



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.438 LEGAL ACCESS FOR OFFENDERS</b>
Effective Date:	10/03/2022 <span style="float: right;">Page 1 of 1</span>
Revisions Date(s):	
Reference(s):	
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief

**This requirement is referenced as *ACCD 3.3.200 Legal Assistance* in Section 3.K.5 Offender Management; Offender Rights; Legal Assistance, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as *ACCD 3.3.200 Legal Assistance* in Section 2.2.10 Services; Offender Management; Offender Rights, in the following contracts: Connections Corrections Program (CCP) and WATCH.**

**I. PURPOSE:**

Community Corrections Facilities and Programs Bureau contracted facilities will assist offenders to access the courts to the extent specified in this requirement.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**III. REQUIREMENTS:**

- A. Contract facility staff shall not provide legal advice to offenders.
- B. Contract facilities will provide offenders with necessary forms or access to necessary forms for filing the following:
  - 1. Civil rights complaints;
  - 2. Post-conviction petitions;
  - 3. Sentence review applications;
  - 4. Notices of appeal; and
  - 5. Habeas corpus petitions
- C. FPB offenders will be provided access to non-restricted:
  - 1. Community Corrections Facilities and Programs Bureau procedures;
  - 2. Probation and Parole Bureau procedures; and
  - 3. DOC policies.
- D. Each facility will allow attorney access to offenders.
- E. An offender may retain only the offender’s own personal legal papers.
- F. Facility staff will not retaliate against or penalize any offender who chooses to access the courts or conduct legal research.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Community Corrections Facilities and Programs Bureau.