



U.S. Department of Justice
Federal Bureau of Prisons

Federal Medical Center, Carswell
Fort Worth, Texas 76127

Institution Supplement

NUMBER: CRW 1315.07e

DATE: July 21, 2009

SUBJECT: LEGAL ACTIVITIES, INMATE

OPI: Legal Services

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1. **PURPOSE** To establish procedures regarding attorney visits at the Federal Medical Center, Carswell.
 2. **DIRECTIVES REFERENCED**
 - a. Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999, is referenced.
 - b. Institution Supplements 1315.07d, Legal Activities, Inmate, dated July 15, 2007, is rescinded.
 3. **CORRECTIONAL STANDARDS REFERENCED** American Correctional Association, Fourth, Standards for Adult Correctional Institution; 4-4257, 4-4262; 4-4263, 4-4264, and 4-4442.
 4. **PROCEDURES**
 - a. Attorney Visits The Warden shall permit visits by an inmate's retained, appointed, or prospective attorney or by an attorney who wishes to interview an inmate as a witness. The Warden generally will not limit the frequency of attorney visits as the number of visits depends on the nature/urgency of the legal issues involved. The unit team is responsible for arranging, controlling, and notifying all parties concerned with attorney/client visits.
 - (1) Attorneys should be permitted attorney/client visits with inmate clients when 48-hour written

notice is given prior to each visit. Such written notice shall be on law firm or agency letterhead, and include name and state bar registration number. However, in emergency cases, 48-hour telephonic notice will be acceptable. Less than 48-hours notice by an attorney to meet with an inmate shall be evaluated on a case-by-case basis by the unit team in consultation with the Warden or designee.

These time frames may be suspended under unusual institution circumstances.

- (2) Any licensed attorney may be approved to visit. Normally, the following is required prior to each visit:
 - (a) A written request to visit 48 hours in advance shall be on law firm or agency letterhead, and include name and state bar registration number.
 - (b) The unit team is satisfied that the individual visiting the inmate is an attorney through examination of the attorney's bar credentials upon arrival at the institution. Preliminary verification can be made through examination of the address and telephone number given on the attorney's letterhead. Regular verification of identification for visits continues to apply.
 - (c) The inmate agrees to meet with the attorney.
 - (d) If attorneys or investigators from the U.S. Attorney's Office, Federal Public Defenders, or FBI need to interview a client, potential witness, or staff member regarding a pending criminal matter, the request should be referred to the Legal Department.
 - (e) If a private attorney wishes to interview a staff member, the staff member must contact the Legal department for guidance before speaking to the attorney.
- (3) Upon notification of a pending visit or a request for information concerning visits, the unit team will mail the requesting attorney an Attorney Visit Information Sheet (Attachment A).
- (4) Upon completion of the Visitors Form, the unit team will notify Correctional Services, the Front Entrance Officer, Control, Front Gate Officer, and the necessary Naval Air Station-Joint Reserve Base, Fort Worth personnel when attorney/client visits have been scheduled. The visits will take place in an area identified by the respective Unit Manager and will ordinarily take place during normal visiting hours, (Monday and Friday, 5:00 p.m. - 9:00 p.m.;

and Saturday, Sunday, and Federal Holidays, 8:00 a.m. - 3:00 p.m.). The Unit Manager is also responsible for the supervision of the visit.

- (5) The attorney must follow established visiting procedures in regard to entering the Naval Air Station-Joint Reserve Base, Fort Worth and the Federal Medical Center, Carswell.
- (6) An attorney's record of visits will be maintained at the Front Entrance to expedite repetitive legal visits.
- (7) An attorney who arrives without a 48-hour advance written notice will not be permitted access to the institution without a showing of exceptional circumstances. The Warden or designee must approve such a visit.
- (8) The Warden or designee must approve visits during non-visiting hours.
- (9) All legal materials will be handled through the U. S. mail pursuant to Bureau policy regarding special mail. Legal packages and/or mail will not be sent to attorneys or families through the visiting room.
- (10) The Warden or designee must approve any type of hearing or deposition proposed to occur at the institution.

5. **EFFECTIVE DATE** This supplement becomes effective upon issuance.

W. Elaine Chapman, Warden

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P.O. Box 27066
"J" Street - Building 3000
Fort Worth, Texas 76127

ATTORNEY/CLIENT VISIT INFORMATION SHEET

The Bureau of Prisons (BOP) affords an inmate reasonable access to legal counsel by a retained, appointed, or prospective attorney of the inmate or by an attorney who wishes to interview an inmate as a witness. BOP Program Statement 1315.07, Legal Activities, Inmate, which pertains to attorney visits, is outlined in Volume 28 of the Code of Federal Regulations 543.10 through 543.16. The following regulations have been developed to further this effort at FMC Carswell.

1. Attorney visits may be authorized upon receipt of a written request for attorney visit received through the Warden a minimum of 48 hours in advance of each proposed visit. Such written request shall be on law firm or agency letterhead, and include name and state bar registration number. The attorney must confirm that he wishes to visit an inmate who has requested his visit or whom he represents or whom he wishes to interview as a witness. The attorney must arrange the visit with unit staff.
2. When proper arrangements have been made, attorney visits may be held on normal institution visiting days, Monday and Friday, 5:00 p.m. - 9:00 p.m.; and Saturday, Sunday, and Federal Holidays, 8:00 a.m. - 3:00 p.m.; or on another date arranged by the attorney and unit staff according to the availability of staff and meeting location.
3. Each attorney must identify himself by showing a valid picture ID and State Bar Card. If the event the state does not provide a state bar card, the attorney must provide some other credential from the state verifying that he or she is a licensed attorney in good standing.
4. Attorney visits will take place in an area determined by the respective inmate's Unit Manager. This location will afford the visit some degree of privacy.
5. Attorney visits are not subject to staff auditory supervision. The Warden may allow audio recordings to be used by the attorney during the visit only if the attorney states in writing in advance of the interview that the sole purpose of the recording is to facilitate the attorney-client or attorney-witness relationship.
6. The Federal Medical Center, Carswell, is located on the Naval Air Station, Joint Reserve Base, Fort Worth. All visitors must stop at the main entrance of the base to get a pass to enter the military reservation.
7. Should you have any questions concerning Attorney visits, please contact the FMC Carswell Legal Department.