
opened	0	0	1	1
closed	0	0	1	1
\ Mental capacity evaluation				
opened	0	0	1	0
closed	0	0	1	0
\ Landlord-tenant				
opened	0	0	1	0
closed	0	0	1	0
\ Financial problems, bankruptcy				
opened	1	1	4	0
closed	1	0	4	0

<u>Type of Problem</u>	<u>KSP</u>	<u>KSIR</u>	<u>KRDC</u>	<u>Other</u>	
Divorce, child custody, support payments					
opened	5	3	3	0	
closed	2	1	1	0	
Need court appointed attorney					
opened	2	0	0	1	
closed	2	0	0	1	
Military, VA benefits, Social Security					
opened	3	0	2	0	
closed	2	0	1	0	
Alleged incompetent counsel					
opened	4	1	0	0	
closed	2	1	0	0	
TOTAL OPENED	318	61	60	6	445
TOTAL CLOSED	257	37	53	6	<u>353</u>

APPLICATION FOR LEGAL ASSISTANCE

I request an interview with a staff member of Legal Services for Prisoners, Inc. for the purpose of discussing a legal problem. I understand that the person who conducts the initial interview with me may be a law student not licensed to practice law but shall be closely supervised by a duly licensed member of the Kansas Bar.

DATE _____
Signature _____
Please print name here _____
Institution _____ Reg. Number _____

Is this your first request for assistance from our organization?
Yes No

Does your problem concern a Disciplinary Board Hearing?
Yes No

PLEASE GIVE US A SHORT DESCRIPTION OF YOUR PROBLEM.

PERSONAL DATA SHEET

[All information obtained is of a strictly confidential nature and shall not be released to anyone outside this office.]

DATE: _____

1. Name: _____
2. Institution and Number: _____
3. Last Address: _____
4. Age: _____ 5. Date of Birth: _____
6. Occupation (prior to incarceration): _____
7. Place of employment (prior to incarceration): _____
8. Marital status: _____
9. Spouse's name and address: _____
10. Children:

Name	Address	Age	Sex
11. Name and address of nearest relative: _____
12. Offense(s) for which you are imprisoned: _____
13. County from which committed: _____
14. Name of judge who sentenced you: _____
15. Name and address of defense attorney: _____
16. Sentenced after: (a) trial by jury _____
(b) trial by judge _____
(c) plea of guilty _____
17. Date of trial: _____
18. Date of Sentencing: _____
19. Sentence: _____
20. Are you subject to any concurrent or consecutive sentences from other jurisdictions? _____
21. If the answer to #20 is yes, state the name of the court which sentenced you to the consecutive or concurrent sentence or sentences: _____
22. State the name of the judge who sentenced you to the offense or offenses referred to in #20: _____
23. State the length of the sentence or sentences imposed upon you as a result of the conviction in #20 above: _____

- 24. State the name and address of your attorney in the proceedings leading to the sentence(s) referred to in Question #20: _____
- 25. Have you been before the Parole Board: _____
If so, when: _____
- 26. When do you go before the Parole Board (again, or for the first time): _____
- 27. Are there any detainers presently lodged against you: _____
If so, why have they been placed against you [untried charge, unexpired sentence, parole or probation violation]: _____
- 28. What jurisdiction placed the detainer against you: _____
- 29. Have you requested a speedy trial or had any other correspondence with the jurisdiction in Question #28: _____
- 30. Do you presently have any legal action pending regarding your conviction [habeas corpus, § 2255, § 1983, K.S.A. 60-1507, appeal]: _____ If so, when and where was the action filed: _____
- 31. What is the name and address of the attorney who assisted you in the legal action mentioned in #30: _____
- 32. Did you make a direct appeal after conviction: _____
If so, indicate the following:
(a) Name and address of appeal attorney _____
(b) Was appeal in forma pauperis: _____
(c) Was transcript of trial made available: _____
(d) Citations to reported cases: _____
- 33. Have you ever filed a petition attacking your sentence in a proceeding other than a direct appeal: _____
If so, name the type of proceeding: _____
- 34. What is your classification officer's name: _____
- 35. Are you wanted by any police agency: _____ If so, who: _____
- 36. Have you been arrested before: _____ If so, please state:

Location	Charge	Date	Disposition of charge [fine, jail, probation]

LEGAL SERVICES FOR PRISONERS, INC.

