

FEDERAL COURT  
PRISON LITIGATION PROJECT  
REVISED HANDBOOK

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by

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## PART I

Under the General Rules of the United States District Court for the Northern District, “every member of the trial bar shall be available for appointment by the court to represent or assist in the representation of those who cannot afford to hire a member of the trial bar.” U.S. DIST. CT. N.D. ILL. LOCAL RULE 83.11(G) (emphasis added). In part because the court is aware of the difficulties facing appointed counsel in these cases, it has established this Project. Rule 83.11(g), Duty to Accept Appointments, Rule 83.35(b), Creation of Pro Bono Panel, and Rule 83.37, Duties and Responsibilities of Appointed Counsel, should be carefully reviewed to determine your duties and responsibilities as appointed counsel. The court will permit relief from appointment only for the grounds enumerated in Rule 83.39. Continued representation on appeal is not required. See U.S. DIST. CT. N.D. ILL. LOCAL RULE 83.37. Remember, the court can sanction trial bar members for refusing to accept appointment by removing their trial bar membership.

## CHAPTER 1: FINDING YOUR CLIENT

### 1. PRISONER LOCATOR SERVICES

If you do not have your client's current institutional address, you may obtain his or her current location by contacting:

- (1) ILLINOIS PRISONS INMATE INFORMATION  
(217) 522-2666 ext. 6489
- (2) ILLINOIS DEPARTMENT OF CORRECTIONS  
<http://www.idoc.state.il.us/>
- (3) FEDERAL PRISONS INMATE INFORMATION  
(202) 307-3126

You will need your client's name and institution ID number. If you do not have the ID number, then you will need the date of birth and a social security number to obtain information. ID numbers remain the same throughout the State system, but are different from the Cook County Department of Corrections numbers.

## CHAPTER 2: PREPARING YOUR CASE

### 2. ASSESSING THE COMPLAINT

Most suits brought by state or county prisoners challenging prison policies, practices, and conditions of confinement are brought under § 1983. 42 U.S.C.A. § 1983 (West Supp. 2001). Section 1983 requires the plaintiff to show that someone has deprived him or her of a federally protected right and that the person or persons depriving him or her of that right acted under color of state law. Prisoners often allege either that they have suffered cruel and unusual punishment or a deprivation of liberty or property without due process of law.

Complaints filed by prisoners pro se are held to a less stringent standard than complaints drafted by a lawyer. See Alvarado v. Litscher, 267 F.3d 648, 650 (7<sup>th</sup> Cir. 2001). However, because counsel is a licensed attorney, all subsequent pleadings will not receive such generous readings from the court. Be sure the claim is properly supported by the law. If you do not do preliminary research to verify the validity of the claim prior to filing pleadings, you could be violating FED. R. CIV. P. 11. The fact that the court has appointed you does not, in itself, mean that the client has a supportable non-frivolous claim properly grounded in the law.

You must determine at the outset whether to file an amended complaint if, for example, the complaint is fatally prolix, issues should be added, the complaint fails to state a claim, or the prisoner has either sued the wrong party or in the right party but in the wrong capacity (individual or official). You should discuss strategy at this initial stage and every other stage of the case with your client. Therefore, before you visit your client, you should research the law underlying the allegations in the complaint and be prepared to discuss the merits of the case.

Check immediately to see if there are statute of limitations issues. There is a two-year statute for all jail and prisoner civil rights cases. If the names of any defendants are unknown, discover them immediately because the court will not allow relation back to the time of filing the complaint. See PART II, SECTION 4: STATUTE OF LIMITATIONS.

Before you file any pleadings, you must attempt to verify the facts alleged in the complaint through discovery of institutional documents, letters, and other sources. For state prisoners, you will need an Illinois Department of Corrections (“IDOC”) release form in order to obtain documents in your client’s institutional files. See PART I, SECTION 26: FORMS. Ask your client if he or she has already filed a grievance through the institution’s grievance procedure.<sup>1/</sup> There may be records in his or her file and elsewhere relevant to the allegations in the complaint. You will want copies of them. To obtain documents, make a request for production of documents to opposing counsel.

You should explore the possibility of settlement at this early stage of litigation. Look at the institution’s administrative review process and think about negotiating a settlement with the defendant that is acceptable to your client. Staff of the Correctional Law Project can discuss with you other cases dealing with similar problems arising at the same or other institutions.

Once you have determined the legally cognizable subject matter raised by the complaint (and there will be some cases where you cannot readily decipher this information from the pro se pleadings) and conducted preliminary research, prepare for the client interview at the correctional institution. See PART I, SECTION 6: PREPARING TO VISIT WITH YOUR CLIENT.

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<sup>1/</sup> For the impact of the Prison Litigation Reform Act (the “PLRA”) on lawsuits filed prior to the exhaustion of administrative remedies, see PART II, SECTION 7: EXHAUSTION OF PRISON GRIEVANCE PROVISIONS.

### 3. **DECISION TO SUE DEFENDANTS IN THEIR OFFICIAL OR INDIVIDUAL CAPACITY**

In prisoner suits, defendants are generally federal, state, or county employees. Different laws of sovereign immunity apply to each group. For discussions of absolute and qualified immunities, see PART II, SECTION 9: IMMUNITIES; PART II, SECTION 10: ABSOLUTE IMMUNITY.

Generally, the following rules apply to each group:

(1) **Federal Officials:** may not be sued for damages in their official capacity except under the Federal Tort Claims Act. 28 U.S.C.A. § 2680 (West Supp. 2001). In all other actions they must be sued for damages in their individual capacity. They must be sued in their official capacity for injunctive relief.

(2) **State Officials:** may be sued only in their individual capacity for damages, and in their official capacity for injunctive relief. See Edelman v. Jordan, 415 U.S. 651, 94 S. Ct. 1347, 39 L. Ed. 2d 662 (1974) (holding that the Eleventh Amendment bars suits for retrospective relief against a state).

(3) **City and County Officials:** may be sued in both their official and individual capacities. In addition, cities may be sued directly for retrospective damages or prospective relief. However, under Monell v. Dep't of Soc. Servs., 436 U.S. 658, 98 S. Ct. 2018, 56 L. Ed. 2d 611 (1978), respondent superior is not a basis for municipal liability. Municipal liability is based on injury caused by a "policy or custom." See PART II, SECTION 13: MUNICIPAL LIABILITY.

### 4. **REQUESTING STATE PRISON RECORDS**

In order to receive documents from a State prisoner's institutional files, take an Authorization for Release of Information form with you to the client interview for your client to sign. See PART I, SECTION 26: FORMS. Ask the litigation coordinator if there is a special form. Normally she or he will fax it to you. Follow its directions carefully. Find out which department of the prison has the particular files you desire,

the name and extension of the person in charge, and try to deal with that person directly. Expect delays. A gentle “nudge” by fax or telephone will often help.

