

4. Federal Supplement, Vol. 180 and subsequent volumes, (West Pub. Co., St. Paul), (U.S. District Court Decisions).

5. Shepard's United States Citations, (Shepard, Colorado Springs, 1968).

6. Shepard's Federal Citations, (Shepard, Colorado Springs, 1968).

7. Current rules of local federal district courts and the Seventh Circuit Court of Appeals. (Free from court clerks).

(b) General Materials:

1. Bailey, F. Lee and Henry B. Rothblatt, *Complete Manual of Criminal Forms, Federal and State*, (Lawyers Cooperative Rochester, 1968).

2. Either Ballentine, James A., *Ballentine's Law Dictionary* (3d ed. by James A. Anderson), (Lawyers Cooperative, Rochester 1969); or Black, Henry C., *Black's Law Dictionary* (Rev. 4th ed.), (West Pub. Co., St. Paul, 1968).

3. Cohen, Morris L., *Legal Research in a Nutshell* (2d ed.), (West Pub. Co., St. Paul, 1971).

4. *Criminal Law Reporter*, (Bureau of National Affairs, Washington D.C., Weekly).

5. Fox, Sanford J., *Juvenile Courts in a Nutshell*, (West Pub. Co., St. Paul, 1971).

6. Israel, Jerold H. and Wayne R. LaFave., *Criminal Procedure in a Nutshell*, (West Pub. Co., St. Paul, 1971).

7. Sokol, Ronald P., *Federal Habeas Corpus* (2d ed.), (Michie, Charlottesville, VA., 1969).

(c) State Materials:

1. Wisconsin Reports 1960;

2. State statutes compilation (multiple copies);

3. State digest of court decisions;

4. Shepard's Citation for state;

5. Treatises covering state criminal practice and procedure (Defense of Criminal Cases);

6. Volume containing rules of state courts, if available, otherwise, rules obtainable free from clerks of some state courts;

7. Administrative rules of the department;

8. The program manual of the Legal Assistance to Institutionalized Persons Program;

9. Wisconsin Legal Directory, (Legal Directors Publishing Company, Inc., 700 Campbell Centre, Box 64805, Dallas, TX 75206); and

10. Wisconsin Jury Instructions - Criminal.

DOC 309.28 Access to legal assistance. (1) The department of corrections shall make reasonable efforts to ensure that adequate legal services are available to indigent inmates. These legal services need not be provided directly by the department, but may be provided by outside agencies. The legal services by these agencies may include services provided by lawyers, law students and aides supervised by lawyers, and paraprofessionals.

(2) The legal services available pursuant to sub. (1) should include services on the full range of legal concerns an inmate may have.

(3) The lawyer-client privilege applies between lawyers and inmates. The privilege also applies to aides and law students to the same extent it would apply to them in their work with non-inmates, under the rules regulating student practice promulgated by the Wisconsin supreme court.

(4) Before a paraprofessional, a law student, or aide may be admitted to an institution, written authorization from the attorney is required.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

DOC 309.29 Inmate legal services to inmates. (1) Inmates may provide legal services to other inmates.

(2) Institutions may regulate the time and place for the provision of legal services by inmates to other inmates.

(3) Compensation of any kind for the provision of legal services by one inmate to another is forbidden. Such service shall be permitted only if the provider does so voluntarily.

(4) The department is not responsible for legal materials not provided by the department that are given to other inmates.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

DOC 309.35 Personal property. (1) Inmates are permitted to have personal property in their possession in an institution in accordance with this section and policies made by the institution pursuant to this section.

(2) Each institution shall keep a written list of the personal property items permitted at that institution. This list shall be reviewed and, if appropriate, revised every 6 months. The list and any changes in it must be approved by the administrator of the division of adult institutions.

(3) The following are permissible methods by which personal property may be obtained by an inmate, subject to institution approval:

- (a) Purchase from canteen;
- (b) Purchase from approved retail outlets;
- (c) Gifts from friends and relatives brought in on visits;
- (d) Other methods approved by the institution.