FINANCIAL INQUIRY

STATE OF KANSAS)
) ss:
COUNTY OF _____)

I, _____,
being first duly sworn, voluntarily on oath depose and state that I am indigent.

- 1. Name _____
- 2. Address _____
- 3. Date of Birth _____
- 4. Last place of employment prior to imprisonment _____
- 5. Monthly wages or salary at this last place of employment _____
- 6. Other income prior to imprisonment (income from stocks, bonds, royalties, pensions, etc.) _____
- 7. Income from present employment in custody _____
- 8. Other income at present time (income from stocks, bonds, royalties, pensions, etc.) _____
- 9. Wife's name and address _____
- 10. Names and ages of dependents _____
- 11. Wife's place of employment _____
- 12. Wife's monthly wages or salary _____
- 13. Do you own or are you buying a home? _____
- 14. What is its estimated market value? _____
- 15. Amount of mortgage _____
- 16. Do you own an automobile? _____ Make _____
Year _____ Model _____
- 17. Is it mortgaged? _____ If so, what is the amount due? _____
- 18. Do you have a checking account? _____
- 19. Name and address of bank _____
- 20. Present balance in account _____
- 21. Do you have an outside savings account balance? _____
- 22. Name and address of bank _____
- 23. Present outside savings account balance _____
- 24. I have in my spending account \$ _____ and in my savings account \$ _____
- 25. Other assets: (Specify government bonds, savings certificates, securities, notes or any other property, including assets held in someone else's name, which might be used to help you in retaining private counsel) _____
- 26. Other indebtedness: (List current obligations, indicating amounts owed and to whom they are payable) _____
- 27. Have your parents or anyone else indicated willingness to employ an attorney for you? _____
- 28. If the answer to No. 27 is yes, what is the name and address of each such person? _____

I, _____, have read the foregoing and know the answers to be true to the best of my knowledge.

Subscribed and sworn to before me this _____ day of _____, 19__.

Attachment "E"

RECEIPT

On this _____ day of _____, 19____, I received the following items from _____ an inmate of the _____ to be used by me in connection with said inmate's request for legal assistance.

Member, Legal Assistance Team

The above is a correct enumeration and description of the items delivered by me.

On this day _____ of _____, 19____, all of the above items were returned to me by _____.

PLEASE SIGN ONE COPY AND SEND IT BACK TO US FOR OUR RECORDS.
KEEP THE OTHER COPY FOR YOUR OWN FILE. THANK YOU.

PLAINTIFF

VS.

No. _____

DEFENDANT

I, _____, do hereby consent to the appearance of _____ in my behalf in any Court or before any administrative tribunal wherein my rights may be adjudicated. I understand that _____ is a duly qualified "Legal Intern" pursuant to Kansas Supreme Court Rule 213. I also understand that _____ may pursue any acts relevant to my case which are permitted by Supreme Court Rule 213 and consent thereto.

Dated: _____

I, _____, supervising attorney, do hereby approve the appearance of _____ in the following case: _____

_____ said case being heard in the _____

Washburn Legal Clinic
Washburn School of Law
Topeka, Kansas
913 235-5341 Ext. 495

CONTACT MEMORANDUM

Complete this form after each contact with your client, witness, adverse party, attorney, or other agency. Place chronologically in case file.

_____ vs _____ case # _____

Date and Place of contact _____

Name and relationship to case _____

Summary of contact

Multiple horizontal lines for writing the summary of contact.