In State prisons, most inmate information is usually kept in each prisoner’s Master Record File. However, records are also kept in “Clinical Records” files, “Medical Records” files and other files. Discovery requests should be broad enough to include all inmate records. Samples are available from the Project pleadings bank.

## **5. WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

If it becomes necessary for your incarcerated client or an incarcerated witness to be brought to court for a hearing, you must prepare a petition for a writ of habeas corpus ad testificandum and the writ itself. See PART I, SECTION 26: FORMS. You must present the petition and writ, plus three copies of the writ to the clerk of the court, well in advance of the hearing at which the prisoner is to be produced. After a hearing on the petition, the judge will ordinarily grant the petition and the clerk will issue the writ ordering the warden to produce the prisoner on the specified date at the specified location. The United States Marshal will serve it on the prison warden. It is your responsibility to follow through with the United States Marshals Office to insure that service is effected. The correctional institution will undertake the cost of transporting the prisoner to federal court. See *Pennsylvania Bureau of Correction v. United States Marshals Serv.*, 474 U.S. 34, 106 S. Ct. 355, 88 L. Ed. 2d 189 (1985) (holding that habeas corpus statutes do not empower a federal court to order the United States Marshals Service to bear the expense of transporting state prisoners to federal court).

Writs will generally be ordered for trial or testimony only, not for consultation with counsel. The court prefers a one day limit to the period covered by the writ. If the trial will be longer the writ should so specify. The number of trial days will determine whether your client remains at the Federal Metropolitan

Correctional Center during trial or at a state or county facility. Each facility has different procedures for providing clothes for court. You should specify in the writ whether clothes are to be provided, and check the policy at each institution.

## CHAPTER 3: VISITING YOUR CLIENT

### 6. PREPARING TO VISIT YOUR CLIENT

Plan your visit to the correctional institution in advance; otherwise you may have to wait several hours to see your client. To make arrangements for your visit:

(1) **Call ahead.** Call your client's prison and ask to speak to the person who arranges attorney visits. See PART I, SECTION 22: GETTING TO THE INSTITUTION — ADDRESSES AND TELEPHONE NUMBERS. Plan for your first visit to the prison at least ten days before you intend to visit.

When you make the call, make sure you have the client's prison registration number handy. This is the first information the coordinator will ask of you since often there will be more than one prisoner with the same name.

This first call is critical for a number of reasons:

(a) To make sure your client is still at the same prison. Prisoners are often moved with little or no notice. Your client may not have had enough time (or did not think) to advise you of the transfer.

(b) Each prison has its own methods for setting up prison visits. Some require written requests, identifying the prisoner and registration number and the date and expected time of the visit. Some will accept telephone requests for a visit. Some require twenty-four hours notice and some, especially the new "Super Max" prison at Tamms, Illinois, require seven days written notice.<sup>2/</sup>

In some instances, you will coordinate the visit with a "litigation coordinator." In other instances you may be referred to a counselor assigned to the prisoner's unit. Generally, these individuals are helpful and cooperative, but it is wise to be cordial, diplomatic and patient.

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<sup>2/</sup> The advent of Super-Maximum security prisons, such as Tamms, has created new problems for lawyers for both telephones and visits. It is critical to review IDOC regulations and prison orders in such instances.

(c) You should ask about the best time to arrive at the prison to see your client. Depending on your client's classification and the particular prison, it may take time to arrange the client's movement to the visiting area when you arrive. See PART I, SECTION 9: HOUSING CLASSIFICATIONS FOR CORRECTIONAL INSTITUTIONS. However, a good rule to follow is to arrive at the prison at the very earliest time you can.<sup>3/</sup>

(d) Ask where the visit will be held. Where the prison does not have a lot of visitors, the visit (if permitted) may be more comfortable in the visiting room for all visitors. Privacy can be maintained under these circumstances and the atmosphere is often not as stifling and claustrophobic as many lawyer visiting rooms.

(e) Plan to visit the prison as early as is permissible. Some prisons, such as Stateville, Joliet, and Pontiac (and even Menard in Chester), have many civilian visitors. A lawyer must wait in line to register like other visitors; as a consequence, a visit later in the morning or early afternoon can result in a long wait. Also, prisons have "count" times (often at 7:00 a.m., 11:00 a.m., and later in the afternoon), at which times correctional officers must account for every prisoner. Generally, there is no prisoner movement until the count checks out. If you arrive in the middle of a count, you may have a long wait to see your client.

(f) As indicated earlier, you should know precisely where your client is located in the prison, such as in segregation, protective custody, or the hospital. This knowledge will help facilitate the visit in IDOC prisons and is a necessity in some prisons, e.g., the Cook County Jail, which have many different buildings and numerous visiting areas. If you don't know your client's housing unit, when you make the call to arrange the visit, ask for that information, and directions to the appropriate visiting area. Be aware that as the attorney, you may not have to be on the inmate's visiting list, though this is not true for all prisons and

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<sup>3/</sup> If the prison is more than 125 miles away, it may be best to leave the afternoon or night before the visit. This way you can arrive early and leave early.

for all populations at each prison. For example, at Tamms maximum security you must be on the visiting list.

(2) **Write your client:** Write your client several days ahead of time, telling him or her of the likely date of your visit. Introduce yourself and send a copy of the appointment order so that your client knows for which case you are appointed, e.g., you don't represent him or her on the appeal of a criminal case. This type of communication will give the prisoner adequate time to prepare for your visit, to bring appropriate papers from the cell for use in the visit (the prisoner cannot simply run back and forth to the cell to pick up needed papers), and will inform the prisoner as to your upcoming visit. (Sometimes a prisoner who does not know the visitor will not leave the cell and is under no obligation to do so.)

In your letter, advise the client that you would like to discuss the case and if questions remain after the visit, the client may call you collect as frequently as you, the attorney, deem appropriate. See PART I, SECTION 17: REIMBURSEMENT OF COSTS AND EXPENSES FOR APPOINTED COUNSEL. Note exactly how envelopes to and from the correctional institution must be marked to insure confidentiality of attorney-client communications. Also be sure to include the inmate ID number in the address. Otherwise the letter will be returned to you. See PART I, SECTION 24: SAMPLE ENVELOPE SPECIALLY MARKED. Explain to your client that his or her letters to you must be marked in the same way.

## **7. VISITING YOUR CLIENT**

### **(1) Attorney Identification**

In order to be admitted to any correctional facility, you must present your:

- (a) Current Attorney Registration card; and
- (b) Photo identification (e.g., Driver's License).

## **(2) Money**

Most prisons now have cash vending machines for soft drinks, candy bars, sandwiches, etc. Normally, you cannot bring cash with you into the visit. Rather, a card (like a CTA fare card) is purchased in the gatehouse and money is put on the card. Buy about \$5.00 so that you and the client can have refreshments during the visit, which can last more than 2-3 hours in length. Save the card for subsequent visits.

