



U.S. Department of Justice  
Federal Bureau of Prisons  
Federal Correctional Institution  
Miami, Florida 33177

# Institution Supplement

**\*OPI:** Camp Administrator  
**\*NUMBER:** MIA-1315.07-1B  
**DATE:** April 25, 2005  
**SUBJECT:** Legal Activities, Inmate  
Legal Visits

1. **PURPOSE AND SCOPE:** It is the policy of the Federal Correctional Institution and Federal Prison Camp, Miami, Florida to provide access to legal counsel. The purpose of this institution supplement is to provide procedures and guidelines for implementing Bureau of Prisons Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999.
2. **DIRECTIVES AFFECTED:** Institution Supplement, MIA-1315.07-1, Legal Activities, Inmate Legal Visits, dated July 10, 2003, is rescinded.
3. **STANDARDS REFERENCED:** American Correctional Association 4th Edition Standards for Adult Correctional Institutions: 4-4268, 4-4269, 4-4273, 4-4274, 4-4275, 4-4276, 4-4442, and 4-4505.
4. **ATTORNEY VISITS:** Attorney/Client visitation at FCI and FPC Miami is conducted in accordance with the provisions of Program Statement 1315.07, Legal Activities, Inmate, codified at 28 C.F.R. §543.10, et. seq.; Program Statement 5267.06 Visiting Regulations, codified at 28 C.F.R. §540.40, et. seq.; and other guidelines and procedures applicable to the security and orderly operation of the institution. Questions regarding these provisions should be discussed with the Camp Administrator.
5. **ATTORNEY VISITING HOURS:**  
  
FCI: Sunday, Monday, Thursday, Friday and Saturday  
8:30 a.m. to 3:00 p.m.  
  
FPC: Monday, Thursday and Friday, 5:00 p.m. to 8:00 p.m.  
Saturday and Sunday, 8:30 a.m. to 3:00 p.m.

When a situation arises which requires an attorney/client visit during non-visiting days, the Unit Team will be notified and required to provide custodial supervision of the visit.

6. **ARRANGING VISITS:** To allow sufficient time for verification, preparation, and distribution of attorney visit memoranda, visits should be arranged by contacting the Warden's Secretary, at least 24 hours prior to the planned visit, during normal working hours. The hours of the Warden's Secretary, are 7:30 a.m. to 4:00 p.m., excluding weekends and holidays.

Attorneys are required to notify the Warden's Secretary, either by telephone or facsimile to (305) 259-2160. At the time the request to visit is made, the attorney must provide the state in which they are licensed; list the inmate(s) with whom they wish to visit; and set forth the date and approximate time of the requested visit.

The requested visit will be reviewed by the Warden's Secretary, through which process the attorney's membership with the identified state bar will be confirmed. The approved memorandum will be placed in the Front Sally Port approving the visit.

During normal institution hours, if an attorney arrives and his visit is not approved, the Front Sally Port Officer will attempt to verify the visit with the Warden's Secretary. Other than normal institution hours (i.e., weekends and holidays), but during regular visitation the Front Sally Port Officer will require the attorney to produce his/her State licensing bar card for verification purposes. If verification is made with the bar card, he/she may allow the visit and report the visit to the Warden's Secretary, on the next business day. Attorneys are required to produce their State licensing bar card if their visit is pre-approved by the Warden's Secretary.

Under no circumstances will staff require an attorney, either in writing or verbally, to provide his/her social security number.

Upon arrival, attorneys will be required to complete a "Notification to Visitor" form for each inmate he/she has been scheduled to visit. This form will be completed in the Front Entrance and given to the Visiting Room Officer by the Escorting Officer. If time permits, the Front Entrance Officer will call the inmates listed, otherwise, the Visiting Room Officer will call.

7. **LEGAL DOCUMENTS AND OTHER MATERIAL:** Attorneys will be permitted into the facility with briefcases. All briefcases, however, will be searched by the officer at the front entrance desk before an individual will be admitted into the institution.

