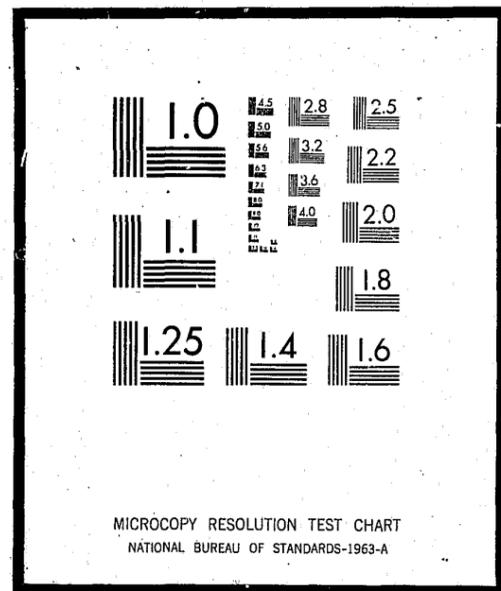


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EXEMPLARY PROJECT VALIDATION REPORT

Project Candidate:

LEGAL SERVICES FOR PRISONERS,
INCORPORATED

Topeka, Kansas

Submitted to:
Ms. Mary Ann Beck
U.S. Department of Justice
Law Enforcement Assistance Administration
National Institute of Law Enforcement
and Criminal Justice
Washington, D.C. 20530
January 10, 1975

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1.0 INTRODUCTION

At the request of the National Institute, Abt Associates conducted a short-term validation study of Legal Services for Prisoners, Incorporated (LSPI)--a program providing legal counseling and representation to convicted offenders. This report presents the results of that study and is intended to assist the Exemplary Projects Advisory Board in evaluating the achievements of the project and the potential for replicating the LSPI design in other communities.

Following a general review of our sources of information, an overview of project operations and administration is provided in the remainder of this section. Section Two considers LSPI in light of the general Exemplary Project Selection Criteria as well as the specific questions posed by the National Institute following their initial consideration of the project. In the concluding sections of this report, overall project strengths and weaknesses are summarized.

1.1 Data Sources

This study includes a review and analysis of existing project documentation referenced in the Bibliography, and a total of five (5) days of on-site observation and interviews. Site visits were conducted November 11-13 by Mr. Michael Keating of the Center for Correctional Justice, Washington, D.C.; and on November 11 and 12 by a member of the Abt staff. During these visits, interviews were conducted with administrators, Board members, and staff of LSPI; with student interns who provide the bulk of the legal services; with administrators of the correctional institutions serviced by LSPI; with state corrections officials monitoring the program; and most importantly, with LSPI's clients--inmates within the correctional institutions.

1.2 Project History

Legal Services for Prisoners, Inc. is the outgrowth of a prison legal services program conceived and initiated in the State of Kansas by Professor Paul E. Wilson, faculty member of the Kansas University Law School. Professor Wilson's idea of utilizing law students to provide legal counseling to inmates and clinical legal experience to students was first implemented in 1965 in federal prisons located in Kansas, under the auspices of a nine-month pilot project grant from the Metzenbaum Human Relations Fund of Cleveland, Ohio. A National Defender Project (NDP) grant in 1966 made possible the extension of legal services to inmates in Kansas state institutions,

and NDP grant funds were expended over the four-year period from 1966-1970. Further grants from the Kansas Governor's Committee on Criminal Administration, which administers Kansas LEAA funds, supported the project during the academic years of 1970-71 and 1971-72.

During the summer of 1971, the Director of NDP, Major General Charles L. Decker, a former Kansan and former Judge Advocate General of the Army, conceived and developed plans for a multi-state legal service program financed by LEAA for prisoners in major state penal institutions. The project contemplated that in each of the participating states--Georgia, Minnesota, and Kansas--a staff of full-time attorneys, augmented by law students, would provide legal services. A grant of LEAA discretionary funds was obtained to support state-administered programs in each of the three states, and the programs were operated under the auspices of a Consortium Center located in Washington, D.C., and directed by General Decker. Legal Services for Prisoners, Inc., the program established in Kansas in 1972 as a part of the consortium, sought to expand, improve, and institutionalize the project inaugurated by Professor Wilson in 1965.

1.3 Project Organization

According to project documents, the role of the Consortium Center is mainly one of planning, coordinating, evaluating, supplying administrative services, and maintaining liaison with LEAA headquarters. Each state in the consortium operates its own independent program, and each of the programs has characteristics which differentiate it from its counterparts. The Minnesota Governor's Commission on Crime Prevention and Control acts as the grantee agency, contracting with the service agencies in the other states and the Consortium Center.

The first action taken by the Consortium Center to initiate a prison legal services program in Kansas was the appointment of a state supervisor and assistant state supervisor to organize and oversee program operations throughout the state, and to insure the implementation of Consortium guidelines. Professor Wilson and Professor Keith G. Meyer, also of the Kansas University Law School, were appointed supervisor and assistant supervisor respectively. In those roles, they assisted in the planning, institution, and development of the organizational entity intended to administer the program, LSPI. Once the administering organization was established and operating satisfactorily, direct supervisory authority over the Kansas prison legal service program by Professors Wilson and Meyer ceased, and LSPI assumed total responsibility for the program under the Consortium Center. Professors Wilson and Meyer have, however, had a continuing involvement in the program. Currently, both supervise and teach the courses given to

The Kansas University (KU) law students to prepare them for participation in the program. Additionally, Professor Wilson serves on the LSPI Board of Directors and Professor Meyer is the corporation's secretary.

Legal Services for Prisoners, Inc., was established as a non-profit corporation for the purpose of administering the project because it was felt that such a program should be removed from law school control in deference to its commitment to providing legal services rather than educating law students. LSPI is governed by a Board of Directors with a minimum of seven members, drawn from the Kansas bar, judiciary, legislature, and faculty of the state's two law schools as follows: The Judicial Administrator of Kansas (automatically a member); one member from the District Judge's Association; one member from the University of Kansas School of Law; one member from the Washburn University School of Law; and three members from the Bar Association of the State of Kansas (one member to be a member of the State Legislature). The Board meets monthly and sets the policies of the corporation. The paid professional staff are hired by the Board and are answerable to it.

LSPI, headquartered on the campus of the Menninger Foundation in Topeka, Kansas, with branch offices in Lawrence (where KU is located) and Hutchinson (site of the Kansas State Industrial Reformatory), is administered by a Project Director responsible for delivery of legal services to all state institutions. His staff includes a part-time litigation attorney and an administrative assistant/secretary in the Topeka office, a secretary in the Lawrence office, and an attorney and secretary in the Hutchinson office. The Director and litigation attorney supervise and coordinate the law students working with faculty advisors at the respective law schools who select and train the students and monitor their activities academically and professionally.

LSPI utilizes the volunteer services of approximately sixty law students throughout the year. Fifteen students per semester participate in the program from KU Law School, under the supervision and guidance of their faculty advisor. The KU law students in Lawrence service the Kansas State Penitentiary (KSP) and the Kansas Correctional Institution for Women (KCIW), both of which are located in nearby Lansing, Kansas. The Washburn University Law School in Topeka selects approximately thirty students per year to participate in the program, all of whom are assigned to cases at the Kansas Reception and Diagnostic Center (KRDC), also located in Topeka. Since the Kansas State Industrial Reformatory (KSIR) is located 150 miles from the nearest law school, the full-

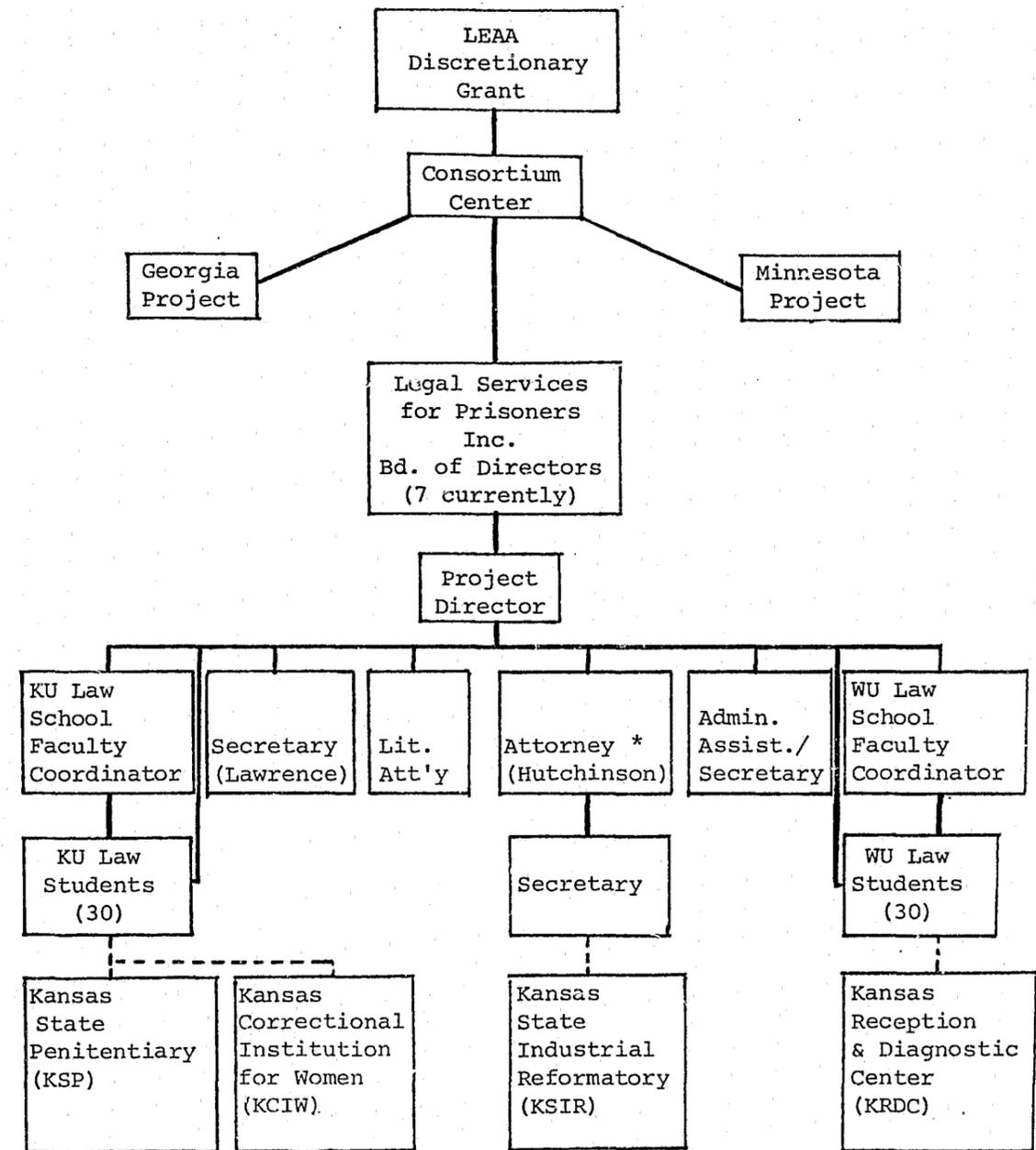
time attorney based there generally must service all of the inmates' legal needs without student assistance. (He does, however, receive assistance from court appointed attorneys and occasionally from a few student attorneys. Also during the three-week transition period when the initial Hutchinson LSPI attorney was turning his duties over to his successor, there were two lawyers on site.)