## **(3) Assistants**

If you desire that a student or paralegal accompany you on the visit, clear this request at the same time and in the same manner that you arrange your own visit. If you desire the student or paralegal to visit the client without you on later visits, clear this matter in writing substantially ahead of time because some prisons may not allow such visits. Learn from the litigation coordinator the precise nature of identification the paralegal or student should bring (usually a signed letter of introduction from you, identifying the person as your employee or associate and, in the state prisons, the name of the client to be interviewed).<sup>4/</sup>

## **(4) A Word of Caution**

Do not bring you own medication, pills, etc., with you. Often you may forget you have such items and they won't be picked up on a routine search, but may be noticed later. These items can be considered illegal contraband. Under the extremely strict policies now in force, these items could result in your being barred from all prison visits throughout the system or worse.

Review your file before entering the prison. Be sure to bring all that you need and no more. Most prisons will require that you put unnecessary items in a locker, including your wallet, purse and car keys.

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<sup>4/</sup> It is advisable, even when not expressly required, to fax a letter with appropriate details the to litigation coordinator about your visit. Show this letter at the gatehouse upon arrival with other appropriate identification. However, be sure to call the prison before faxing to alert them to the correspondence.

Be prepared and relaxed for a thorough search, including your shoes and so on. No body cavity search will be required.

## **8. TELEPHONE PROCEDURES**

### **(1) State Prison Inmate Telephone Use**

Encourage your client to communicate with you in writing. It is generally more effective, less time consuming, and certainly less expensive since now almost all calls, whether initiated by you or the client, will be collect to you. Please note that you have no choice but to use the telephone company with which the prison has contracted and the telephone charges are prohibitive — much more than non-prison calls. But be sure to keep in contact with the client and answer his or her letters as promptly as possible.

To initiate a call to a prisoner-client, much the same procedure is followed for an attorney visit. Speak to the litigation coordinator, identify the client, state that you are an attorney and that you wish to make a call. You will be asked if you desire a “secure” line — one on which prison officials cannot listen. Use your judgment; and if there are any doubts, ask for a secure line. But in any event, be careful what you put in writing or say over the telephone. Lines are not always “secure” and cells are subject to sudden searches where attorney-client privileges are not always observed.

Generally speaking, the call cannot be made until at least the day following the call with the litigation coordinator. It will be collect and at a designated time (hopefully). You must be in your office ready to accept the call. If you do not have direct dialing, advise the office operator that the call is coming so that he or she can accept it. Often the call will be mechanical in nature and won't wait for you to be put on the line.<sup>5/</sup>

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<sup>5/</sup> As indicated earlier, some maximum-security prisons have a much more complicated procedure of which you will learn from the litigation coordinator.

Prisoners may only make collect telephone calls. They are allowed only a very limited number of telephone calls each month. In emergencies, if you need to speak to your client, you may call the prison and ask to speak to his or her counselor (ask your client for the counselor's name at the beginning of your representation). The counselor can usually arrange to have your client call you, depending on the particular prison.

### **(2) County Jail Inmate Telephone Use**

Pre-trial detainees at the Cook County Department of Corrections ("CCDC") are permitted to make only collect calls. In emergencies, it is possible for your client to call you, if you first call the human services department and ask that arrangements be made for the call. Otherwise you and your client can arrange for him or her to call you collect at agreed times as you deem appropriate.

### **(3) Federal Metropolitan Correctional Center Inmate Telephone Use**

Generally, the same rules apply as at the county jail (collect calls only), but some inmates, e.g., those in segregation housing units (due to disciplinary or protective custody status), are allowed out of their cells only for very limited times during which they are permitted to make calls.

## **9. HOUSING CLASSIFICATIONS FOR CORRECTIONAL INSTITUTIONS**

Each correctional institution houses prisoners with different security classifications, usually known as minimum, medium, and maximum. Some institutions also operate an honor system known as the "farm," the least restrictive classification for prisoners.

Institutions also designate categories of prisoners as follows:

**(1) General Population:** The prisoner has no special status.

**(2) Protective Custody:** The prisoner must be protected from other prisoners for any of several reasons, e.g., the prisoner may be particularly vulnerable, may be testifying against a fellow prisoner, etc.

**(3) Segregation:** The prisoner is in disciplinary confinement, the most restrictive environment.

**(4) Circuit Riders:** These prisoners are continuously transferred from institution to institution.

**(5) Administrative Detention:** Depending on the institution, this usually means that the prisoners are awaiting disciplinary procedures or prisoners in protective custody.

It is important to know the housing classification of your client to determine what administrative procedures placed him or her there and what restrictions may have been imposed, such as the inability to make telephone calls to you, restricted use of the law library, limited exercise, etc.

Check the administrative rules of your client's institution for the appropriate sections on classification and, for added assistance, speak with the prison's litigation coordinator.

## CHAPTER 4: INTERVIEWING YOUR CLIENT

### 10. CORRECTIONAL FACILITY ENTRANCE PROCEDURES

The prisons and jails of Illinois have certain mandatory entrance procedures for all persons, including attorneys. Although those procedures may vary from institution to institution, the purpose is the same: to prevent any contraband from entering. Generally, the procedures consist of:

- (1) Signing in and identifying yourself and your business, use your current valid attorney registration card and photo ID, e.g., Illinois driver's license;
- (2) Stamping your hand so that it can be read by a special light as you enter and leave;
- (3) Searching your briefcase (but not reading its contents) and sending it through a metal detector; and
- (4) Conducting a pat-down body search by an officer of the same sex, and walking through a metal detector.

NOTE: You may not enter any institution with cigarettes, aspirin, cold medication, or gum.

### 11. THE CLIENT INTERVIEW

Now you are ready to meet your client. The prisoner may come to the interview handcuffed and shackled (legs chained together). Prisoners on death row, or in disciplinary status (known as segregation) will be restrained in this fashion, other prisoners will not.

You should plan on about one hour for the initial visit. You will be allotted as much time as you need, barring an institutional emergency. Your client may want to tell you about other institutional or family problems regarding which you may not be able to assist him or her.

Let your client tell you in his or her own words what the case is about. Develop a relationship of mutual trust and respect. Let your client know that you will inform him or her promptly about all significant

developments in the case and that he or she may call you collect from time-to-time as questions arise. Explain to the client your need to investigate the case pursuant to FED. R. CIV. P. 11 and ask for his or her ideas about documents and people with information about the case. Find out what other civil actions the client may have filed. Other conditions of confinement troubling the client may be related to this case. You might consider filing an amended complaint to include these issues.

Find out if the client is about to be released and if so, get the address and telephone number. Also be aware that prisoners are frequently transferred to other prisons without notice. Be sure to tell your client to inform you as soon as a transfer occurs. Explain in appropriate terms that you will consult the client's opinion about legal matters, but that you must make the ultimate legal decisions in accord with the requirements of Rule 11. It is vitally important that the client understand your respective roles, particularly because your client is in a closed institution and has limited access to you and to the outside world. Make sure your client understands how you will proceed with the case, with what matters you require consultation with him or her, and how frequently you will send status reports.