LEGAL INTERN

SUPERVISING ATTORNEY ACTION

- APPLICATION: 1. ACCEPTED 2. REJECTED, Financial eligibility
 3. REJECTED, Type of case 4. REJECTED, Out of juris.
 5. REJECTED, No interns 6. REJECTED, Other (Explain)

CASE ASSIGNED TO: _____
 (Law Clerk)

 (Legal Intern)

 (Supervising Attorney)

/s/ _____

CLOSING STATISTICS

Date case opened: _____ Court: _____

Law Clerk Hrs. _____ Legal Intern Hrs. _____

Legal Problem:

Final Disposition:

This case is now ready to close: /s/ _____
 (Intern)

/s/ _____
 (Attorney)

DATE CLOSED: _____

Addendum Three



UNIVERSITY OF MINNESOTA
TWIN CITIES

Legal Assistance to Minnesota Prisoners (LAMP)
Law School
TNM Building
Minneapolis, Minnesota 55455

Action Date IniE

ART	bid	7/23/73	ais
RTB	✓	7/23/73	ETS
CLD	✓	7/23/73	CLN
PLW	—	—	—
ART	—	—	—

July 17, 1973

General Charles L. Decker, Retired
The Brookings Institution Building
Suite 310
1755 Massachusetts Avenue N.W.
Washington, D. C. 20036

Dear General Decker:

It has come to our attention that the number 1, 938 inmates in the state corrections system also erroneously included the juveniles who are not figured into the service population of the LAMP Project. Therefore, we request that your statistics be revised to reflect the accurate number of people incarcerated in Stillwater, Shakopee, and the St. Cloud Reformatory as no more than 1,403 as of April 30, 1973.

Sincerely yours,

Marilyn Stofferahn
Secretary, LAMP Project

Consortium of States to Provide Legal Counsel to Prisoners
Discretionary Grant No. 71-DF-1116

State of Minnesota

ANNUAL STATISTICAL REPORT

(All Answers as of Close of Grant Year, 30 April 1973)

PART I - CLIENT SERVICES

1. Number of persons in state corrections system on 30 April 1973. 1,938

2. Number of cases July 1, 1972 to 30 April 1973. 848
614

	<u>Civil</u>	<u>Criminal</u>
a. Closed	<u>267</u>	<u>28 (referrals)</u>
b. Open	<u>581</u>	<u>33</u>
c. Closed by court action	<u>50 (approx. incl. divorce)</u>	<u>0</u>
d. Closed by other means	<u>217</u>	<u>28</u>

3. a. Brief description of general nature of cases handled--what kind constituted greatest volume of cases, what kind of cases required the most lawyer time, the most student time? See attached.
- b. Are you at this time able to handle your inmate clients' cases in the regular course of business without undue delay or backlog? If you are not, indicate short falls and, also, plans for increasing your staff or changing your operating procedure so that you can eliminate backlogs and undue delays. See attached

Please use separate sheet for answering 3a and 3 b.

4. Are all inmates taken into the corrections system notified of availability of legal service to indigent inmates? Yes X No
- a. By written notification? X
- b. By interviewer or first counselor? X
- c. Other means? See attached X

Comment: See attached

5. When they think it needed, do corrections personnel refer inmates for legal advice? Yes X No

Comment: See attached

6. Are measures taken from time to time to remind inmates that legal services are available? Yes X No

a. If yes, how? See 4.c above

- b. Do you give a first interview within ten days of receipt of request for legal service? Yes No X

- c. Do you have a system that permits an indigent inmate with an emergency legal problem to secure prompt legal advice? Yes X No

If yes, how? See attached

7. Do you keep a file on prisoner requests you have processed so that you can check each new request to see whether you already have performed services for the individual before? Yes X No