As a prerequisite, all students participating in the program must have completed basic courses in criminal law, criminal procedure, evidence, and constitutional law. In addition, all KU students are required to complete a five-week course in post-conviction procedure.

During the summer months, KU School of Law hires four to six students who have worked on the project the preceding year as full-time interns to cover that major period when the law school is not in session. Washburn University School of Law has a summer clinic program which operates in the same manner as the fall and spring semester program. Efforts have been made by LSPI to maintain its level of student services during other periods as well, such as during the various holiday vacations and examination periods. In situations where this has not been possible, the attorneys have assumed a heavier portion of the caseload.

Figure 1 on the following page illustrates the project's overall organization.

Figure I
Project Organization



* Supplemented by occasional court-appointed attorneys and student services.

1.4 General Operations

Major LSPI functions with respect to inmate services include outreach, intake, review of requests for assistance, and provision of legal services.

- Outreach

LSPI advertises its services in posters prominently displayed in areas generally traversed by inmates. Also, weekly briefings on LSPI services are given by the Project Director to incoming inmates at the KRDC. (KRDC is the intake center for all persons sentenced to serve prison terms in the State of Kansas. Persons received there are provided psychiatric, psychological, and social evaluation, the results of which are supplied to the sentencing court and to those responsible for planning the institutional treatment of the offender.) These weekly briefings ensure that every new inmate of the Kansas penal system receives word about LSPI services within seven days of incarceration. Finally, LSPI services have been made known to inmates through word-of-mouth.

- Intake

LSPI receives its requests for legal services on application forms provided inmates by the penal institution, or the lawyers and students associated with the program during visits to other inmates. The application forms request the following information from each applicant: (1) nature of his legal problem(s); (2) information concerning his present sentence and conviction process; (3) whether he is presently represented; (4) information concerning prior offenses and outstanding detainers; and (5) whether he is indigent. Normally LSPI will not proceed on a request unless it is on an application form as the forms provide the basic minimum information on which the faculty member and student can assess a prisoner's needs. Occassionally, when time is of the essence or circumstances dictate departure from the regular procedure, LSPI will act on a letter received from an inmate and forego the application form requirement. All KRDC application forms are forwarded to the Project Director for logging and dispersal to the WULS component. KSP and KCIW applications are forwarded directly to the KULS prison legal services office for logging and assignment--a process which substantially reduces the Lansing-Topeka-Lawrence turn-around time. Likewise, KSIR applications are handled directly by the on-site LSPI attorney.

• Review of Requests for Assistance

Two initial checks are made of an inmate's application form for LSPI assistance. First, the form is examined to ascertain the urgency of the applicant's problem; and, when the situation warrants timely consideration, the application is processed on other than the usual first-come, first-served basis. Secondly, a quick check is made of the LSPI "cases closed" files to ensure the application does not represent an attempt by the applicant to raise the same legal issue more than once without any substantial new information. After the application has been reviewed by the Project Director or his counterpart at the various intake centers, it is assigned to the student component for appropriate legal action.

• Provision of Legal Services

Legal services provided by students include personal interviews with inmate clients who request assistance, counseling, research, investigation, negotiation with officials, and preparation of pleadings and legal memoranda. Figure 2 enumerates the number and nature of cases handled in each institution. (Information relating to case disposition is not available.) The number of cases handled each year is computed on the basis of the number of cases closed (rather than opened) during that period. As Figure 2 shows, the greatest number of cases (1,583 out of 1,908, or 83%) concerned disciplinary board hearings. Sixty-three percent of the cases (1,200 of 1,908) closed were handled at KSIR; however, 87.5% of these (1,050 out of 1,200) were the less time-consuming disciplinary hearings. KSP handled 33% of the total cases (622 of 1,908) 86% of which were disciplinary hearings. The remaining cases were handled at KRDC, as KCIW had no cases closed (and only four opened) during the period. LSPI officials explained that KCIW requests for legal services are few because the women inmates in that minimum security institution have few legal problems. The per capita caseload at each of the institutions was the following: KSP, .948; KRDC, .683; KCIW, 0; KSIR, 2.147.

Major LSPI functions associated with student-related services include recruitment, selection, training and evaluation:

• Recruitment

As one of the few clinical prisoner legal service programs in the country, LSPI has no trouble recruiting law students interested in a good, clinical legal education. Very little time and resources are devoted to that aspect of the program; the program is described in the law school catalogue, and there is generally an abundance of applicants.

Figure 2 *
 Cases Closed During
 Period May 1, 1973 - June 30, 1974 for KSP, KRDC
 Period Oct.1, 1973 - June 30, 1974 for KSIR

Type of Problem	Kansas State Penitentiary (Lansing; pop. 656)	Reception & Diagnostic Center (Topeka; pop.126)	Kansas State Industrial Reformatory (Hutchinson; pop. 559)	Total (%)
Inquiries re: civil damage actions	3	3	4	10 (0.5%)
Lack of communication with attorney of record	0	2	0	2 (0.1%)
Detainers, charges pending, extradition	10	9	21	40 (2.1%)
No assistance needed	2	13	0	15 (0.8%)
Jail credit or sentencing	13	10	15	38 (2.0%)
Institutional grievance	2	2	2	6 (0.3%)
Miscellaneous	11	3	43	57 (3.0%)
Parole, clemency	10	5	15	30 (1.6%)
Alleged error in trial and/or proceedings	8	4	3	15 (0.8%)
Appeals, K.S.A.60-1507 motions	12	7	30	49 (2.5%)
Wanted transfer to another institution	4	1	0	5 (0.3%)
Alleged improper medical care	3	2	0	5 (0.3%)
Disciplinary board hearings	532	1	1050	1583 (82.9%)
Welfare	0	0	0	0 (0.0%)
Financial problems, bankruptcy	2	10	7	19 (1.0%)
Divorce, child custody support payments	7	13	10	30 (1.6%)
Military, VA benefits, Social Security	2	1	0	3 (0.2%)
Ineffective assistance of counsel	1	0	0	1 (.05%)
TOTAL CLOSED	622	86	1200	1908 (100.0%)

* Kansas Correctional Institution for Women is not included as no cases were closed during the period referenced. Note that figures for Kansas State Industrial Reformatory cover only a nine month period. The cases shown were drawn from the KSIR statistical report (contained in the Appendix). In some instances, case types may not be entirely compatible with the categories indicated for the remaining two institutions.

• Selection

Other than completing appropriate courses, generally any student in good standing at either of the participating law schools is eligible for participation in the program. To date, no eligible student has been denied entry into the LSPI program; however, a very small number of students involved in the program have been released in the past for inadequately performing their assignments or for inappropriate conduct.

• Training

All students are given basic orientation as to the nature of the program, operational procedures and techniques, and program requirements. Additionally, the KU students receive a five-week mini-course in post-conviction remedies and procedure. Since much emphasis is placed on the personal interview between the student-attorney and his client, students receive extensive training and supervision in interviewing. Furthermore, as the academic year progresses, students participating in the program undergo continuous training as their efforts are monitored and evaluated weekly by a supervising attorney.

• Evaluation

The Project Director, law school professor-coordinators, and supervising attorneys all have a hand in evaluating each student's performance. Frequent monitoring gives each student practical appraisals of his professional competence. Also, students are evaluated academically on a pass-fail basis, the major criteria being (1) suitable performance of legal activities, and (2) forty hours of participation for each hour of academic credit awarded. With regard to the latter, most student participants far exceed program requirements.

2.0 Selection Criteria

This section considers the extent to which the Legal Services for Prisoners, Inc. meets the criteria for Exemplary Project selection. Included are comparisons of LSPI operations with relevant National Advisory Commission*standards as well as recommendations contained in an American Bar Association report on Prison Legal Services.**

2.1 Goal Achievement

LSPI's stated purpose is twofold: (1) To provide effective legal representation to indigent prisoners incarcerated in the Kansas penal system; and (2) To provide clinical legal training to law students. To achieve these purposes, the program has identified three goals, each of which is discussed briefly below.

- 1) to identify and assist those prison inmates with substantial legal problems; to assist inmates with the human problems arising out of their interpersonal relationships both in and out of prison; to augment the normal institutional counseling services.

LSPI services not only those legal needs related to a prisoner's offense and/or intra-prison disciplinary proceedings, but also to the myriad of day-to-day personal legal problems which may be exacerbated under the conditions of confinement, such as divorce, custody, civil suits, estate planning and management, etc. Although more than three-quarters of LSPI's caseload involves disciplinary board hearings, etc., such figures pertain only to case numbers rather than case hours; generally, far less time is spent on disciplinary hearings than on personal legal services.*** Although personal counseling per se is not a feature of the program, to the extent that an inmate simply needs a sympathetic listener to whom he can voice his concerns, frustra-

* National Advisory Commission on Criminal Justice Standards and Goals. Report on Corrections. Washington, D.C.: January 1973.

** American Bar Association. Providing Legal Services to Prisoners: An Analysis and Report, May 1973.

*** Although 83% of the cases closed (1583 of 1908) from May 1, 1973 through June 30, 1974 involved disciplinary hearings, those cases required only 21% of the time (440 of 2058 total man days) expended by LSPI staff.

tions and thoughts, LSPI staff have augmented the counseling services available in the institutions.

Unfortunately, there is no data available to measure these achievements in quantitative terms. The provision of a tangible outlet for intra and extra-institutional legal problems (real and imaginary) might be expected to reduce inmate anxiety and tensions, thereby reducing violent incidents among inmates. Although the institutions served have remained free from riots over the past several years, no experimental study has been initiated to substantiate a reduction in individual cases of violent inmate behavior.

- 2) To discourage frivolous and unsubstantial litigation.

Many inmate applications are advised by LSPI that their complaint is non-meritorious. [The KSIR statistical report (10/73-6/74) indicates that 11% of all civil cases reviewed in that institution and approximately 18% of all criminal cases were adjudged frivolous.] Although the number of pro se complaints per capita prior to the inception of the project is not known, they have reportedly diminished by 20% and this at a time when pro se complaints could have been expected to increase given rising inmate awareness of heightened judicial interest in prisoner's rights. The use of jail-house lawyers has also reportedly diminished. The number of post-conviction motions filed by inmates has declined but only in proportion to a declining inmate population.* (These cases are, however, not necessarily indicative of unsubstantiated litigation.)

- 3) To provide extraordinary educational experience for law students.

A significant number of law students each year are the beneficiaries of supervised clinical training. During the fourteen month period 5/1/73 to 6/30/74, LSPI's Consortium Report indicates a total of 9,840 law student hours (approximately 4 person years including academic instruction) were spent in the program. A total of 81 students received academic credit for "project work or project related courses."

* During one period, July 1, 1972 - June 30, 1973, when Kansas inmate population was decreasing at an annual rate of approximately 20%, the number of post-conviction motions was being reduced by only 16.5%, from 115 to 96.

Perhaps the single detraction to LSPI's progress in meeting its inmate service objectives is an apparently substantial communications gap between the inmates and the program administrators. This problem has manifested itself in several ways:

- The majority of the twenty inmates interviewed by the validators at KSP (which admittedly represents only slightly better than 3% of the total inmate population of that institution) indicated their impression that LSPI staff were attorneys hired by the Department of Corrections to service the disciplinary procedures. While some inmates applauded the representation, others complained of extensive plea-bargaining (a fact denied by project personnel, but substantiated by law students interviewed). Thus, to many inmates, the project is linked to the success of the disciplinary system; and although the Kansas correctional disciplinary system is considerably more equitable and sophisticated than most, prisoners may rarely think well of any entity involved in dispensing institutional discipline.