(4) Each institution shall make written policies approved by the administrator of the division of adult institutions that:

- (a) Provide the approved methods for inmates to obtain personal property at the institutions;

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- (b) Provide for records of inmate personal property;
 - (c) Provide for the storage of personal property; and
 - (d) Specify limitations as to the specifications and number of particular items, such as television sets, rings, radios, and phonographs.
- (5) Items not permitted at an institution or permitted but not on the inmate's property list are contraband. They may be seized in accordance with these rules. An inmate may be subject to discipline for possessing contraband.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

DOC 309.36 Leisure time activities. (1) The department shall provide as much leisure time activity as possible for inmates, consistent with available resources and scheduled programs and work. Leisure time activity is free time outside the cell or room during which the inmate may be involved in activities such as recreational reading, sports, film and television viewing, and handicrafts.

(2) Each institution shall permit inmates to participate in leisure time activities for at least 4 hours per week. Institutions with the facilities to permit more leisure time activity should do so.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

DOC 309.365 Inmate activity groups. (1) **DEFINITIONS.** In this section:

(a) "Activity group" means a group of inmates organized to promote educational, social, cultural, religious, recreational or other lawful leisure time activities.

(b) "Inmate union" means an organization of inmates formed for the sole purpose of serving the inmates' collective interest with respect to conditions of confinement issues such as inmate wages, working conditions, housing conditions, programming and services.

(2) **APPROVAL REQUIRED.** (a) With the exception of organizational activities approved by the superintendent under sub. (3), no group of inmates may refer to itself by a collective name, conduct meetings or engage in any organized activity which promotes identification with a particular group unless the group has been approved by the superintendent under sub. (5).

(b) With the exception of organizational activities approved by the superintendent under sub. (3), no individual inmate or other person from inside or outside the institution may attempt to carry out organized activities within an institution which promote identification with a particular group unless the group has been approved under sub. (5).

(3) **APPROVAL OF ORGANIZATIONAL ACTIVITIES.** A group of inmates or an inmate on behalf of a group may submit a written request to the superintendent for permission to engage in organizational activities necessary to formulate a request for approval as an activity group under sub. (4). The request submitted under this subsection shall state the objectives and proposed activities of the proposed activity group and the activities necessary to formulate a request for approval under sub. (4). Using the criteria listed in sub. (5) (b) 1, the superintendent shall determine within 14 calendar days after receipt of the request whether to permit the requested organizational activities.

(4) **REQUESTS FOR APPROVAL.** A group of inmates or an inmate on behalf of a group may submit a written request to the superintendent for approval as an activity group. The request shall include:

- (a) The name of the group;
- (b) The group's mailing address and phone number, if other than that of the institution;
- (c) The names of the group's officers;
- (d) The group's objectives and proposed activities;
- (e) The inmate population the group intends to include;
- (f) The group's charter, constitution or by-laws, or all three documents;
- (g) The institutional services and resources, such as staff time or meeting rooms, needed for the group's activities; and
- (h) The anticipated length and frequency of group meetings or activities.

(5) **CRITERIA FOR APPROVAL OF GROUPS.** (a) The decision to approve a group as an activity group rests solely with the superintendent.

(b) In determining whether to approve a group, the superintendent shall:

1. Consider whether the objectives of the group promote educational, social, cultural, religious, recreational or other lawful leisure time interests of the inmates who will participate in the group's activities;

2. Consider whether the proposed activities can be accommodated within the available resources of the institution;

3. Balance the benefits of the group's activities and services against the necessary allocation of staff time and institution resources to the group. The consideration of the group's benefits to inmates is subject to s. DOC 309.61 (1) (a).

4. Consider whether the activities, services or benefits offered by the group are adequately provided by existing programs, groups or resources readily available to the inmate population.

(c) The superintendent may not approve:

1. An inmate union; or
2. A group that he or she has reasonable grounds to believe is an inmate gang, as defined in s. DOC 303.02 (9).

(d) The superintendent shall approve or disapprove a request submitted under sub. (4) within 14 calendar days after receipt of the request.

(e) If the superintendent approves an activity group, he or she shall specify in writing:

1. The types of activities the group may undertake;
2. The times at which the group may hold its meetings and activities;