## **12. RELATIONSHIP WITH CLIENT DURING THE LITIGATION**

After the initial client interview, appointed counsel should maintain regular contact with the client. Clients in "closed institutions" are uniquely unable to obtain information about their lawsuits. Therefore, you should send regular status reports to your client. By sending copies of pleadings and periodic letters about the case and by allowing the client to telephone periodically if he or she has questions, you can alleviate your client's fear of being "left out," while at the same time maintaining his or her trust.

The importance of maintaining these attorney-client ties cannot be overemphasized. Occasionally, in court appointed cases where such contact has been lost, settlement negotiations have fallen apart because of the client's lack of trust in his or her attorney. To avoid this possibly disastrous consequence, make sure in the initial interview that the client understands your role in the case, and maintain regular client contact throughout the litigation.

## CHAPTER 5: ATTACHMENT OF DAMAGE AWARDS

### 13. INTRODUCTION

You and your client should be aware that if your client receives a monetary damage award, either through trial or through settlement, state agencies may seek reimbursement for money the state paid as child support, crime victims' compensation, or other obligations.

### 14. GOVERNMENTAL AGENCY PROCEDURES

The applicable law regarding governmental agency procedures controlling deductions for warrants and payments is 15 ILL. COMP. STAT. ANN. 405/10.05 (West Supp. 2001). This statute addresses repayment of such funds as child support owed to the Department of Public Aid, payments of unpaid student loans, as well as other types of unpaid obligations to the state.

### 15. CRIME VICTIMS COMPENSATION ACT

The other statute applicable to a damage award is the Crime Victims Compensation Act, 740 ILL. COMP. STAT. ANN. 45/1 et seq. (West 1993 & Supp. 2001). Pursuant to this law, a timely filing by a victim or a relative of a victim must be within one year of the date of the crime. Crime victims and their relatives are entitled to compensation from the state for uncovered medical expenses, loss of wages, and burial expenses. Thereafter the state can seek reimbursement from the convicted person.

You should discuss these issues with your client so that your client understands that if he or she owes money under either of these statutes, then whatever money you obtain from any civil rights claim may later be attached by the state. Your appointment in the civil rights case does not include assistance on any such claims.

## CHAPTER 6: ATTORNEYS' COSTS AND FEES

### 16. STATUTORY AUTHORITY FOR AWARDING ATTORNEYS' COSTS AND FEES

**42 U.S.C.A. § 1988 (West 1994 & Supp. 2001)** — To receive an award of attorney's fees under § 1988, your client must prevail either entirely, or at least on some significant issue, raised by the litigation. Counsel must keep accurate and detailed time sheets if you want to recover fees under § 1988.

**28 U.S.C.A. § 1920 (West 1994)** — Costs are awarded pursuant to § 1920. These costs include such out-of-pocket expenses as expert fees, depositions, and copying. (See PART II, SECTION 39: COSTS UNDER 28 U.S.C. § 1920.)

**28 U.S.C.A. § 2412 (West 1994 & Supp. 2001)** — If your case involves a federal rather than state defendant, the Equal Access to Justice Act, § 2412, controls the recovery of attorney's fees. This statute is more narrowly focused than § 1988 and sets limits on allowable hourly rates.

**42 U.S.C.A. § 1997e(d)(3) (West Supp. 2001)** -- Limits the amount of attorneys' fees to an hourly rate of 150% of the rate determined by 18 U.S.C.A. § 3006A (West Supp. 2001).

### 17. REIMBURSEMENT OF COSTS AND EXPENSES FOR APPOINTED COUNSEL

Attorneys appointed in civil cases can be reimbursed from the District Court Fund for their expenses up to \$2,000 for each party represented in any proceeding, provided that in no proceeding shall the total amount paid exceed \$6,000, regardless of the number of parties represented. Reimbursement will be made where your client prevails or accepts a settlement and the amount awarded to or accepted by your client is less than \$2,500. Where the amount awarded to or accepted by the party is more than \$2,500, the regulations do provide for limited cost reimbursement. To be reimbursed, appointed counsel must enumerate costs on court forms to which vouchers or invoices for each expense must be attached. General office expenses and costs of computer assisted legal research are not reimbursed, but travel and deposition

costs are. Except as specified by the Regulations, the amounts and types of expenses covered by the Regulations shall be governed by the guidelines for administering the Criminal Justice Act. 18 U.S.C.A. § 3006A (West 1985 & Supp. 2001). Instructions for completing the request for prepayment or reimbursement of expenses form appears in the section entitled District Court Fund Regulations. See United States District Court for the Northern District of Illinois General Rules and the Regulations Governing the Pre-payment and Reimbursement of Expenses of Court Appointed Counsel in Pro Bono Cases From the District Court Fund for details. U.S. DIST. CT. N.D. ILL. LOCAL RULE 83.40; or call the court Attorney Admissions Coordinator at (312) 435-5771 for additional information.

## APPENDIX

### 18. DEPARTMENTS OF CORRECTIONS RULES AND PROCEDURES

Administrative Rules for correctional facilities govern all aspects of prison and jail life. These rules are published as follows:

#### (1) Illinois State Prisons :

20 Ill. Admin. Code Ch. 1 (2001).<sup>6/</sup>

#### (2) Cook County Department of Corrections Administrative Review Procedure :

Call the Project for a copy of these rules.

#### (3) Federal Prisons and Jails:

28 C.F.R. Part 500 et seq. (2001).

### 19. DIRECTOR OF ILLINOIS DEPARTMENT OF CORRECTIONS

Donald N. Snyder, Jr.  
Director IDOC  
Executive Office Building  
1301 Concordia Court  
Springfield, Illinois 62794-9277  
217/522-2666

### 20. COOK COUNTY AND FEDERAL PRE-TRIAL DETENTION FACILITIES

#### (1) Cook County Department of Corrections<sup>7/</sup>

Ernesto Velasco, Executive Director  
2700 South California Avenue  
Chicago, Illinois 60608  
773/869-7100

Web Address: <<http://www.cookcountysheriff.org>>.

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<sup>6/</sup> In addition, each state facility has its own more detailed rules implementing the general rules. These rules are known currently as “institutional directives” and “administrative directives” and should be sought through discovery.

<sup>7/</sup> See PART I, SECTION 25 : SAMPLE LETTER TO CLIENT.

**(2) Metropolitan Correctional Center**

Warden Jerome Graber  
Federal Bureau of Prisons  
71 West Van Buren Street  
Chicago, Illinois 60605  
(312) 322-0567

**21. DESCRIPTIONS OF CORRECTIONAL INSTITUTIONS INVOLVED IN FEDERAL LITIGATION**

**DWIGHT CORRECTIONAL CENTER** is the principal female prison operated by the State of Illinois. Dwight is located on Route 17 just outside Dwight, Illinois. All three female inmate security classifications are housed in the 11 cottages that make up the facility. The visiting area is located in the administration building.