- During the period from August 1972, when LSPI began, through June 30, 1974, 758 of LSPI's 2,347 cases (77%) involved representations at disciplinary proceedings, while 704 (23%) involved all other kinds of legal assistance. These statistics suggest a heavy preoccupation with disciplinary proceedings, much of which may be attributable to inmate misinformation regarding the scope of LSPI services. Indeed, a recent survey by the Project Director indicated that many of the KU student attorneys refer to their program as the "Public Defender Project" when interviewing inmate clientele, and that widespread use of this misnomer may have led, or at least contributed to, inmate confusion.

- Apparently, though LSPI scrupulously solicits appraisals regarding its operations from involved educators, correctional authorities, the legal community, and law students, it does not actively pursue the opinions of its clients -- the inmates. Since the project's initiation, little discernible effort has been expended to evaluate the impact on the prisoners of the services offered by the program or to solicit input from inmates regarding their preferences for the kind of services provided.

As confirmed by the following comparison of LSPI operations with relevant NAC* and ABA** standards, with the notable exception of its library facilities, the LSPI organization conforms to the letter of most standards for the provision of prison legal services. Those standards that relate to the availability of civil and criminal legal assistance are fully satisfied in that such assistance is certainly available. It remains to be determined whether or not the perceptual problems noted above have resulted in an underutilization of those services by the inmate population.

* National Advisory Commission on Criminal Justice Standards and Goals, op. cit.

** American Bar Association., op. cit.

2.1.1 LSPI Practices Compared to NAC Standards and the ABA Model

• Standard 2.1: Access to Courts

This standard requires:

1. *Making available to persons under correctional authority for each of the purposes enumerated below adequate remedies that permit, and are administered to provide, prompt resolution of suits, claims and petitions:*

- a) *Challenging the legality of their conviction or confinement:*

LSPI provides full legal assistance in helping an inmate to attack his conviction or confinement (74 cases from May 1, 1973 - June 30, 1974).

- b) *Seeking redress for illegal conditions or treatment while incarcerated or under correctional control:*

LSPI provides full legal services to an inmate in attacking all illegal conditions or treatment under which he is incarcerated. (Figures not available)

- c) *Pursuing remedies in connection with civil legal problems;*

LSPI assists an inmate in all civil legal problems providing they are not fee producing (171 cases from May 1, 1973 - June 30, 1974.)

- d) *Asserting against correctional or other governmental authority any other rights protected by constitutional or statutory provision or common law.*

LSPI protects the constitutional or statutory rights of an inmate if it involves problems with the correctional or other governmental authorities (Figures not available).

Where adequate remedies exist, making certain they are available to offenders, including pre-trial detainees, on the same basis as to citizens generally.

LSPI handles only those inmates incarcerated in the state penal system. Suggestions are often made to the personnel in charge of the municipal and county jails, but LSPI is prohibited from taking any legal steps against them.

2. *Ensuring that no inmate wait until termination of confinement for access to the courts.*

It can be said that upon discovery of a valid legal problem of an inmate that LSPI takes the quickest steps possible in assisting the inmate with his legal problem. The termination of confinement plays little, if any, role in judging how LSPI will operate.

3. *Where complaints are filed against conditions of correctional control or against the administrative actions or treatment by correctional or other governmental authorities, requiring that offenders first seek recourse under established administrative procedures and appeals and exhaust their administrative remedies. Also, ensuring that administrative remedies be operative within 30 days and not in a way that would unduly delay or hamper their use by aggrieved offenders. Finally, where no reasonable administrative means is available for presenting and resolving disputes or where past practice demonstrates the futility of such means, ensuring that the doctrine of exhaustion does not apply.*

Federal case law establishes a prisoner's rights to file an action concerning prison conditions if the administrative remedy is inadequate. If the grievance is one of immediate nature then access should be made to the federal court system. LSPI will assist the inmate if this is the case. However, if the problem is not one involving immediate attention and does not infringe upon the constitutionally guaranteed rights of the inmate, then the administrative procedures must first be exhausted before LSPI will act.

4. *Making certain offenders not be prevented by correctional authority, administrative policies or actions from filing timely appeals of convictions or other judgments; from transmitting pleadings and engaging in correspondence with judges, other court officials, and attorneys; or from instituting suits and actions. Nor should they be penalized for so doing.*

According to available information, there has been no instance where an inmate has been prevented from taking action as mentioned above. In fact, policies and guidelines specifically state that inmates have a right to correspond with governmental authorities including judges, officials, attorneys, and courts. Further, no inmate has ever been prevented from filing any timely or transmitting pleadings since the inception of LSPI.

5. *Subjecting transportation to and attendance at court proceedings to the reasonable requirements of correctional security and scheduling; however, courts dealing with offender matters and suits should cooperate in formulating arrangements to accommodate both offenders and correctional management.*

The court system in Kansas as well as the penal institutions of the state reportedly have been very cooperative in providing attendance at court proceedings. No difficulties in this regard were reported.

6. *Ensuring access to legal services and materials appropriate to the kind of action or remedy being pursued be provided as an integral element of the offender's right to access to the courts.*

Inmates are allowed to gain access to their transcripts or other court documents necessary to their particular case. LSPI often assists the inmate in obtaining these documents. The penal system in Kansas also allows an inmate to keep with him personally any legal documents or papers that the inmate feels are personal to him.

- Standard 2.2: Access to Legal Services

This standard requires:

1. *Applying this standard to the following proceedings or matters:*
 - a) *Postconviction proceedings testing the legality of conviction or confinement.*

LSPI provides every possible legal service to the inmate in regard to postconviction proceedings. In most instances this requires the law student to investigate the facts and research all legal points. If the inmate's case has merit, he is provided added legal assistance to file a post-conviction petition.

- b) *Proceedings challenging conditions or treatment under confinement or other correctional supervision.*

Again, LSPI will assist an inmate in investigating facts regarding the conditions or treatment under his confinement.

- c) *Probation revocation and parole grant and revocation proceedings.*

The law student fully investigates, upon the request

of an inmate, any probation revocation or parole revocation. Again, if the inmate's case has merit, legal proceedings will be instituted.

- d) *Disciplinary proceedings in a correctional facility that impose major penalties and deprivations.*

Each Wednesday, Kansas State Penitentiary has scheduled hearings on disciplinary matters within the institution. Each inmate has access to LSPI services to assist him in his case. In 80-90% of the cases, the inmates request assistance. Often with the assistance of LSPI, the inmate will receive dismissal of his charges or a reduction of the originally imposed penalty.

- e) *Proceedings or consultation in connection with civil legal problems relating to debts, marital status, property, or other personal affairs of the offender.*

The inmate may seek legal services and consultation concerning any of the abovementioned matters providing his case is not fee producing. The project has assisted inmates in collection of debts, divorce proceedings, regaining of property and other personal affairs.

2. *In exercise of the foregoing rights:*

- a) *Requiring attorney representation for all proceedings or matters related to the foregoing items (a) and (c), except that law students, if approved by rule of court or other proper authority, may provide consultation, advice, and initial representation to offenders in presentation of pro se postconviction petitions.*

All of the law students in the clinical semester at Washburn University have been approved by rule of the Kansas Supreme Court to represent inmates in court proceedings. Approximately three or four students have been admitted under the rule of the Supreme Court at Kansas University. In some cases where the inmate has filed a *pro se* petition, the law student assists the inmate in receiving court appointed counsel. This practice is followed so as not to interfere with local bar associations. However, there have been instances where the court could have appointed local counsel but requested that inmate be represented by LSPI.

- b) *In all proceedings or matters described herein, permitting use of counsel substitutes to provide legal assistance to attorneys of record or supervising attorneys.*

The law students often assist attorneys of record in researching points of law and obtaining court documents. However, the project tries not to make a practice of allowing court appointed counsel to lean heavily upon the project for total preparation of his case.

- c) *Permitting counsel substitutes to provide representation in proceedings or matters described in foregoing items (d) and (e), provided the counsel substitute has been oriented and trained by qualified attorneys or educational institutions and receives continuing supervision from qualified attorneys.*

As stated earlier, all of the inmates in the penal system are allowed representation of LSPI concerning their legal problems. This is under the supervision of an attorney. Further, law students are allowed to investigate and interview cases regarding item (e) and an attorney is available to assist the law student when the matter comes to trial. The law student and the attorney appear jointly in the record.

- d) *Ensuring that "major deprivations or penalties" includes loss of "good time," assignment to isolation status, transfer to another institution, transfer to higher security or custody status, and fine or forfeiture of inmate earnings. Such proceedings should be deemed to include administrative classification or reclassification actions essentially disciplinary in nature; that is, in response to specific acts of misconduct by the offender.*

The policy, procedure and guidelines for disciplinary matters at the institutions fully outline the specific act or acts of misconduct for which an inmate may be charged at the institution. The guidelines also state specific penalties involved including loss of good time or disciplinary segregation punishment.

e) *Prohibiting assistance from other inmates only if legal counsel is reasonable available in the institution.*

Kansas penal institutions permit assistance from other inmates in disciplinary matters as well as filing of *pro se* petitions.

f) *Applying access to legal services provided for herein to all juveniles under correctional control.*

Early next year, Kansas will open a new Youthful Offenders Center for those individuals between the ages of 17 and 26 years. These individuals will be first-time offenders, usually charged with a non-violent crime. LSPI services will be available to these inmates.

g) *Ensuring that correctional authorities assist inmates in making confidential contact with attorneys and lay counsel. This assistance includes visits during normal institution hours, uncensored correspondence, telephone communication, and special consideration for after-hours visits where requested on the basis of special circumstances.*

The Kansas Penal System has fully cooperated in helping inmates make confidential contacts with attorneys or other persons outside the institutions. LSPI has prepared forms at each institution for the inmate to fill out if the inmate cannot find whom he is looking for. Further, correctional officers at the institutions make these forms readily available to the inmates.

• Standard 2.3: Access to Legal Materials

This standard requires:

1. *Establishing and maintaining an appropriate law library at each facility with a design capacity of 100 or more. Also, developing and implementing a plan for other residential facilities to assure reasonable access to an adequate law library.*
2. *Ensuring that the library include:*
 - a. *The State constitution and State statutes, State decisions, State procedural rules and decisions thereon, and legal works discussing the foregoing.*

- b. *Federal case law materials.*
 - c. *Court rules and practice treatises.*
 - d. *One or more legal periodicals to facilitate current research.*
 - e. *Appropriate digests and indexes for the above.*
3. *Making certain the correctional authority arrange to ensure that persons under its supervision but not confined also have access to legal materials.*

The Kansas Penal System suffers from the same nemesis plaguing most institutions today: lack of adequate facilities and funds. As a result, the legal libraries in Kansas penal institutions do not meet these standards. For example, KSP, with an inmate population of 656, has a library which can accommodate approximately 50 inmates. The legal portion of that library is meager, containing Corpus Juris Secundum Second, the statutes of the State of Kansas, which includes the State Constitution, State Procedural Rules, and case annotations.

