



Montana Department of Corrections

Director's Office

Steve Bullock, Governor
Reginald D. Michael, Director

March 18, 2020.

Dear colleagues,

Due to concerns related to the spread of COVID-19, the Montana Department of Corrections (MDOC) is implementing social distancing for offenders and has suspended visitation by family and friends of offenders and all volunteers. The MDOC is aware that members of the Bar may need to communicate with offenders relating to pending legal matters. The MDOC strongly urges counsel to communicate with clients via the inmate telephone system or mail, if possible.

For those situations that require an in-person visit, the MDOC will be allowing non-contact visitation for attorneys and legal staff members. Non-contact visitation involves a meeting between the attorney (or staff member) and the offender through a glass partition. All members of the Bar are reminded to secure permission from the Warden before bringing any item into a facility. Please try to limit the items that you bring into a facility, though you should plan to bring copies of documents for your client(s) to keep, if possible, to prevent the passing of items back and forth. Notwithstanding the foregoing, documents requiring signatures may be exchanged as needed.

Please do not plan to visit a facility if you are ill and be sure to follow all directives from the Centers for Disease Control and Prevention (CDC) relating to preventing the spread of COVID-19. **All attorneys and legal staff members who attempt to enter a facility will be subject to a health screening that includes answering questions related to symptoms of COVID-19 and temperature scans with a temporal thermometer.**

The MDOC will not be able to accommodate any depositions that have been authorized at this time. Any currently scheduled or anticipated depositions should be rescheduled after MDOC resumes visitation at its facilities.

Please contact the MDOC Legal Services office at (406) 444-2778 as soon as possible if you or a member of your staff who has visited a MDOC facility within the past thirty (30) days is diagnosed with COVID-19 so that steps can be taken to assess the health of your client(s), our staff, and anyone else with whom you had direct or indirect contact.

The MDOC continues to partner with Governor Bullock's staff, and the Montana Department of Public Health and Human Services, in its response to COVID-19. This situation remains fluid, and additional instructions may be given at the time counsel schedules an appointment for an attorney visit. As circumstances change, visitation may be cancelled without advance notice which may result in visitors being refused admittance at the time of arrival at the MDOC facility. MDOC will do its best to keep attorneys informed.

Respectfully,



Colleen E. Ambrose
Chief Legal Counsel/Legal Services Director
Montana Department of Corrections