**DIXON CORRECTIONAL CENTER** is a medium security facility located in Lee County housing approximately 1500 male and female prisoners. The facility includes a Special Treatment Center for male prisoners experiencing moderately severe psychiatric and developmental disabilities. It houses the largest male geriatric population in the state.

**JOLIET ANNEX** is a secure facility run by the Department of Human Services that houses civilly committed persons pursuant to the Sexually Violent Persons Commitment Act.

**JOLIET CORRECTIONAL CENTER** is a maximum security male prison for vulnerable offenders. Joliet has a rated capacity of approximately 1,250 inmates of varying classifications. (NOTE: Scheduled to be closed in 2002.)

**JOLIET RECEPTION AND CLASSIFICATION (R&C) CENTER.** Joliet R&C is located in the East Cellhouse of the Joliet Correctional Center and has a capacity of approximately 515 convicted males, coming directly from county jails. The average stay in R&C is approximately two weeks, during which the inmate is classified and assigned a permanent correctional placement. (NOTE: Scheduled to be closed; will move to Stateville.)

**MENARD CORRECTIONAL CENTER** is a maximum security male prison located near Chester, Illinois on the banks of the Mississippi River. Menard houses approximately 2,620 inmates of varying classifications, with preference given to inmates from southern Illinois. Menard also has an honor farm and a minimum security unit where inmates are allowed greater freedom than those inmates housed inside the walls, as well as a death row.

**MENARD PSYCHIATRIC CENTER** adjacent to Menard Correctional Center, is a maximum security short-term treatment center for the Department's mentally ill male residents. Menard Psychiatric Center has a rated capacity of approximately 315 inmates of varying classifications who exhibit significant mental disorders.

**PONTIAC CORRECTIONAL CENTER** is a maximum security male prison located in a residential area of Pontiac, Illinois. Pontiac has a rated capacity of approximately 2,000 inmates of varying security classifications, with a preference to those of maximum security classification from northern Illinois. Pontiac also has a medium security unit and a death row.

**STATEVILLE CORRECTIONAL CENTER** is a maximum security male prison located near Joliet, Illinois. Stateville has a rated capacity of approximately 2,250 inmates of varying security classifications, mostly maximum security, with a preference to those from northern Illinois. Stateville is the largest correctional facility in the state of Illinois. Stateville also has an honor farm where selected minimum security inmates are allowed greater freedom than those housed inside the walls.

**COOK COUNTY DEPARTMENT OF CORRECTIONS (“CCDC”)** is the county jail complex located at 2700 South California Avenue, covering the area bounded by California on the east, Sacramento on the west, 26th Street on the north and 30th Street on the south. The jail contains many buildings housing different security levels. Most are pre-trial detainees, although there are some convicted misdemeanants, some convicted felons, and some “parole-hold” cases at the jail awaiting trial, retrial, or shipment to the IDOC. Divisions I (the old Cook County Jail), II, III (Women’s Division), and V are easily accessible from the California Street entrance road, just south of the court building. You must check in at the guard station there before proceeding to any of those divisions. Divisions IV and VI are easily accessible from Sacramento Street. Each of these divisions has a separate entrance and guard post where you must check in. Division VIII, the residential treatment unit (“RTU”), houses the drug and mental health units and is reached through Division II. Staff will either bring the RTU resident to Division II or show you how to get to Division VIII. Parking is available either on the street or in a parking garage directly east of the jail complex and across the midway. Parking within the jail perimeter is usually not allowed except for staff.

**METROPOLITAN CORRECTIONAL CENTER (“MCC”)** is the federal pre-trial detention and short-term sentence center located at the south end of the loop. Persons in custody at the MCC are awaiting trial in federal court, serving short sentences, awaiting shipment to a federal penitentiary, or pursuing a federal appeal. There is no parking facility for the building but city garages are nearby. To get into this facility, you must show your attorney ID and state your business while standing outside the front door. Only then will a guard buzz you in. Once inside, you must fill out an information sheet and sign in. It is best to call first to find out when mealtime and count time are scheduled in order to avoid a long wait while your client is eating or locked in his cell for the count.

IDOC now has a Web Page: see <<http://www.idoc.state.il.us/>>. The cite provides a search engine to help find prisoners.

## 22. GETTING TO THE INSTITUTION — ADDRESSES AND TELEPHONE NUMBERS

### (1) IDOC Adult Medium- and Maximum-Security Institutions

#### **CENTRALIA CORR. CENTER**

Warden Edwin R. Bowen  
P.O. Box 1266, Shattuc Rd.  
Centralia, IL 62801  
618/533-4111

Galesburg, IL 61402-1327  
309/343-4212

#### **DANVILLE CORR. CENTER**

Warden Blair Leibach  
P.O. Box 4001  
Danville, IL 61834-4001  
217/446-0441 or 42

#### **ILLINOIS RIVER CORR. CENTER**

Warden John Battles  
P.O. Box 999  
Canton, IL 61520  
309/647-7030

#### **DIXON CORR. CENTER**

Warden Jerry Sternes  
2600 North Brinton Avenue  
Dixon, IL 61021  
815/288-5561 ext. 2126

#### **JACKSONVILLE CORR. CENTER**

Warden Raymond Bensko, Jr.  
22685 Morton Avenue  
Jacksonville, IL 62650  
217/245-1481

#### **DWIGHT CORR. CENTER**

Warden Lynn Cahill-Masching  
P.O. Box 5001  
Dwight, IL 60420-5001  
815/584-2806