The next largest Kansas penal institution, with 559 inmates, KSIR, has exactly the same legal materials in its law library as does KSP. LSPI has discussed the inadequacy of the libraries with authorities of the Kansas penal system; however, LSPI's efforts have done little to alleviate the problem, basically because the problem stems from a fundamental inadequacy LSPI can do nothing about: the lack of funds.

LSPI officials indicated their conviction that rather than law libraries, inmates need the services of persons adequately trained in the law. Thus, even if additional funds were available for the benefit of prison inmates, LSPI would likely recommend that the money be used for the acquisition of additional legal staff rather than law library facilities. Implicit in the LSPI position is the notion that prison libraries create more problems than they rectify, fostering unwarranted litigation, inmate tensions and frustrations, crowded court dockets, and the like. Nevertheless, while the standard recognizes that the development of an adequate law library is a costly undertaking it also recognizes that the "right to such access is undeniable."

2.1.2 LSPI Compared to the ABA Model *

• LSPI Compared to ABA Conclusions and Recommendations Regarding Prison Legal Services

1. *Prisoners should have access to comprehensive legal services, including post-conviction collateral attacks (both state and federal), detainers, sentence, parole, institutional grievances, Civil Rights Act, and disciplinary cases as well as civil matters involving questions of family law, administrative law, and others.*

LSPI has been involved in post-conviction collateral attacks and detainers in both state and federal courts. It has handled the sentence problems of the inmates at KSIR, KSP, KRDC and KSIFW. In regard to Civil Rights cases, LSPI, by resolution of its Board of Directors, has decided that it will not handle cases which are fee generating. Therefore, cases arising under the Civil Rights Act, 1983 cases, will be referred to outside counsel in most instances. However, it is presently involved in a 1983 case brought by four inmates of KSP.

LSPI provides counsel for the inmates at the disciplinary hearings at their respective institutions. It also has been engaged in questions of family law concerning divorce, child custody and visitation rights.

2. *The legal services should be provided mainly by licensed lawyers, supplemented by paralegal assistance, law students and where feasible, by prisoner assistants, social work students, and volunteer attorneys.*

LSPI has a staff of one full-time attorney, a part-time attorney, law students from the KU Law School and Washburn Law School, an administrative assistant, and a secretary. LSPI has an attorney full-time at Kansas State Industrial Reformatory, and a secretary.

3. *The offices of the legal services program should be located within or nearby the institution to be served.*

LSPI has its main office in Topeka, Kansas. The Kansas Reception and Diagnostic Center is located in the city of Topeka. KSP is located 50 miles from the main office of LSPI; however, offices of the law students servicing KSP are located in Lawrence, 15 miles from that institution. KSIR is approximately 150 miles from the main office of LSPI. However, a full-time staff member is based at KSIR to provide assistance for inmates incarcerated there.

* American Bar Association, op. cit.

4. *Initial interviews should be conducted of all entering prisoners at the reception center. If the state has no reception center, interviews should be conducted at the receiving institution. All such interviews should be held within 10 days of entry. Appeals problems should be referred to the Public Defender.*

The Director of LSPI conducts an orientation program for all new incoming inmates at KRDC, Topeka, Kansas. The orientation program takes place not later than 7 days from the date of entry of the inmates.

5. *Where a previous program has been effective and has not unduly antagonized either prison officials or disappointed prisoner clients, its experience should be incorporated into the new program.*

The experiences of Professor Wilson's pilot program were incorporated into LSPI design and operations.

6. *The legal services office should be an independent entity, autonomous from the corrections department.*

LSPI is a non-profit corporation, and as such, autonomous from the corrections department and from other state departments.

7. *The ratio of attorneys to prisoners should be one (1) attorney for 400 prisoners. If each attorney has the assistance of one full-time paralegal and two law students, the ratio can be reduced to one attorney for 800 prisoners.*

With a total prison population of 1,446 inmates in the state of Kansas, and an LSPI staff of approximately 4 attorneys and 30-60 students, the LSPI attorney-client ratio far exceeds the ABA standard.

● LSPI Compared to ABA Conclusions and Recommendations Regarding Law Library Service to Prisoners

1. *Law library collections meeting American Correctional Association and American Association of Law Libraries standards should be provided in each major facility (over 500 prisoners) in the state, in addition to the provision of legal services for indigent prisoners.*

The State of Kansas penal institutions provide nothing closely approximating the voluminous library materials recommended by the ACA and the AALL.

2. *Smaller institutions should have a skeleton collection of law books, supplemented by circulation of materials or photocopies and reference service from a larger corrections law library.*

The State of Kansas does provide skeleton libraries at the institutions which are augmented by the law library at the University of Kansas, the Washburn Law Library and the State Law Library in Topeka. Inmates can obtain books from any of these institutions. The student interns from KU Law School provide advance sheets of the Federal Reporter System to the inmates at KSP.

3. *The prison law library should be managed by a full-time supervisor, otherwise not associated with the prison system. He or she should receive some special training in legal collection and reference service.*

The Kansas penal system does not meet this standard.

4. *Overall planning of the collection and training of the supervisor should be provided by a trained law librarian.*

The Kansas penal system does not meet this standard.

5. *Prisoner training programs should be established so they can engage in meaningful research on their own and others' legal problems.*

The Kansas penal system does not meet this standard.

6. *The library should be open and accessible to all prisoners; special provision should be made for those prisoners who have pressing legal problems. Free, or very inexpensive photocopying service should be provided to facilitate cell study.*

Library facilities are freely accessible to all inmates, and photocopying services are available.

2.2 Replicability

LSPI addresses a problem of common concern to all U.S. jurisdictions. The line of U.S. Supreme Court cases beginning with Johnson v. Avery, 393 U.S. 483 (1969) and culminating in Younger v. Gilmore, 404 U.S. 15 (1971) and Cruz v. Hauck, 404 U.S. 59 (1971) clearly indicates the trend towards judicial recognition of inmate rights of access to courts, legal materials, law libraries and legal services. Projects such as Legal Aid and Public Defender services have been able to handle many of the legal problems of the indigent, convicted individual, but have often failed to provide legal assistance after incarceration.

The provision of legal services to prison inmates by law students has been recognized as a viable scheme to accomplish the dual objectives of clinical legal education and effective prison legal services. Thus, the LSPI approach holds a great degree of relevance and interest to those seeking to ameliorate the legal problems of incarcerated offenders. Through the Consortium reports referenced in the Bibliography, adequate documentation exists to permit a general understanding of the project's methodology and operations.

Special Features

Several features of the LSPI program are particularly noteworthy and relevant to the possible designation of LSPI as a "model" prison legal service program. These include:

- Continuous Service to Prisoners

A fundamental purpose of LSPI is to establish a centralized, non-academic framework within which to provide continuous services to prisoners in the Kansas state correctional system. LSPI was designed to overcome the weaknesses of the totally academic program instituted earlier by Professor Wilson's group. The major problem of the Kansas University program in delivering services revolved around the lack of continuity: First the three-month summer break; next, exams and their required preparation consumed another three to four weeks each semester; finally, the five-week required course in post-conviction remedies necessarily absorbed additional time at the beginning of each school year. The subsequent inclusion of

Washburn University as part of the law school component of LSPI helped initially to alleviate some of the continuity problems. Fundamentally, however, it was LSPI's addition of a permanent, full-time staff that ensures the continued delivery of legal services on a daily basis in spite of the frequent and sometimes lengthy academic hiatuses. The corporation has served successfully to mitigate the effects of the lack of continuity to a considerable extent.

- Effective Leadership

LSPI has had leadership dedicated to achievement of its dual purposes -- legal service for prisoners and clinical education for law students -- for over a decade. Professor Wilson's efforts over the years have been inspiration to other programs as well as his own. Added to his efforts have been the able administrations of two Project Directors, both of whom have been especially well-connected with the Kansas correctional authorities. Finally, the LSPI Board of Directors are a competent, influential group of individuals.

- Cooperation of Correctional Authorities

LSPI has been quite successful (or perhaps, quite fortunate) in securing the cooperation of the Kansas correctional authorities -- in particular, the upper echelon authorities. LSPI deals with an unusually benign correctional administration. Indeed, the Kansas correctional system moved into the ranks of the most advanced correctional administration in the country when in 1972, it adopted "Policies, Guidelines, and Inmate Disciplinary Procedures"--a series of uniform rules, regulations, and procedures viewed by most other states' correctional agencies with alarm. For example, the new book of rules and regulations for Kansas inmates (a copy of which is distributed to each prisoner) begins with a recitation of the Model Act for Prisoners drafted by the National Center for Crime and Delinquency. Proceeding from the Model Act standards, the manual outlines a set of procedures that are as advanced as any in the country, and which assure a measure of due process in disciplinary procedures considerably greater than that provided in most other state or Federal institutions. (Notably, LSPI has been instrumental in establishing these procedures within Kansas' State institutions.)

- Corporate Organization

LSPI is a legal corporation and, as such, is effectively disassociated from purely academic or state control. The lack of academic

control has facilitated the equal pursuit of service as well as educational objectives. Similarly, the lack of state control over the organization offers the potential for enhancing the program's advocacy image with the inmates. Finally, the composition of the Board of Directors, as enumerated in the corporation's by-laws, ensures broad representation (and support) from the several constituencies involved in and affected by the program. The result of this concerted effort to establish roots for the project in the legal community of the state has been the successful sublimation of controversy associated with the development of other legal aid projects in the State of Kansas.

• Supplementary Services

LSPI's approach to the problem of serving a large prison population with no proximate law school is the assignment of attorney services as needed (in Hutchinson, its one full-time, on-site attorney, assisted by occasional assistance from court-appointed attorneys) to make legal services at those institutions commensurate with their counterparts serviced by law students. Such an adjustment further emphasizes the service -- as opposed to educational -- focus of the program.

Although these features have clearly contributed to the success of LSPI as an organization for the delivery of prison legal services, it is not clear that LSPI is unique or notably more successful than similar organizations in its approach to this problem. Among others, the Public Defenders Service of Washington, D.C. (working with the Georgetown University Law Center), the Baltimore Prison Project (together with the University of Maryland Law School), Legal Assistance for Minnesota Prisoners (with the University of Minnesota Law School) and the New York Legal Aid Society operate similar programs distinguished by a range of services delivered on a continuous basis by full-time attorneys supported by law student manpower. These other programs, moreover, seem to operate in environments considered less hospitable to the concept of legal services for prisoners than the Kansas correctional system. (Further comments on related programs are contained in Section 2.4.)

In addition to its relatively liberal posture with respect to correctional reform, the Kansas correctional system benefits from two other important factors. First, the inmate population at the major maximum security institution in the state, Kansas State Penitentiary, has decreased by some fifty percent over the past two and one half years. This decrease (with no accompanying diminution in staff size) has created a fairly stable institutional environment, which in turn has apparently reduced tensions considerably. A related factor is the general absence of militant inmates in the Kansas

correctional system. Local Kansans indicate that the absence of militancy does not reflect a lack of sophistication since most of the inmates in the Kansas system enjoy a higher level of education than the national prison average. Rather, their lack of militancy is probably best attributed to the rural character of the state: Its inmates enter relatively free from the urban, social tensions which have precipitated the growth of militancy in other state penal systems.

Nevertheless, assuming a minimal level of receptivity to the notion of prison legal services, the only real barrier to the replication of the Kansas program in other states would be the proximity of the state's inmate population to its population of law students. In all probability, most states would be in the same position as Kansas with some but not all of its major institutions located near law schools. In these cases, LSPI's supplementary system -- providing funds for a full attorney without student support -- is a logical alternative.