PART II - RELATIONSHIP WITH STATE OFFICIALS AND JUDGES

1. a. Have you taken action to alert state officials to refer to you prisoner letters involving legal problems--thus expediting service and lightening the load on the official? Yes X No
- b. If yes, what action? See attached
- If no, why not?
- c. Will you send a copy of your coming annual report under appropriate cover letter to judges and to other state officials who should be interested? Yes X No
- d. Have the legal services rendered to indigent inmates reduced the load on the state courts? Yes X No
- If yes, explain briefly on a separate sheet and give your method of calculating the reduction achieved. See attached
- e. Have you reduced the time spent by corrections personnel on court work or in court? Yes XX No
- If yes, estimate percentage and explain briefly below or on a separate sheet. See attached

PART III - PERSONNEL

Lawyers - Full time

1. Number of full time lawyers who now work in your program? 2
- a. Number funded by grant? 2
- b. Number funded locally? 0
- c. Total months each lawyer above has been with program? 16 mos.
10 mos.

Lawyers - Part time

2. How many lawyers participated part time in Consortium work at the end of this grant year? 1

a. Number and percentage?	Percentage of Time	Nature of Work	Cost of Time Devoted to Project
(1) Grant funded?	<u>0</u>	<u> </u>	<u> </u>
(2) Locally funded?	<u>1</u>	<u>1/10</u>	<u>\$3,500</u>

RECAP: Total Cost, all lawyers (III, 1 and 2) \$46,000

Students

3. Total law student hours spent in program during year, including academic instruction? 6,000
- a. Grant funded? 0

- b. Locally funded or provided without funding? 0
- c. Number of students who received academic credit for project work or project related courses? 60

Non-lawyers, Non-students

	<u>Number of Full time</u>	<u>Number of Part time</u>	<u>Cost Both Full time & Part time</u>
4. a. Number engaged in direction and supervision?	0	1	\$3,825
(1) Grant funded?	<u>0</u>	<u>1</u>	<u>3,825</u>
(2) Locally funded	<u>0</u>	<u>0</u>	<u>0</u>
(3) Total cost?			<u>3,825</u>
b. Number engaged in special studies?			
(1) Grant funded?	<u>0</u>	<u>1</u>	<u>6,000</u>
(2) Locally funded?	<u>0</u>	<u>0</u>	<u>0</u>
(3) Total cost?			<u>6,000</u>
c. Number engaged in administrative or clerical services?			
(1) Grant funded?	<u>3</u>	<u>0</u>	<u>18,216</u>
(2) Locally funded?	<u>0</u>	<u>0</u>	<u>0</u>
(3) Total cost?			<u>18,216</u>

PART I

3. a. The largest volume of cases dealt with in all the institutions are domestic problems - divorce, child custody, and visitation rights. LAMP serves as both plaintiffs and defendants attorneys in these matters, and this area provides the greatest amount of courtroom litigation for the entire project. From an educational point of view it provides a highly satisfactory experience for law students who are able to prove up a divorce case pursuant to the third year practice rule of the Minnesota Supreme Court, and thus gain valuable in-court experience with the presentation of witnesses, the development of pleadings, and the successful conclusion of the case. Moreover, experience is gained in the negotiation of property rights, child custody and visitation as well as future support problems. The disposition of detainers appears to be the next largest category of cases handled by LAMP, both intra and interstate problems. These are handled primarily by negotiation in correspondence and provide little courtroom experience though invaluable opportunity for the students to become involved with the intra and interstate compacts and negotiation with prosecutors. Work in this area is very important to the inmates in that the removal of detainers opens up many rehabilitation avenues that are otherwise foreclosed because the institution treats the man with a detainer as a security risk. Hence, the contacting of a local prosecutor to remove a parking ticket, a not uncommon charge pending against an inmate, will make him eligible for minimum security assignments, temporary paroles and furloughs, and may in fact enhance his eligibility for parole itself.