#### **JOLIET ANNEX (DHS Facility)**

Woodruff Road  
Joliet, IL 60432  
815/727-6141

#### **EAST MOLINE CORR. CENTER**

Warden Gary Wyant  
100 Hillcrest Road  
East Moline, IL 61244  
309/755-4511

#### **JOLIET CORR. CENTER**

Warden Ron Matrisciano  
P.O. Box 515  
Joliet, IL 60432  
815/727-6141

#### **GRAHAM CORR. CENTER**

Warden Steven Bryant  
P.O. Box 499  
Hillsboro, IL 62049  
217/532-6961

#### **LOGAN CORR. CENTER**

Warden James G. Cox  
Box 1000  
Lincoln, IL 62656  
217/735-5581

#### **HILL CORR. CENTER**

Warden Mark Pierson  
600 Linwood Road, P.O. Box 1327

#### **MENARD CORR. CENTER**

Warden Roger D. Cowan  
P.O. Box 711  
Menard, IL 62259  
618/826-5071

**MENARD PSYCH. CENTER**

Warden Roger D. Cowan  
P.O. Box 56  
Menard, IL 62259  
618/826-4593

**PINCKNEYVILLE CORR. CENTER**

5835 State Route 154  
Pinckneyville, IL 62274-3410  
618/ 357-9722

**PONTIAC CORR. CENTER**

Warden James M. Schoming  
P.O. Box 99  
Pontiac, IL 61764  
815/842-2816

**ROBINSON CORR. CENTER**

Warden Paul Barnett  
P.O. Box 1000  
Robinson, IL 62454  
618/546-5659

**SHAWNEE CORR. CENTER**

Warden Donald S. Young  
P.O. Box 400  
Vienna, IL 62995  
618/658-8331

**SHERIDAN CORR. CENTER**

Warden Danny D. Jaimet  
P.O. Box 38  
Sheridan, IL 60551  
815/496-2311

**STATEVILLE CORR. CENTER**

Warden Kenneth R. Briley  
P.O. Box 112  
Joliet, IL 60434  
815/727-3607

**TAMMS CORRECTIONAL CENTER**

Warden George Welborn  
200 East Supermax Rd.  
Tamms, IL 62988  
618/747-2062

**THOMSON CORR. CENTER**

Warden Jack T. Hartwig  
214 ½ Main Street  
Savanna, IL 61074  
815/273-3969

**VANDALIA CORR. CENTER**

Warden Tom L. Robinson  
P.O. Box 500  
Vandalia, IL 62471  
618/283-4170

**VIENNA CORR. CENTER**

Warden Terry McCann  
P.O. Box 200  
Vienna, IL 62995  
618/658-8371

**WESTERN ILLINOIS CORR. CENTER**

Warden William E. Boyd  
P.O. Box 1000  
Mt. Sterling, IL 62353  
217/773-2202

**23. DIRECTIONS TO ILLINOIS PRISONS (All Directions Are From Chicago)**

**TO CENTRALIA CORRECTIONAL CENTER:** approximately 240 miles. Interstate 90-94 (Dan Ryan Exp.) east to Interstate 57 south. Interstate 57 south to U.S. Rte. 50 (near Salem, Illinois) west. U.S. Rte. 50 west to Shattuc Rd., south on Shattuc Rd. approximately 2 miles to correctional center.

**TO DANVILLE CORRECTIONAL CENTER:** approximately 160 miles. Interstate 90-94 (Dan Ryan Exp.) east to Interstate 57 south. Interstate 57 south to Interstate 74 east (Champaign-Urbana). Interstate 74 east to Lynch Rd. (Exit No. 220) north. North on Lynch Rd. 1 ½ miles to U.S. Rte. 136 east. U.S. 136 east 1 ¼ miles to correctional center.

**TO DIXON CORRECTIONAL CENTER:** approximately 100 miles. Interstate 290 (Eisenhower Exp.) west to Ill. Rte. 88 (tollway) west. Ill Rte. 88 west to Ill. Rte. 26 north. Ill Rte. 26 north to Bradshaw Street turn right on Bradshaw Street (east) 2 blocks to Brinton Avenue left on Brinton Avenue (north) 1 ¼ miles to correctional center.

**TO DWIGHT CORRECTIONAL CENTER:** approximately 85 miles. Interstate 55 (Stevenson Exp.) west/southwest to Ill. Rte. 17 (Exit 217) west. Ill. Rte. 17 west 1 ½ miles to correctional center.

**TO EAST MOLINE CORRECTIONAL CENTER:** approximately 170 miles. Interstate 290 (Eisenhower Exp.) west to Ill. Rte 88 (Tollway) west to Rural Rte. 3 (1 mile west of interstate 80 on Ill. Rte. 5). Right on Rural Rte. 3. 3 miles to correctional center.

**TO GRAHAM CORRECTIONAL CENTER:** approximately 215 miles. Interstate 55 (Stevenson Exp.) west/southwest to Ill. 48 and 127 east. Approximately 5 miles to Ill. 127 south (Ill. 48 will continue east) Ill. 127 south to Ill. 185. Ill. 185 east 1 mile to correctional center.

**TO HILL CORRECTIONAL CENTER:** (formerly Galesburg) approximately 170 miles. Interstate 55 (Stevenson Exp.) west (south) to Interstate 80 west. Interstate 80 west to Interstate 74 west. Interstate 74 west to U.S. 34 west. U.S. 34 west 3 miles to Linwood Road. Linwood Road south 1/2 mile to correctional center.

**TO ILLINOIS RIVER CORRECTIONAL CENTER:** Interstate 55 (Stevenson Exp.) south to Interstate 74 west. Go west on Illinois 116 to Illinois 78 south, west on Route 9.

**TO JACKSONVILLE CORRECTIONAL CENTER:** approximately 235 miles. Interstate 55 (Stevenson Exp.) west (south) to U.S. 36 west to Illinois Rte. 104. Illinois Rte. 104 north to old U.S. 36. Old U.S. 36 east 1/10 mile to correctional center.

**TO JOLIET CORRECTIONAL CENTER:** approximately 45 miles. Interstate 55 (Stevenson Exp.) west (south) to interstate 80 east (8 1/2 miles) to Richard Street north 1 ½ miles to Collins Street north on Collins Street. 3 miles to correctional center at Woodruff Road.

**TO LINCOLN OR LOGAN CORRECTIONAL CENTER:** approximately 160 miles. Interstate 55 (Stevenson Exp.) west (south) to Lincoln, Illinois. Exit Business Loop 55 east approximately 1 mile to correctional center cutoff. Take cutoff 1 mile east to correctional centers.

**TO MENARD AND MENARD PSYCHIATRIC CENTER:** approximately 400 miles. (1) Driving: Not a one day round trip. Interstate 55 (Stevenson Exp.) west (south) to Illinois Rte. 3 south (east) to Ill. Rte. 150 south. Ill. Rte. 150 south 1 mile to Branch Street. South on Branch Street to Front Street. Front Street 1 mile north to correctional centers. (2) Flying: Take flight to St. Louis, obtain rent-a-car, drive to institution. You can do this trip leaving early in morning and returning late the same day.

**TO PONTIAC CORRECTIONAL CENTER:** approximately 90 miles. Interstate 55 (Stevenson Exp.) west (south) to Illinois 116 east 2 miles to Vermillion Street south 2 blocks to Lincoln Street and correctional center.

**TO SHERIDAN CORRECTIONAL CENTER:** approximately 60 miles to Rte. 3. Interstate 55 (Stevenson Exp.) west (south) to U.S. Rte. 52 (at Ill.59) west to Rte. 3. Rte. 3 north 2 miles to correctional center.

**TO STATEVILLE CORRECTIONAL CENTER:** approximately 50 miles. Interstate 55 (Stevenson Exp.) west (south) to Joliet Road exit (only exits south) become 111.53 south to Stateville—approximately 8 miles, and directly past Illinois Stateville State Police Headquarters on right hand side of road.

**TO TAMMS CORRECTIONAL CENTER:** approximately 365 miles. Dan Ryan Expressway until I-57 South Exit. Take I-57 South for approximately 200 miles; stay on I-57 South towards Memphis for another 140 miles. The take Ullin Road Exit — keep right at the fork in the ramp. Merge onto CR-7 for almost 1.4 miles. Then turn right onto US-51; turn left onto CR-9 for approximately 1 1/4 miles (CR-9 becomes CR-5). Turn left onto SR-127 for slightly more than 3 miles. Turn right onto CR-4. Approximately 8 1/4 hours.