2.3 Measurability

External evaluation of LSPI is confined to the monitoring activities of the Consortium Center. The Center requires LSPI to submit an annual statistical report detailing client services, relationships with state officials and judges, and personnel and budgetary information. The last statistical report of LSPI activities in all institutions is included in the Appendix. Although the reporting requirements of the Center are fairly comprehensive (including number and types of cases handled, numbers of students from the two law schools participating in the program, turnaround time for application processing, case backlog, frequency of orientations for prisoners, etc.), the reports are largely confined to the presentation of management statistics. Longer-term potential program impacts -- specifically the reduction of inmate tension and violence -- have not been investigated..

As noted previously, the Consortium Center also has not required an inmate appraisal nor have LSPI staff initiated such an assessment. Internal evaluation activities focus comprehensively but fairly conclusively on the program's educational objectives through academic and supervisory review of the individual student's performance.

2.4 Efficiency

Although cost data exist for LSPI operations (summarized in Table 3 with supporting material appendicized), because benefit (outcome) criteria have not been firmly established, no cost benefit analysis has been conducted.

Table 3
LSPI Operating Costs

	Total	LEAA Contribution	Total Personnel Allocation
FY 73	\$84,164*	56,959	53%
FY 74	87,928**	74,885	79%

* Includes state and assistant state coordinator positions, subsequently phased out.

** Includes \$33,258 for the newly activated Hutchinson office.

To provide a rough measure of LSPI's comparative efficiency, Table 4 contrasts LSPI's caseloads and costs with other prison legal assistance programs noted earlier in this report. Needless to say, since uniform standards of measurement simply do not exist, conclusions derived from gross-level comparisons of inexact data must be carefully scrutinized. At a minimum, any definitive cost per case comparison between LSPI and a similar program would have to accommodate the following variables:

- Not only are different programs likely to define what constitutes a "case" differently, but within a program, different types of cases requiring varying levels of effort and time are difficult to equilibrate.
- Programs with differing goals, or programs with similar goals but different emphasis on the various goals are also difficult to compare and evaluate. For example, a program with greater emphasis on the legal education aspects will likely expand greater financial, personnel, and time resources in providing the same level of legal services. However, it would be wrong to conclude that merely because such a program spent more to provide the same services that it was inefficient.
- Manpower and material costs in some geographical areas are likely to be higher than in others because of cost-of-living differences. Conversely, the more populated,

Table 4

	No. Paid Staff		Approximate # Student Volunteers	Inmate Population Attorney/Inmate Ratio	Approximate Annual Caseload	Program Budget
	Attorneys	Support				
Legal Services for Prisoners Inc.	2 full 1 part	secretarial 3	60	1415 1:23	1908 Includes post conviction and disciplinary proceedings	\$88,000
Baltimore Prison Project	2 full 2 part	2	10	5314 1:409	2000 Includes post conviction and disciplinary proceedings	\$92,000
D.C. Public Defender Service (Georgetown University Law Center)	2 full	3	35	1746 1:47	900 since 3/15/74 1200 annualized No disciplinary proceedings	\$108,000
N.Y. Legal Aid	9 full	4	2	25,000 1:2273	160-200 suits (80% class action)	\$250,000
Legal Assistance for Minnesota Prisoners (U. of Minnesota Law School)	2 full 3 part	3	20	1875 1:80	850 No post-conviction; rare disciplinary proceedings	\$100,000

higher cost geographical areas may benefit from certain economies of scale absent in the rural areas.

- Finally, many of the important results and benefits expected of a prison legal services program -- such as diminution in anxiety level of inmates, or heightened receptivity to rehabilitation -- have not been quantified.

As Table 4 clearly indicates, LSPI has the highest attorney-inmate ratios of all programs presented as well as the lowest overall budget. Although its annual caseload is higher than that of three of the remaining programs, the objectives and focus of these programs are quite distinct. The D.C. Public Defender Service, for instance, has the closest attorney/inmate ratio and roughly comparable costs, but does not handle disciplinary proceedings within its host institutions. Since LSPI figures indicate that these cases require a lesser level of effort, it is not surprising that the D.C. caseload is somewhat lower than LSPI. Nevertheless, considering its educational objectives and the role it has assumed within the institutions, LSPI seems to represent an extremely efficient organization.

3.0 Summary of Project Strengths and Weaknesses

Major Project Strengths

- The provision of well-supervised clinical legal education to approximately sixty students per year.
- Making available to Kansas inmates a broad range of legal services on a continuous basis.
- Support of the state's judicial, corrections, and law enforcement officials for the program, and the hospitable milieu that their support and cooperation fosters.
- Broad-based corporate organizational structure disassociating LSPI from purely academic or state control.
- Provision of supplementary legal services in prisons geographically isolated from law student resources.
- High lawyer and student-lawyer to client ratio.
- Effective program leadership trained in the Office of the State Attorney General.

Project Weaknesses

- Emphasis on disciplinary hearings.
- Absence of an evaluation system which regularly ascertains the utility of the program from the perspective of the clients.
- Library facilities insufficient to meet standards promulgated by the National Advisory Commission on Criminal Justice Standards and Goals and recommendations of the American Bar Association.
- Non-inclusion of class action (fee producing) suits.

4.0 Conclusions

LSPI project staff, the University faculty and law students associated with the project, and the members of the LSPI Board of Directors are dedicated, competent individuals who are operating a viable program for the delivery of legal services to Kansas inmates. In this regard, LSPI is fulfilling a crucial need which had gone unmet prior to its inception, resulting in a significant improvement of criminal justice standards in the State of Kansas.

Notably, LSPI operates with the dual objective of providing clinical legal experience to law students as well as legal services to inmate clients. Although its educational goals appear to have been more than adequately met, its services to inmates reflect a heavy emphasis on institutional disciplinary matters. While this emphasis may be justified, there is no available evidence to suggest that the services delivered are congruent with the major legal problems and needs of the inmates and institutions served. Nevertheless, although quantitative data pertaining to the rationale for and impact of program services are absent, given its mix of educational and legal service objectives, LSPI has demonstrated a significant degree of organizational success.

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APPENDICES

- A. Exemplary Project Application Form
- B. List of Endorsing Individuals and Agencies
- C. Annual Consortium Statistical Report
- D. LSPI Budgetary Information

APPENDIX A
FORMAT FOR SUBMISSION OF EXEMPLARY PROJECT RECOMMENDATIONS

I. Project Description

1. Name of the Program
Legal Services for Prisoners, Inc.
2. Type of Program (ROR, burglary prevention, etc.)
Providing legal services for inmates incarcerated in all of the state penal institutions.
3. Area or community served
State of Kansas
4. Approximate population of area or community served
State of Kansas, population - 2,299,220
State inmate population - 1446
5. Administering Agency (give full title and address)
Studies in Justice, Inc.
1776 F Street, N.W.
Suite 106
Washington, D.C. 20006
6. Project Director (name and phone number; address only if different from 5 above)
Jerry R. Shelor
5600 West Sixth St.
P.O. Box 829
Topeka, Kansas 66601
913/272-4522
7. Funding agency(s) and grant number (agency name and address, staff contact and phone number)
LEAA - Law Enforcement Assistance Administration - #75-DF-99-0013
U.S. Dept. of Justice
Washington, D.C.
Contact through Charles L. Decker, 202/331-1541
(See attached sheet)
8. Project Duration (give date project began rather than the date that LEAA funding, if any, began)
(See attached sheet)

9. Project Operating Costs (Do not include costs of formal evaluation if one has been performed. See Item 10)

Breakdown of Total Operating Costs, specify time period:

Federal: \$74,027.10 July 1, 1974 through June 30, 1975

State: \$13,000.61 July 1, 1974 through June 30, 1975

Local: These figures include the legal services provided for inmates incarcerated at Kansas State Industrial Reformatory, Hutchinson, Kansas

Private:

Total:

Of the above total, indicate how much is

(a) Start-up; one time expenditures:

(b) Annual operating costs: \$ 87,027.71

(A complete budget breakdown should be included with the attachments to this form)

10. Evaluation costs (Indicate cost of formal evaluation if one has been performed)

Not applicable.

11. Continuation. Has the project been institutionalized or is it still regarded as experimental in nature? Does its continuation appear reasonably certain with local funding?

See attached sheet.

II. Attachments Please attach the following:

Attachment A - Program Review Memorandum

This memorandum should contain the following elements:

(1) Project Summary - brief statement of the project's goals, objectives and method of operation.

(2) Criteria Achievement - explanation of the degree to which the project meets each of the Exemplary Project criteria - goal achievement, replicability, measurability, efficiency and accessibility. Cite specific measures of effectiveness, e.g. crime reduction, cost savings, etc.

(3) Outstanding Features - indication of the most impressive feature(s) of the project.

(4) Weaknesses - frank statement of those areas of project operation that could be improved. (It is assumed that a project will not be recommended if there are critical program weaknesses).

(5) Degree of Support - indication of the degree of local support, e.g. criminal justice officials, citizen groups, the news media.

Attachment B - Endorsements

Each project should have a written endorsement from the appropriate SPA and LEAA Regional Office. Endorsements from other sources may be attached if available.

Attachment C

For LEAA funded projects, attach a copy of the grant application(s), all annual progress reports, and the most recent quarterly reports. If a formal evaluation has been undertaken, this report should also be attached.

For non-LEAA funded projects attach a complete budget breakdown and such progress and evaluation reports as may be available.

I. Project Description

7. Funding agencies and grant numbers (continued)

GCCA - Governor's Committee on Criminal Administration - #74-A-2355-1-A
535 Kansas Avenue
Topeka, Kansas 66603
Contact: Tom Boeding, 913-296-3066

AID - Aid to Indigent Defendants
Statehouse
Topeka, Kansas 66612

8. Project Duration

The projects concept was developed in 1964 and the first pilot program took effect in November, 1965. The first LEAA backing was in 1972.

11. Continuation. Has the project been institutionalized or is it still regarded as experimental in nature? Does its continuation appear reasonably certain with local funding?

The non-profit corporation, Legal Services for Prisoners, has been in operational existence for a period of two years. However, the project was not created at the spur of the moment. The beginning of the project predates the current interest in corrections and law school based programs of prison legal assistance. A decade ago the programs of clinical legal education at the University of Kansas were meager and sporadic. Efforts to initiate a legal aid program in the community had not met with success. The result of this frustration was that interested faculty members began to explore possible alternative opportunities for clinical work.

As possibilities were reviewed, one prospect appeared to offer a greater opportunity than any other. Within a radius of 45 miles from Lawrence, Kansas, are located five major penal institutions -- the United States Penitentiary at Leavenworth, the Kansas State Penitentiary at Lansing, the United States Army Disciplinary Barracks, the Kansas Correctional Institution for Women, and the Kansas Reception and Diagnostic Center in Topeka, Kansas. None of these institutions in 1964 had attorneys on their staffs or otherwise made efforts to provide legal services to the inmates.

Early in 1965, Professor Paul Wilson of the Kansas University Law School faculty addressed a letter to the Warden of the Kansas State Penitentiary concerning the possibility of a legal assistance project staffed with law students. The response, while not wholly negative, was hardly characterized by enthusiasm. The gist of the response was that the Warden and his staff would consider the matter. While the proposal was pending on the Warden's calendar, a chance conversation in April, 1965, between Professor Wilson and Professor James Vorenberg of the Harvard Law School led to an exploration of possibilities in the federal penal system. Professor Vorenberg, who was at that time Director of the Office of Criminal Justice in the United States Department of Justice, suggested that his office was interested in establishing law school based legal counseling services on an experimental basis at one of the federal institutions.