3. b. As of April 30, 1973, LAMP had successfully eliminated all backlog of requests for service from all the institutions it serves. It should be noted, however, that the backlog does build up at the end of each quarter when students become unavailable for interviewing. It is hoped that the backlog can be kept at a minimum during these periods of time, perhaps by the employment of one or more staff attorneys to provide solely an administrative service function and would not have educational responsibilities. Another effort to control and reduce backlogs or avoid their buildup has been to increase the number of student directors serving with LAMP for a full year from three to four. These students assume a service function during the quarter breaks and will increase the service capabilities of LAMP without any additional costs.

4. c. Comment: It is presently the practice of the student director in charge of the St. Cloud Reformatory to interview new arrivals at the institution and inform them of the LAMP program. All institutions receive printed materials which are renewed periodically and distributed throughout the cell halls. Of course, the supply of request slips are refreshed as needed. LAMP has become a very visible program within the institution in several ways. It participates in and is listed as a member of the Inmate Advisory Council at Stillwater. All request slips in all institutions with the exception of Shakopee are placed in boxes, clearly marked Legal Assistance to Minnesota Prisoners, located in the central corridors of the institution so that inmates may correspond, request service within the institution and without any expense for postage. This permanent fixture within the institutions help to advertise LAMP's existence on an on-going basis.

5. Comment: LAMP's reputation for service has grown on the staff to the point where they now refer quasi-legal problems to LAMP. Some of these problems could, of course, be handled by the institutional staff and on occasion may be referred back by the LAMP personnel.

6. a. See discussion under 4. c. above.

6. c. Our request slips contain a box which the inmate may check if he has been served with legal papers. This immediately removes his request for service out of the order in which it was received and generates an immediate interview. Moreover, staff personnel in all institutions have been advised that they contact LAMP at the office regarding an inmate's emergency legal problem and receive consultation directly with staff attorneys on the phone if the situation warrants it. The institutions have been very cooperative in this regard and have allowed inmates to call LAMP directly whenever a serious problem has arisen.

PART II

1. b. In addition to several news articles distributed throughout the general media, the Department of Corrections newsletter entitled Corrections Corner, which is distributed to all judges, sheriffs, police, law enforcement officials throughout the State, did an extensive article on the LAMP Project at its inception and a follow-up article a few months later. These articles together with the publicity generated throughout the State in the various newspapers of general distribution were attached as exhibits to LAMP's six month report. In addition,

LAMP intends to circulate the Annual Report to various officials of state, local, and federal government.

1. d. LAMP's function is to provide civil legal services only because of our excellent State Public Defender program under the direction of C. Paul Jones. We are not involved in the reduction of appeals or post-conviction proceedings per se. However, we do through our detainer work and on negotiated settlements in divorce, child custody and personal injury work, expedite the handling of the civil case load throughout the State. In some instances, of course, LAMP is a plaintiff, particularly in a divorce area, and as such we are generating an increased case load. However, we feel that this has been offset by the negotiations in other civil cases. Recently the federal courts have begun to refer prisoner rights litigation to the LAMP program. The pro se petitions and cases have been growing in number. LAMP at the request of Judge Philip Neville of the Federal District Court intervened and became counsel in a class action filed originally by five inmates more than a year ago. The suit had been bogged down with procedural wrangling. As a result of LAMP's intervention in this case, the case is now being settled with agreed orders being drafted on discipline and parole issues that will affect the entire Department of Corrections in the State of Minnesota. The suit is being worked on amicably by the Attorney General's and LAMP's attorneys and will provide a just and workable solution to the problems raised by the inmates without the necessity of a courtroom trial. The Court has commended LAMP for its involvement and its work in this area and the Department of Corrections has expressed its satisfaction with the professional manner in which

LAMP has dealt with this highly sensitive problem.

Another area in which LAMP can clearly point to the reduction of litigation was the settlement of 104 claims for property loss raised by inmates in relation to the November, 1972, shakedown. The cases were settled out of court for a total of \$3,000 in payments to the inmates for harms caused to them by the correctional personnel. It was estimated that the cost of litigating those 104 cases, which would have required extensive discovery to determine which guards had destroyed a particular inmate's property, would have cost the State in both staff and lawyer time ten to twenty times the amount of the settlement. Moreover, LAMP would have been hard pressed to provide representation in 104 separate lawsuits, but was able to dispose of this problem by developing a screening committee in connection with the State Ombudsman and evaluating the reasonable value of the claims, submitting them to the Department for their approval, and subsequent payment.