An attorney providing documents to an inmate during visiting will present them to the visiting room officer before giving them to the inmate. The visiting room officer will inspect the documents for contraband as per Program Statement 1315.07, Legal Activities,

Inmates, Section 12(f), and will return them to the attorney for delivery to the inmate.

Items other than documents may not be given to the inmate. Examples are writing instruments, chewing gum, cigarettes, etc.

For the security and orderly operation of the institution, an inmate may take one 11" by 14' envelope of documents to the visiting room to review with, or give to his attorney without prior approval.

8. **EVIDENCE TAPES, AUDIO OR VHS:** Upon Authorization to Receive Package has been authorized by the Warden's Secretary, an attorney may mail in evidence tapes (audio or VHS) for review by the inmate. These tapes will be approved for retention with the inmate for a two week period and then must be mailed out of the institution. If additional time is needed, it should be requested and approved through the Warden's Secretary. The inmate's unit team will make arrangements for the inmate to review and or hear the evidence tapes.
9. **EQUIPMENT:** Use of cameras, recording equipment, computers, cellular telephones, or any other type of electronic device is prohibited without proper prior authorization.
10. **PARALEGALS, CLERKS AND LEGAL ASSISTANTS:** An attorney may make application for an individual to enter the institution as the attorney's representative. The application may be obtained from the institution's Warden's Secretary. A personal history statement, background check, and a pledge to abide by Bureau of Prisons' regulations will be required. The attorney certifies (1) the assistant's ability to perform in this role and their awareness of the responsibility of this position, (2) pledges to supervise the assistant's activities, and (3) accepts both personal and professional responsibility for all acts of the assistant which may affect the institution, its inmates and staff. The same general regulations that apply to attorneys also apply to the attorneys' representatives.
11. **IDENTIFICATION:** An attorney or their representative will be required to produce identification, such as a driver's license and other reliable documentation.
12. **SEARCHES:** As a condition of visiting an inmate, an attorney or paralegal may be subject to a search of his/her belongings for the purpose of ascertaining if contraband is present. Attorneys and their representatives must present their briefcase, file folders, etc. to the Front Lobby Officer for inspection upon arrival.
13. **SUPERVISION OF VISITS:** Attorney/client visits are not subject to auditory supervision, but visual monitoring will be conducted.

14. **OTHER INFORMATION:** While this information serves as a guideline for attorneys and their representatives, it is not meant to be all inclusive. Questions concerning these procedures or other situations not covered should be discussed as indicated above.
15. **PROCESS SERVERS:** Occasionally, there is a need to serve inmates with legal documents. Process servers are licensed by the State of Florida. Before they are allowed to enter the facility, they must present their Florida State permit and a valid driver license. Listed below are the procedures that will be followed when admitting process servers into the institution.
- A. **For Inmates.** After proper identification has been made and a "Notification of Visitor" form completed, the process server will be escorted to the Visiting Room for service to be rendered to the inmate. If the Front Lobby Officer is uncertain as to the identity of the process server, he may contact the Consolidated Legal Center to assist in this effort.
- B. **Under no circumstances will an FCI staff member accept process on behalf on any inmate or staff member, unless specifically authorized by the Warden.**
16. **LAW ENFORCEMENT PERSONNEL (Local, State and Federal):** Normally, these visits are coordinated through the Special Investigative Agent (SIA) or Operations Lieutenant. After regular duty hours, the Operations Lieutenant or the Staff Duty Officer will provide assistance.
17. **ADMINISTERING OATHS AND ACKNOWLEDGMENTS:** Oaths and acknowledgments will be administered as outlined in Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999. Requests will be made to the unit team. Ordinarily, staff will not administer oaths or take acknowledgments for documents signed pursuant to a United States law, rule or regulation, including those for submission to Federal court. The Case Management Coordinator is responsible for instruction of appropriate personnel in these procedures.
18. **OFFICE OF PRIMARY RESPONSIBILITY:** Camp Administrator

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JORGE L. PASTRANA, WARDEN