With the assistance of Professor Vorenberg, a grant was obtained from the Metzenbaum Human Relations Fund of Cleveland, Ohio, to finance the legal services for inmates during an initial pilot period of nine months. As a result of Professor Wilson's efforts the program began the middle of November in 1965.

The program was initially announced within the prison by a notice posted in the bulletin board informing prisoners of the service that would be available. The formal application for an inmate interview was prepared at the law school, duplicated at the prison, and made available through case workers. Inmates desiring assistance returned their application to the case workers who forwarded them to the law school. The program became operative on November 15, 1965, and by the end of November the law school had received 50 applications for legal assistance.

At the request of the State Director of Penal Institutions, the counselling service was extended into the state penal institutions in the vicinity of the law school at Kansas University. The institutions included the Kansas State Penitentiary, a maximum security institution for male offenders, the Kansas Correctional Institute for Women, both located 30 miles from the law school. Also included was the Kansas Reception and Diagnostic Center approximately 25 miles from Lawrence, Kansas.

With the increased support made possible by the National Defender Project grant in 1966, the project was substantially expanded during the academic year 1966-1967. In as much as the annual expenditures of the project were somewhat under the initial budget, it was possible to extend the National Defender Project grant through four academic years. The grant finally expired on May 31, 1970.

Further grants of funds were obtained from the Kansas Governor's Committee on Criminal Administration, which administers Kansas LEAA funds to support the project during the academic years of 1970-1971 and 1971-1972. By 1971, the Kansas prison services project was six years old. It had passed through its pilot stages and had emerged as an effective legal services program. But the problem of securing adequate financial support to assure its continuation remained acute. By this time, however, the accentuated sensitivity to prisoner's rights coupled with the enlarged concepts of the uses of law school clinics produced an atmosphere favorable to the continuation of the project on a more permanent basis. Indeed, by this time more than half the law schools in the United States were operating prison legal assistance programs, many of them modeled upon the Kansas pattern.

The next major development in the project must be credited to Major ^{G. M. KAL} Charles L. Decker, a former Kansan, a former Judge Advocate General of the Army, who served as director of the National Defender Project during the time that it supported the Kansas program. In the summer of 1971, General Decker conceived and developed plans for a multi-state program, financed by LEAA funds, to provide legal assistance to inmates of state penal institutions. States to be included in the project were Georgia, Minnesota, and Kansas. The project contemplated that in each state a staff of full-time attorneys, whose service would be augmented by law students, would provide legal services to inmates of major state penal institutions. A grant of LEAA discretionary funds was obtained to support state administered programs in each of the three states operating under the umbrella of a consortium center located in Washington D.C., and directed by General Decker. The role of the consortium center is mainly one of planning, coordinating, evaluating, supplying administrative services, and maintaining liaison with LEAA headquarters. Each state in the consortium operates its own independent program and each of the programs has characteristics that differ from the other programs.

As LEAA funds are available only to governmental agencies, the Minnesota Governor's Commission on Crime Prevention and Control acted as the grantee agency, contracting with the service agencies in other states and the consortium center. As the major commitment of the program was the providing of legal services with only an incidental emphasis upon education of law students, it seemed appropriate to remove the project from the law school control. Accordingly, a Kansas

non-profit corporation, Legal Services for Prisoners, Inc., (LSP) was formed for the purpose of administering the project. Members of the corporation's Board of Directors are drawn from the Kansas Bar, Bench, legislature and the faculties of the two law schools located within the state. The staff consists of a full time attorney, an administrative assistant, and a secretary. The project became operative as Legal Service for Prisoner on August 1, 1972.

Legal Services for Prisoners has become an intregal part of the Kansas Penal System. However, funding is still obtained on a year to year basis. During the Legislative Session of 1974, Legal Service for Prisoners, Inc., through the assistance of Senator Winton Winters of Ottawa, prepared a bill which was presented to the Legislature seeking funds for our program. The bill passed the House and the Senate and was enacted into law in March, 1974. The statute directs Legal Service for Prisoners, Inc. to submit its operating budget to the Board of Supervisors of Panels to Aid Indigent Defendants for their approval. The bill also states that we are to make known to the Board the amount of funds available to our corporation from federal agencies or from outside sources. This statute will insure our corporation's continuation through state funding.

The present goal of Legal Service for Prisoners, Inc. in regard to funding for the fiscal year 1 July, 1975 through 30 June, 1976, is to present to the 1975 Legislature the legislation which would perpetuate our organization indefinitely through state funding. This funding would be in lieu of federal funding if possible.

II. Attachments

Attachment A - Program Review Memorandum

- (1) Project Summary-brief statement of the project's goals, objectives and method of operation.

Legal Service for Prisoners enhances the student's legal education by exposing him, under the supervision of a faculty member to what a lawyer does every day, i.e., interviewing clients, advising them of their legal rights, investigating and marshalling facts, researching points of law, drafting memoranda and other documents, negotiating with other attorneys and prison administrators, and in a very few instances, on the state level appearing as an advocate before a judicial or administrative body.

Not to be underemphasized is the fact that the legitimate objectives of the project include the following:

1. To identify and assist those inmates with substantial legal problems;
2. To discourage frivolous and unsubstantial litigation;
3. To augment the normal institutional counseling services;
4. To assist inmate with the human problems arising out of their inter-personal relationships, both in and out of prison; and
5. To provide an extraordinary educational experience for law students.

The method of operation differs between Kansas University Law School and Washburn University Law School. At Kansas University the students are advised that all who are interested should enroll in a one hour course in Post-Conviction remedies, the Defender Project, Advanced Criminal Procedure, and an extra course so that they can have a palatable alternative in case they are not selected for the project. Interviews are taken to select those students who will be admitted into the Legal Services for Prisoner clinical program at Kansas University.

Once selected, the student must participate for the nine month academic year and each student receives a total of four hours academic credit but no monetary compensation other than reimbursement for travel expenses. Three of the credit hours, one in the first semester and two in the second semester relate to actual experience with cases and are graded as pass/fail. The students are required to keep track of their hours and a minimum of 45 hours, excluding travel time, is required for each hour of credit. Usually all students exceed their minimum requirement of hours. The fourth credit hour is given a letter grade based upon the student's performance in the course in Post-Conviction remedies. This class, meets 15 hours during the first five weeks of the Fall semester and is taught by Professor Keith Meyer. It is designed to expose the student to substantive post conviction law and the practical problems they can expect to encounter while dealing with prisoners. The subject matter covered in class includes such matters as federal court jurisdiction,

Attachment A, question (1), page 2.

appellate procedure, writs of habeas corpus, 28 U.S.C. section 2255 motions, K.S.A. sections 60-1507 motions, right to counsel in collateral proceedings, detainers, computation of good time and parole eligibility.

During the rest of the academic year the clinic at Kansas University generally meets as a group once a week for the purpose of either discussing cases in order to assure student familiarity with what the others are doing, or to consider relevant substantive law and procedure which were not covered in the orientation course. The students also see the Director of the project once a week and the format for reviewing cases is discussed in relation to the students time schedule. If the student cannot consult with the Director during a particular week he must get advanced approval.

Since the law students at Kansas University deal with Kansas State Penitentiary directly it is necessary for them to have the post conviction courses. At Washburn University, the class requirements for admission to the clinical program are similar, however, there is no specific course taught in post conviction remedies. The students deal directly with the Kansas Reception and Diagnostic Center. Under statutory law an inmate will only be incarcerated up to a period of 120 days at KRDC. As a result, it is impossible for the students at Washburn to handle the long term post conviction procedures which the inmates may be facing them. Most legal problems arising at KRDC involve contacting the inmate's former court appointed attorney or retained attorney. Further, the students at Washburn handle those cases dealing with a sentence modification or vacating of sentence within the limited statutory requirement of 120 days. If the legal problem of the inmate at KRDC involves a time period longer than the inmate's 120 day incarceration the case file will be transferred to Kansas University for the follow up legal work. If the inmate is transferred to Kansas State Industrial Reformatory in Hutchinson, Kansas, the legal staff attorney, Steve Kessler, will handle the matter. For a more detailed explanation of the two schools involvement in the program please consult, Legal Education in the Jailhouse: An Appraisal by Professor Keith Meyer and Professor Paul Wilson.

II. Attachments

Attachment A-Program Review Memorandum

(2) Criteria Achievement - explanation of the degree to which the project meets each of the Exemplary Project criteria-goal achievement, replicability, measurability, efficiency and accessibility. Cite specific measures of effectiveness, e.g. crime reduction, cost savings, etc..

a) Goal Achievement

The Legal Services for Prisoners project has significantly defrayed costs of the penal system in the State of Kansas. With the Procedures, Policy, and Guidelines for Disciplinary Matters adopted in 1972 the Legal Services for Prisoners project has handled all disciplinary matters at disciplinary board hearings. During the fiscal year of May 1, 1973 through June 30, 1974, several hundred disciplinary board cases were handled by the project's litigation attorney. It is statistically impossible to evaluate the total benefit of this legal representation of the inmate. However, it can be stated representation of an inmate by an independent organization gives the inmate a feeling that he is not being sold down the river by the institution.

The disciplinary procedures allow the inmate to represent himself, to allow another inmate to represent him, or request the services of our project. In approximately 80%-90% of the cases the inmate requests the project's assistance. Another point of immeasurability is the fact that knowing the inmates will be represented by counsel at disciplinary board hearings significantly requires the correctional officers to follow due process procedure in writing up an inmate and charging him with an institutional violation.

The Judicial Council of the State of Kansas in its' fiscal report on the disposition of cases in the Judicial Districts of the State of Kansas reported a reduction of K.S.A. 60-1507 post conviction motions filed fiscal year July 1, 1972 through June 30, 1973. The reduction in cases filed was 19. Legal Service for Prisoners, believes the reduction due in part to our organization being available to counsel inmates on their legal problems. In many instances which are not reflected in the statistical data an inmate seeking post conviction relief often becomes emotionally frustrated and begins filing frivolous cases in the various state district courts or federal courts. However, upon consultation and advice with Legal Service for Prisoners the inmate is often able to gain insight into his problem and accept legal advice which is more beneficial to himself as well as the penal system in obtaining his eventual release.

Of further importance is the fact that Legal Service for Prisoners is often a troubleshooter for the penal system. This is evidenced from the fact that the project was instrumental in helping establish the Policy, Guideline and Inmate Disciplinary Procedures, at the institutions. It should also be noted that there have been innumerable negotiated matters that have been resolved on an administrative level which otherwise could have costs the court system and the penal system invaluable time

II. Attachments.

Attachment A-Program Review Memorandum

Question (2), goal achievement, page 2.

and effort. As a specific example, Legal Service for Prisoners is presently involved in the negotiation of obtaining pre-sentence jail time credit for all inmates sentenced prior to July 1, 1974. Effective July 1, 1974, the Kansas statutory law changed in regard to the pre-sentence jail time credit. Prior to July 1, 1974, an inmate could only receive 90 days pre-sentence jail time credit at the discretion of the trial judge. However, following July 1, 1974, all pre-sentence jail time credit must be given to an inmate. At the present moment negotiations, involving approximately 100 inmates, are being made between the penal system and the prisoners to allow all the inmates sentenced prior to July 1, 1974 to receive full pre-sentence jail time credit.