1. e. See discussion of 104 claims listed above in 1. d.

These statistics do not reflect the full number of detainees and institutional grievances because these are usually secondary problems, that is, problems that are brought up after the initial interview. Our manpower does not allow for sophisticated methods of statistics whereby we can add problems after the initial opening of the cases.

STATISTICAL ANALYSIS OF LAMP CASELOAD

July 1, 1972 - May 31, 1973

Type of Case*	STILLWATER	WORKHOUSE	SHAKOPEE	ST. CLOUD	OTHER
Sentencing					
Opened	19	1	4	13	0
Closed	9	1	3	6	0
Detainer, Charges Pending					
Opened	44	7	3	14	0
Closed	19	5	3	6	0
Parole & Probation					
Opened	32	1	3	14	0
Closed	16	2	7	12	0
Criminal					
Opened	22	5	0	8	0
Closed	23	2	3	5	0
Disciplinary Hearings					
Opened	4	0	0	0	0
Closed	0	0	0	0	0
Institutional Grievances					
Opened	21	9	1	8	0
Closed	16	1	3	4	0
Releases					
Opened	4	2	0	1	1
Closed	2	1	0	0	0
Records					
Opened	10	1	0	1	0
Closed	4	0	0	0	0
Miscellaneous Legal					
Inquiries					
Opened	7	5	0	0	0
Closed	2	4	0	2	0
Child Custody, Visitation, Welfare					
Opened	28				
Closed	17	6	6	3	0
Personal Injury					
Opened	13			1	0
Closed	7	2	1	1	0
Medical					
Opened	32			1	0
Closed	16	9	2	13	1
Property Recovery					
Opened	32			7	0
Closed	8	10	0	10	0
		2	0	6	0

Type of Case	STILLWATER	WORKHOUSE	SHAKOPEE	ST. CLOUD	OTHER
Marriage & Divorce					
Opened	46	15	11	21	1
Closed	15	9	5	5	1
Debts, Bankruptcy					
Opened	25	7	1	6	0
Closed	10	4	0	2	0
Property Civil Damage Actions					
Opened	0	2	0	5	0
Closed	0	1	0	1	0
Name Change					
Opened	1	1	1	2	0
Closed	1	1	1	1	0
Landlord-Tenant					
Opened	3	2	0	1	0
Closed	0	2	0	1	0
Consumer Protection					
Opened	1	3	0	1	0
Closed	1	0	0	0	0
Deportation					
Opened	1	0	0	0	1
Closed	0	0	0	0	1
Licensing					
Opened	3	3	2	3	0
Closed	1	0	0	1	0
Tax					
Opened	1	0	0	0	0
Closed	1	0	0	0	0
Military					
Opened	1	0	0	1	1
Closed	0	0	0	0	1
Non-Legal Problems					
Opened	10	0	0	0	0
Closed	10	0	0	0	0
No Service Desired					
Opened	31	21	1	6	7
Closed	31	21	1	6	7

END

Property Claims for 104 Stillwater Inmates Arising Out of the December 1972 Shakedown
Successfully Negotiated (104 Opened, 104 Closed)

TOTAL OPENED	495	112	36	132	12
TOTAL CLOSED	313	64	30	67	10

(Combined Total of All Prisons - 787 Opened; 484 Closed)

*Opened - client interviewed, case pending
Closed - satisfactory disposition or referral

NOTE: At the outset of the project we accepted responsibility for numerous cases spawned by the existing clinical program. Our statistics reflect these cases only when closed, thus an area of service may show only 1 problem as being opened but 3 as being closed.