**TO VANDALIA CORRECTIONAL CENTER:** approximately 240 miles. Interstate 90-94 east (Dan Ryan Exp.) to Interstate 57 south. Interstate 57 south to interstate 70 south (west) to U.S. 51 north. U.S. 51 north to correctional center.

**TO VIENNA AND SHAWNEE CORRECTIONAL CENTERS:** approximately 350 miles. Not a one-day round trip. Interstate 90-94 east (Dan Ryan Exp.) to Interstate 57 south. Interstate 57 south to Illinois 146 east (near Vienna, Illinois). Ill. 146 east to correctional center

**TO WESTERN ILLINOIS CORRECTIONAL CENTER:** Interstate 55 south to Route 136 west (exit #145 McLean), Route 136 west to. Route 124 west, Route 99 south, approximately 1 mile to prison.

See also <[http://citynet.excite.com:80/maps/view/?mapurl=/countries/united\\_states/illinois](http://citynet.excite.com:80/maps/view/?mapurl=/countries/united_states/illinois)>.

**24. SAMPLE ENVELOPE SPECIALLY MARKED**

YOUR NAME

YOUR ADDRESS

Mr. John Doe

Register Number XXXXX

P.O. Box XXXXXXXX

City, State ZIP XXXXX

**PRIVILEGED CLIENT/ATTORNEY CORRESPONDENCE**

**OPEN ONLY IN PRESENCE OF RESIDENT**

**25. SAMPLE LETTER TO CLIENT**

Mr John Jones  
#945722 \*/  
Division I, Tier F-1  
Cook County Department  
of Corrections  
P.O. Box 089002  
Chicago, Illinois 60608

RE: Jones v. Smith 87 C 1234

Dear Mr. \_\_\_\_\_:

I am the attorney who has been appointed by the Federal District Court for the Northern District of Illinois to represent you in the above-titled case. I have enclosed a copy of the order of appointment.

I will be coming to visit you on or about \_\_\_\_ (insert date) probably in the morning, and I look forward to discussing your case with you.

If you have other documents or pleadings in this case, please bring them to our interview or mail them to me. I will copy them and return them to you.

Sincerely,

Type Name  
Attorney at Law  
(312) 123-4567

---

\*/ Mail will not be delivered without the client section number on the envelope. Be sure to mark the envelope "PRIVILEGED & CLIENT/ATTORNEY CORRESPONDENCE - OPEN ONLY IN PRESENCE OF RESIDENT," so that the envelope will be opened only in the presence of the prisoner.

**26. FORMS**

- (1) Plaintiff's Emergency Motion for Leave to Photograph Gallery And Cell in Prisons Where He Claims He Was Improperly Incarcerated and for Entry of Protective Order
- (2) Protective Order
- (3) Authorization for Release of Information (State Department of Corrections)
- (4) Petition for Writ of Habeas Corpus Ad Testificandum
- (5) Writ of Habeas Corpus Ad Testificandum
- (6) Project Evaluation Form

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS**

(Plaintiff's Name]

**Plaintiff,**

vs.

(Defendant's Name]

**Defendants.**

No. [case no.]

JUDGE [Name]

**PLAINTIFF'S EMERGENCY MOTION FOR LEAVE TO PHOTOGRAPH GALLERY  
AND CELL IN PRISONS WHERE HE CLAIMS HE WAS IMPROPERLY  
INCARCERATED AND FOR ENTRY OF PROTECTIVE ORDER.**

Plaintiff moves the Court, pursuant to Federal Rules of Civil Procedures 34(b) and 45, to enter upon [Name] Correctional Center, to examine and photograph the cells and the galleries on which the cells are located where the plaintiff was incarcerated, the conditions of which are the subject matter of this law suit. Plaintiff proposes the examination, etc., be accomplished pursuant to a protective order of the type which plaintiff's counsel developed with another Assistant Attorney General, [Name], of the State of Illinois in a case that was recently concluded in this court. A modified copy of that order, ultimately signed by Judge Joe B. McDade, is attached hereto for the Court's execution in the event this motion is granted. In support of this motion, plaintiff states as follows:

1. This is an action by Plaintiff, an indigent plaintiff, currently a prisoner at [Name] Correctional Center. He initially proceeded pro se to recover damages for violation of his Eighth Amendment right against cruel and unusual punishment because of the conditions of incarceration in steel-

doored segregation cells when he was incarcerated at [Name] Correctional Center. Pursuant to order of Court, [Name of Counsel] filed his or her appearance as attorney for plaintiff.

2. The critical issue in this case is the nature of the incarceration of plaintiff in these cells. Obviously, it is imperative to be able to explain graphically to the jury the nature of these cells and related environs which were described in plaintiff's detailed affidavit in opposition to defendants' earlier motion for summary judgment. In denying that aspect of defendants' motion, the Court ruled that plaintiff's testimony, if believed by the jury, would in fact constitute cruel and unusual punishment in violation of the Eighth Amendment to the Constitution of the United States.

3. Prior to the final pretrial conference before this Court, [Name], the Assistant Attorney General assigned to represent defendants in this case, had repeatedly stated that he would agree to the relief requested by this motion if photographers engaged by the Illinois Department of Corrections took the photographs at the direction of plaintiff's counsel. Plaintiff's counsel agreed to this condition. The Court at that time was advised of this agreement and the final pre-trial order contemplates such photographs as exhibits.

4. The case is set for trial on [date]. It is essential that plaintiff obtain the subject photographs as soon as possible so that they can be processed, enlarged and reviewed with his clients that his position can be presented properly to the Court and Jury. It is too late now to rely on the IDOC photographers to provide this cooperation and plaintiff is prepared to proceed immediately with his own photographer, pursuant to the conditions of the attached order or any modification that the Court sees fit to make.

Respectfully submitted,

---

Attorney for plaintiff.

CERTIFICATION

I hereby certify I caused a copy of the above motion to be served on the attorney for defendants by facsimile and mail, this [date].

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS**

**(Plaintiff's Name]**

**Plaintiff,**

**vs.**

**(Defendant's Name]**

**Defendants.**

**No. [case no.]**

**JUDGE [Name]**

**PROTECTIVE ORDER**

Plaintiff, [Name of plaintiff], pursuant to Federal Rules of Civil Procedures 34(b) and 45, has requested entry upon [Name] Correctional Center, operated by the Illinois Department of Corrections (IDOC), to examine and photograph the site where the alleged incident which is the subject to his suit took place. The IDOC does not oppose plaintiff, plaintiff's request provided that certain limitations are imposed.

Plaintiff and the IDOC have reached an agreement concerning those limitations and plaintiff's use of technical equipment and the use and dissemination of information gathered during the entry.

IT IS HEREBY ORDERED upon consent and agreement of the parties that:

1. The plaintiff, plaintiff's team will consist of his counsel, [Name of counsel] and photographer [name of photographer], Social Security # \_\_\_\_\_, whose office, [Name of business], is at [address].