Presently there is no other organization in the State of Kansas which handles the legal problems that Legal Service for Prisoners has undertaken.

II. Attachments

Attachment A-Question (2)

b) Replicability

The problem of providing legal service for prisoners is one of universal concern. The area of exploration in this field is beginning to emerge among most of the states. We are often consulted by other states in regard to the operation of our program. The questions most often asked concern the due process and equal protection rights of the incarcerated individual. It is important to note that our program has been one of cooperation and conciliation with the penal system. We do not advocate merit to every inmate's inquiry. However, we do provide a direct explanation to an inmate if we feel his case has no merit. This helps eliminate his frustration as well as benefiting the penal system.

For a complete historical background of the project's method of operation please consult Legal Education in the Jailhouse: An Appraisal by Professor Paul Wilson and Professor Keith Meyer. Further, consult the annual statistical reports submitted to the consortium in Washington, D.C.

The project's success can be attributed to the responsibility of the men initiating its concept. With a board of directors composed of attorneys, judges, legislators and professors, the project's success was inevitable. The knowledge, expertise, and respect for these individuals on the board gave a good foundation for setting up a successful program. Their judgment and criteria in selecting a director to administer the program helps to reinforce the commitment of providing a fair and reasonable service to individuals incarcerated in the penal system.

Very few if any restrictions would prevent a project of this nature from being initiated. Kansas is basically a rural state. The major penal institutions are located in three geographical areas. These institutions include Kansas State Penitentiary in Lansing, Kansas, Kansas Correctional Institute for Women in Lansing, Kansas, Kansas Reception and Diagnostic Center in Topeka, Kansas, Kansas State Industrial Reformatory in Hutchinson, Kansas, and the Federal Penitentiary in Leavenworth, Kansas. Three of these institutions are within a 60 mile radius of each other. The institution located in Hutchinson, Kansas, is approximately 150 miles from the centrally located office in Topeka, Kansas.

Since most states locate their inmate population within a major institution it should not be difficult to provide legal services for the inmates. The only restriction possible would be the location of the penal institutions compared to the location of state law schools.

Attachment A-Question(2)

c) Measurability

Presently the project has a partial evaluation component. For the students located at Washburn University Law School an evaluation is made of the student's performance while handling a legal case. Further, the case file that is given to the student contains a prepared form for his evaluation of the legal education gained on each particular case.

The project's success can also be measured by the fact that the inmates receiving legal services are individuals who could not otherwise financially afford the cost of the legal system. All inmates receiving legal assistance are first screened for financial eligibility. It therefore can be concluded from the submitted statistical reports that a great number of the inmates rely heavily upon the project's assistance because of their poor financial condition.

d) Efficiency

Considering the long drawn procedures of the legal process plus the present facilities available to both law schools it can be said that the project operates about as efficiently as possible.

The issue of financing clinical education always raises the question of whether the limited educational dollar can appropriately be used for arguably totally service oriented activities. And this choice is complicated by the fact that clinical education, which stresses close faculty supervision, is expensive. In view of the expense, it might be that law school policy makers would decide to utilize members of the practicing bar rather than hire a full-time faculty status clinician or to involve several members of the faculty. However, the utilization of members of the practicing bar often proves impracticable for centralized organization. It should also be noted that the inmates themselves often complain of the services rendered by appointed or retained counsel. In cases of court appointed counsel the primary complaint consists of inadequate or ineffective assistance of counsel due to the fact that the court appointed attorneys often tell the inmates they are being underpaid by the state. In this event the inmate often feels short-changed. On-the-other-hand, retained counsel often leaves an inmate in a disastrous financial condition from which there is no recovery. Projects such as Legal Aid and Public Defender are able to handle the grassroot legal problems of the convicted individual but fail to provide legal assistance after the inmate becomes incarcerated.

Further, the statistics do not accurately reflect the total involvement of the project, as noted earlier. The administrative process of resolving foreseeable problems with the assistance of Legal Service for Prisoners cannot be underestimated..

Attachment A-Question (2)

e) Accessibility

Legal Service for Prisoners is agreeable to having the project submitted to the EXP program for evaluation, publicity, and visitation. It is reasonably certain at this point in time that the project's existence will continue. Hopefully, the project has been of some assistance to other states inquiring about our program. At the present moment all of the institutions in the Kansas Penal System are well aware of our program and often seek our advice concerning institutional problems.

Further, the Governor's Pardon and Parole Attorney, the Attorney General's Office, and the District Judges of the State of Kansas refer matters to our office from incarcerated individuals seeking assistance.

II. Attachments

Attachment A-Program Review Memorandum

(3) Outstanding Features-indication of the most impressive feature(s) of the project.

Probably the best feature of the project is the availability to the legal manpower located at both law schools. The total law student hours in the program during the last fiscal year were 9,840. This manpower included 81 law students who received credit hours for their endeavors. This does not include the man-hours at the Kansas State Industrial Reformatory because law students are not available to handle legal problems at the institution.

Further, credit should be given to the board of directors who established Legal Services for Prisoners. The individuals on the board are each respected in his own right. They give the program added recognition throughout the state.

(4) Weaknesses

The initial problem of providing legal services to the inmates during the students holiday and summer vacations has been resolved. Money has now been appropriated for summer assistance of law students to insure the project's continuity. However, one hiatus exists during the semester break. Since finals are completed prior to Christmas and classes normally do not resume until mid-January, there is a substantial period of time where the students are generally gone. The procedure followed is to advise inmates shortly before the start of finals and semester break that the student counsellors will not be returning for about three weeks but that they should not worry about their cases being dropped. In point of fact, many of the students come back as early as possible in order to work on their cases during the break. While the students are gone the Director, or someone who is responsible for decisions is present to read mail and take care of emergency problems.

(5) Degree of Support

Attached hereto are documents and letters of recommendation from the acting warden at Kansas State Penitentiary, the former acting director of the penal institutions, the President of the Kansas District Judges Association, the Chief Justice of the Kansas Supreme Court, the superintendent of Kansas State Industrial Reformatory, the former director of the Kansas Board of Probation and Parole, and the former director of the penal institutions which indicate their support and endorsements for the project. This support has continued through the personnel appointed to replace some of these directors.

Appendix B
List of Endorsing Officials

Included with the project application were letters of endorsement from the following individuals:

Robert Docking, Governor of Kansas
Harold R. Fatzer, Chief Justice, The Supreme Court of Kansas
Herbert W. Walton, President Kansas District Judges Association
K.G. Oliver, Superintendent, Kansas State Industrial Reformatory
R.A. Atkins, Acting Warden, Kansas State Penitentiary
John C. Hazelet, Acting Director, Office of Director of Penal Institutions, Topeka
W.C. Henry, Director, Kansas Board of Probation and Parole, Topeka
R. N. Woodson, Director, Office of Director of Penal Institutions, Topeka
R.J. Gaffney, Warden, Kansas State Penitentiary

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 72-FD-99-0013

State of Kansas

ANNUAL STATISTICAL REPORT
 (All Answers as of Close of 14 months, 30 June 1974)

PART I - CLIENT SERVICES

1. Number of persons in state corrections system on 30 June 1974. 1,449

2. Number of cases 1 May 1973 to 30 June 1974. 852

	<u>Civil</u>	<u>Criminal</u>
a. Closed	<u>112</u>	<u>627</u>
b. Open	<u>55</u>	<u>85</u>
c. Closed by court action	<u>11</u>	<u>12</u>
d. Closed by other means	<u>101</u>	<u>615</u>

3. a. Brief description of general nature of cases handled--what kind constituted greatest volume of cases, what kind of cases required the most lawyer time, the most student time?
- b. Are you at this time able to handle your inmate clients' cases in the regular course of business without undue delay or backlog? If you are not, indicate short falls and, also, plans for increasing your staff or changing your operating procedure so that you can eliminate backlogs and undue delays.

Please use separate sheet for answering 3a and 3b.

Annual Statistical Report

3. a.

The greatest volume of work centers around the Disciplinary Hearings at the Kansas State Penitentiary and the Kansas State Industrial Reformatory. A Disciplinary Hearing, however, may be disposed of immediately following the administrative board hearing. The Litigation Attorney handles the Disciplinary Hearings at the Kansas State Penitentiary at Lansing, Kansas, with the assistance of law students from the Washburn University School of Law Legal Clinic and the University of Kansas School of Law Defender Project. The Disciplinary Hearings at Kansas State Industrial Reformatory are handled by the staff attorney funded by the State Planning Authority. The Statistical Report from Kansas State Industrial Reformatory has not been finalized as of this date.

As is readily apparent from Attachment "A", jail credit and sentencing problems required considerable time by both lawyers and students. Divorce problems, K.S.A. 60-1507 post conviction motions and problems with detainers and extradition occupied considerable lawyer and student time.

Attachment "A" outlines the type of problems encountered by Legal Services for Prisoners, Inc. in the State of Kansas.

3. b.

Legal Services for Prisoners, Inc., in the twenty four months it has been operational, has experienced a backlog of requests for services from the Kansas State Penitentiary at Lansing, Kansas. This backlog has varied from as many as 35 days to as little as 10 days. However, the backlog continues due to the need to interview each request to ascertain the exact problem the inmate has. The backlog can be solved by adding to the staff of Legal Services for Prisoners, Inc. an additional attorney who would be located at the Kansas State Penitentiary at Lansing, Kansas, to interview the inmates as they are received at the Kansas State Penitentiary.

The requests for services received from Kansas State Penitentiary are acted upon immediately if an emergency is noted in the inmate's request. If the inmate also notes in his request that time is of an essence, he is interviewed immediately.

A prime factor in the backlog at Kansas State Penitentiary is the fact that the interns who serve as interviewers for inmates at Kansas State Penitentiary handle problems from inmates at the Federal Penitentiary also. The results of this is evidenced by the backlog at Kansas State Penitentiary. However, there also exists a backlog at the Federal Penitentiary because the interns provide the service to Kansas State Penitentiary.

Annual Statistical Report

3. b. (cont'd)

The students enrolled in the Defender Project at the University of Kansas School of Law are required to complete a five week course in post conviction remedies before being allowed to interview the inmates at the Kansas State Penitentiary at Lansing, Kansas. The benefit to the inmate of being interviewed by someone with knowledge of the problems surrounding post conviction remedies greatly outweighs the delay in handling of requests for services during the first part of the school year. The five week course enables the students to function at a higher level of expertise than they would if they had not had the course.

The inmates of the Kansas Reception and Diagnostic Center who request the assistance of Legal Services for Prisoners, Inc., are interviewed by the Director or an intern from the Washburn University School of Law Legal Clinic. The inmates at the Kansas Reception and Diagnostic Center are interviewed within 24 to 48 hours by the Director or an intern assigned to that inmate. We presently are not experiencing any backlog of cases at the Kansas Reception and Diagnostic Center in Topeka, Kansas.

The Governor's Committee on Criminal Administration of the State of Kansas awarded to Reno County, Kansas a grant to provide legal assistance to the inmates at the Kansas State Industrial Reformatory at Hutchinson, Kansas. The inmates at the Kansas State Industrial Reformatory who request legal assistance are seen within 30 days. If an emergency is noted on the request for services the inmate is seen immediately. If time is of an essence the inmate is seen within the time period noted on his application for services. The attorney providing the services at the Kansas State Industrial Reformatory provides assistance at Disciplinary Hearings to inmates charged with offenses which are classified as Class I offenses, penalty, if convicted, being forfeiture of earned good time. The attorney sees the inmates requesting services regarding a disciplinary hearing within 24 to 48 hours.