2. The plaintiff's team may bring with them, use, and remove from [Name] Correctional Center portable photographic equipment consisting of a camera, flash, camera lenses and two rolls of film (12 pictures each).

3. The plaintiff's team may bring with them, use and remove from [Name] Correctional Center a tape measure.

4. The plaintiff's team may bring with them, use and remove from [Name] Correctional Center pads of paper and pens.

5. To avoid possible disruption, the plaintiff's team shall not talk with inmates or employees of the Department of Corrections, other than Legal Counsel and the designated staff escort, about any matter, including the purpose of the photographs or the nature of the litigation.

6. The plaintiff's team shall not photograph any prisoner or employee of the Department of Corrections.

7. The plaintiff's team shall be permitted to inspect and photograph only the following areas of the aforementioned site:

a. Cell No. [no.] of [Name] Correctional Center; the exteriors of the cells directly adjacent thereto; the tunnel behind the cells limited to the portion directly behind cell no [no.] including one photograph from the doorway of the tunnel looking inward; the "flag" area adjacent to the entrance, looking out of the unit doorway, rather than in towards the housing areas; the cage unit in the [Name] Correctional Center limited to the area containing the mace canister.

8. The time for making this inspection and photographing shall be conducted on [date and time].

9. Copies of all photographs shall be available to the Department of Corrections at its expense upon request. Copies of all photographs shall also be available to defendants and plaintiff at their own expense upon request on the condition they are bound by this order.

10. Counsel for plaintiff will restrict the dissemination of any and all information and photographs the team gathers to attorneys, paralegals, and support staff who are actively and directly

involved in the conduct of this litigation, except that pictures taken at [Name] Correctional Center may be developed by a professional film developer.

11. Any and all information and photographs which are gathered shall not be used or distributed except as provided for by this protective order and for purposes which are directly related to this litigation.

12. Upon final disposition of this litigation, all copies of photographs shall be destroyed and a certification regarding the destruction prepared by the destroying party.

13. While in the facility, all members of plaintiff's team agree to comply with the rules and regulations of [Name] Correctional Center and the IDOC.

14. Nothing in this order shall be construed to mean that the Department stipulates the photographs are true and accurate representations of the areas photographed as those areas existed on [date].

15. The attorney for plaintiff and the defendants will be permitted to participate in this inspection, review documents, etc. only upon execution of this stipulation by the attorney for the defendants [Name of defendant] and the attorney for Plaintiff.

**ENTERED:**

\_\_\_\_\_  
United States District Court Judge

**Dated:** \_\_\_\_\_

**AGREED:**

\_\_\_\_\_  
Attorney for Plaintiff

\_\_\_\_\_  
Attorney for defendant  
[Name of defendant]

\_\_\_\_\_  
Attorney for Illinois  
Department of Corrections

**STATE OF ILLINOIS**  
**DEPARTMENT OF CORRECTIONS**  
**AUTHORIZATION FOR RELEASE OF INFORMATION**

I hereby authorize \_\_\_\_\_  
(facility)

to release

\_\_\_\_\_  
(state specific information to be disclosed)

\_\_\_\_\_  
\_\_\_\_\_  
(purpose of disclosure)

for the records of \_\_\_\_\_  
(number) (name)

to:

Authorized Attorney       Self

\_\_\_\_\_  
(name) (name)

\_\_\_\_\_  
(address) (address)

\_\_\_\_\_  
I hereby release and hold harmless, the State of Illinois, the Department of Corrections, and its employees, from any liability which may occur as a result of the disclosure and/or dissemination of the records or information contained therein resulting from the access permitted to the authorized attorney and/or self. This consent is valid for 45 days from the date of signature. I understand that I have the right to revoke this consent in writing at any time during the 45 day period.

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(date)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

(Plaintiff's Name]	)	
	)	
Plaintiff,	)	No. [case no.]
	)	
vs.	)	JUDGE [Name]
	)	
(Defendant's Name]	)	
	)	
Defendant.	)	

**PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

TO: Honorable [judge's name), Judge, United States District Court for the Northern District of Illinois

Plaintiff by his counsel comes before the Court and respectfully represents that [witness' name) is currently detained at [name of detention facility). Plaintiff further represents to the Court that the presence of this prisoner is needed to give testimony in the above-entitled case set for hearing before the Court on [date and time of proceeding).

Wherefore, plaintiff petitions for an order directing the Clerk to issue a Writ of Habeas Corpus Ad Testificandum directed to:

[Name and address of custodian)

commanding him to produce the body of the prisoner before the Court at the above-specified date and time and, at the conclusion of the proceedings or upon the Court's direction, to return the prisoner forthwith to the institution from which he was brought.

\_\_\_\_\_  
Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

(Plaintiff's Name)	)	
	)	
Plaintiff,	)	No. [case no.]
	)	
vs.	)	JUDGE [Name]
	)	
(Defendant's Name)	)	
	)	
Defendant.	)	

**WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

THE PRESIDENT OF THE UNITED STATES

TO: Warden  
[Name and address of institution where witness held in custody]

Greetings:

This Court has been advised that [name and prison number of witness] is now confined under your custody at [name of correctional facility] and that his presence is necessary in this Court.

THEREFORE, the Court commands you to bring or cause to be brought the person of [name and prisoner number of witness] before Judge [name], United States District Court for the Northern District of Illinois, Eastern Division, in Courtroom [no.], 219 S. Dearborn Street, Chicago, Illinois on [date and time of proceeding]. [Name of witness] shall remain present in the Court as required and, when his presence is no longer needed, shall, upon the direction of the Court be returned to your custody for safe and secure passage back to the place of confinement from which he was brought.

Writ shall be issued to the United States Marshal to execute .

---

Michael Dobbins, Clerk  
U.S. District Court  
Northern District of Illinois

---

Deputy Clerk

DATED: \_\_\_\_\_

**FEDERAL COURT PRISON LITIGATION PROJECT  
EVALUATION FORM**

(Please fill out and return to the Project.)

JUDGE \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, in  
the case \_\_\_\_\_ v. \_\_\_\_\_ appointed me to represent the  
plaintiff. I no longer represent the plaintiff in this case because on \_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_

	<u>YES</u>	<u>NO</u>
I read the handbook . . . . .	—	—
I called the Federal Court Prison Litigation Project for further assistance . . . . .	—	—

These materials were (helpful) (not helpful).

COMMENTS:

The Federal Court Prison Litigation Project  
was (helpful) (not helpful)

COMMENTS:

I submitted significant pleadings in my case for the Project pleadings bank <sup>**/</sup>	<u>YES</u>	<u>NO</u>
	—	—

The materials were submitted on computer disk.	<u>YES</u>	<u>NO</u>
	—	—

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_

NAME (print) \_\_\_\_\_

---

<sup>\*\*/</sup> If you haven't yet submitted pleadings in your case, please do so.