4. Are all inmates taken into the corrections system notified of availability of legal service to indigent inmates? Yes No

a. By written notification?

b. By interviewer or first counselor?

c. Other means?

Comment: See attached sheet.

5. When they think it needed, do corrections personnel refer inmates for legal advice? Yes No

Comment: See attached sheet.

6. Are measures taken from time to time to remind inmates that legal services are available? Yes No

a. If yes, how? See attached sheet.

b. Do you give a first interview within ten days of receipt of request for legal service? Yes No

c. Do you have a system that permits an indigent inmate with an emergency legal problem to secure prompt legal advice? Yes No

If yes, how? See attached sheet.

7. Do you keep a file on prisoner requests you have processed so that you can check each new request to see whether you already have performed services for the individual before? Yes No

Annual Statistical Report

4.

The Director of Legal Services for Prisoners, Inc. conducts a weekly orientation program for all incoming inmates at the Kansas Reception and Diagnostic Center at Topeka, Kansas. The staff attorney at the Kansas State Industrial Reformatory at Hutchinson, Kansas, conducts a similar orientation program for the incoming inmates at that institution on a weekly basis. The classification officers at the Kansas State Penitentiary at Lansing, Kansas notify the inmates at that institution of Legal Services for Prisoners, Inc. and the services we render. A letter has been posted in strategic places within the cell houses and on bulletin boards throughout the institutions notifying the inmates of our services and the type of services we provide. In addition, the litigation attorney and interns visit the Kansas State Penitentiary weekly and inform the inmates they come in contact with of our continuing services to inmates. The inmates, by word of mouth, then spread the information concerning Legal Services for Prisoners, Inc.

5.

The authorities at the three major institutions in the State of Kansas have, on occasion, referred inmates to us who they felt had a meritorious claim.

6. a.

The Director and the staff attorney at the Kansas State Industrial Reformatory at Hutchinson, Kansas conduct weekly orientation programs for incoming inmates. The inmates are notified at that time of the services that are available to them and are instructed on how to avail themselves of these services. The litigation attorney and the interns from Washburn and K.U. conduct weekly disciplinary hearings at the Kansas State Penitentiary at Lansing, Kansas and at that time inform the inmates who they represent to contact our organization in the future if they have any legal problems.

6. b.

The inmates at the Kansas Reception and Diagnostic Center are interviewed within 24 to 48 hours of requesting services from Legal Services for Prisoners, Inc. Either the Director or an intern assigned to that inmate from the Washburn University School of Law Legal Clinic interviews the inmate. Inmates requesting services from the Kansas State Penitentiary regarding a Disciplinary Hearing are seen within seven days. The inmates at the Kansas State Industrial Reformatory who request assistance at Disciplinary Hearings are seen within seven days by the attorney at the Reformatory.

Annual Statistical Report

6. b. (cont'd)

Inmates at the Kansas State Penitentiary and the Kansas State Industrial Reformatory are seen as quickly as possible, which usually is within thirty days. However, if an emergency is noted on the application or a time limit is noted on the application, the inmate is seen immediately.

6. c.

The inmates of the Kansas Penal System request assistance from Legal Services for Prisoners, Inc. by obtaining an application from the Director at the orientation program presented at the Kansas Reception and Diagnostic Center or from the staff attorney at the Kansas State Industrial Reformatory at his orientation or from their classification officer at the Kansas State Penitentiary. The inmates may obtain assistance simply by submitting a letter to the Director of Legal Services for Prisoners, Inc. in Topeka, or by sending a letter to the staff attorney at the Kansas State Industrial Reformatory at Hutchinson, Kansas. There appears on the application a place for the inmate to write a short description of his problem. After reviewing the description given to us by the inmate we can make a determination as to whether or not an emergency situation exists or if time is of an essence. If an emergency exists, or time is of an essence, we advance the man to the top of our list and he is interviewed within the week. Some inmates are interviewed sooner if the emergency is imminent or the time limit is about to expire. When an inmate requests services from Legal Services for Prisoners, Inc., he receives a letter acknowledging receipt of his request and asking if an emergency exists or if time is of an essence. This procedure assures us of locating the inmates with problems of an emergency nature or problems which have a time limit imposed upon them.

PART II - RELATIONSHIP WITH STATE OFFICIALS AND JUDGES

1. a. Have you taken action to alert state officials to refer to you prisoner letters involving legal problems-- thus expediting service and lightening the load on the official? Yes No
- b. If yes, what action? See attached sheet.
- If no, why not?
- c. Will you send a copy of your coming annual report under appropriate cover letter to judges and to other state officials who should be interested? Yes No
- d. Have the legal services rendered to indigent inmates reduced the load on the state courts? Yes No
- If yes, explain briefly on a separate sheet and give your method of calculating the reduction achieved.
- e. Have you reduced the time spent by corrections personnel on court work or in court? Yes No
- If yes, estimate percentage and explain briefly below or on a separate sheet.

Annual Statistical Report

Part II

1. b.
- The Governor's Pardon and Extradition Attorney, the Governor's Committee on Criminal Administration, the Secretary of Corrections, and the Adult Authority have all been notified to refer inmate problems to Legal Services for Prisoners, Inc. The Attorney General's office has also been contacted by the Director and they have in turn referred to our office all problems which do not concern the Attorney General's office received from inmates of the Kansas Penal System.
- The Director of Legal Services for Prisoners, Inc. was a guest speaker at a gathering of the Clerks of the District Courts of Kansas and as a result Legal Services for Prisoners, Inc. has received referrals from the District Clerks of the State of Kansas.
1. d.
- The Judicial Council of the State of Kansas in its fiscal report on the disposition of cases in the Judicial Districts of the State of Kansas reported a reduction in K.S.A. 60-1507 post conviction motions filed fiscal year 1 July, 1972 to 30 June, 1973. The reduction in cases filed was 19. Legal Services for Prisoners, Inc. filed 8 K.S.A. 60-1507 post conviction motions for inmates during the period 1 July, 1973 to 30 June, 1973. Legal Services for Prisoners, Inc. believes the reduction was due in part to our organization being available to counsel inmates on their legal problems.
1. e.
- The Penal Authorities for the State of Kansas have not appeared in court since the start of our second year of operation. During our first year of operation the Director of Penal Institutions of the State of Kansas, the Assistant Director of Penal Institutions for the State of Kansas, and the Superintendent of the Kansas State Industrial Reformatory at Hutchinson, Kansas appeared in Federal Court in cases arising out of the riots of 1969 and 1970.

PART III - PERSONNEL

Lawyers - Full time

1. Number of full time lawyers who now work in your program?	2
a. Number funded by Consortium Grant?	1
b. Number funded otherwise?	1
c. Total months each lawyer above has been with program?	24
	9

Lawyers - Part time

2. How many lawyers participated part time in Consortium work during this grant year?	3
---	---

a. Number and percentage?	Percentage of Time	Nature of Work	Cost of Time Devoted to Project
(1) Consortium grant funded?	40%	Litigation Attorney	\$9,846.00
(2) Otherwise funded?	66-2/3%	Project Supv. Asst. Proj. Supv.	\$15,614.00
RECAP: Total Cost, all lawyers (III, 1 and 2)	10%		\$61,417.94

Students

3. Total law student hours spent in program during year, including academic instruction?	9840
a. Consortium Grant funded?	0
b. Otherwise funded or provided without funding?	9840
c. Number of students who received academic credit for project work or project related courses?	81

Non-lawyers, Non-students

	Number of Full time	Number of Part time	Cost Both Full Time and Part Time
4. a. Number engaged in direction and supervision?			
(1) Consortium grant funded?			
(2) Otherwise funded?			
(3) Total Cost?			
b. Number engaged in special studies?			
(1) Consortium grant funded?			
(2) Otherwise funded?			
(3) Total Cost?			
c. Number engaged in administrative or clerical services?			
(1) Consortium grant funded?	2	0	\$16,607.40 budget
(2) Otherwise funded?			\$16,569.26 actual expense
(3) Total Cost?			\$16,569.26

SUMMARY

Legal Services for Prisoners, Inc. received funding from the Governor's Committee on Criminal Administration to provide an additional attorney at the Kansas State Industrial Reformatory at Hutchinson, Kansas. The attorney at Hutchinson has been re-funded for fiscal year 1 September, 1974 through 31 August, 1975. In addition to the attorney at Hutchinson, we will have clerical services there in the form of a secretary/administrative assistant for the staff attorney.

The program at the Kansas State Industrial Reformatory has been in operation twelve months. During this twelve month period the attorney at Hutchinson has handled numerous disciplinary hearings as well as numerous post conviction problems, sentencing problems, trial error problems, detainer and extradition problems, jail credit problems, institutional grievance problems, parole and clemency problems, alleged improper medical care problems, welfare problems, divorce and child custody support payment problems, and financial problems. We do not have a statistical breakdown of those cases at this time. The present staff attorney at Hutchinson is preparing an end of year report to submit to the Governor's Committee on Criminal Administration which should be available within the next few months. As soon as it is available a copy of the report will be forwarded to the offices of Studies in Justice, Inc.

During the Legislative session of 1974, Legal Services for Prisoners, Inc., through the assistance of Senator Winton Winters of Ottawa, prepared a bill which was presented to the Legislature seeking funds for our program. The bill passed the House and the Senate and was enacted into law in March, 1974. The statute directs Legal Services for Prisoners, Inc. to submit its operating budget to the Board of Supervisors of Panels to Aid Indigent Defendants for their approval. The bill also states that we are to make known to the Board the amount of funds available to our corporation from federal agencies or from outside sources. This statute will insure our corporation's continuation through state funding.

The present goal of Legal Services for Prisoners, Inc. in regards to funding for the fiscal year 1 July, 1975 through 30 June, 1976 is to present to the 1975 Legislature legislation which would perpetuate our organization indefinitely through state funding. This funding would be in lieu of federal funding if possible.

The State of Kansas produced and developed a model plan of procedure for rendering legal services to prisoners and submitted same to the Consortium Center.

CONTINUED

1 OF 2

Legal Services for Prisoners, Inc. developed a program whereby the law students enrolled in the Legal Clinic at the Washburn University School of Law serve as interviewers and researchers at the Reception and Diagnostic Center in Topeka, Kansas. The students from Washburn are supervised by the Project Director, the Litigation Attorney, and the Faculty Directors at the Washburn University School of Law Legal Clinic. The Washburn law students are utilized as defense counsel at the Disciplinary Hearings at the Kansas State Penitentiary at Lansing, Kansas. The students are closely supervised by the Litigation Attorney while performing duties of defense counsel.

In closing, I wish to explain the statistical breakout which is included in this report. The man days represent the days actually spent on the problems by: the Litigation Attorney, the Director, the 60 interns at Washburn during the year, and the 17 interns from the University of Kansas School of Law, totaling 17 for the school year and 4 during the summer months, for a grand total of 81 interns for the year.

As noted above, the statistical breakout does not include statistics from the Kansas State Industrial Reformatory at Hutchinson, Kansas as that report has not been finalized.

Respectfully submitted,

Pete Farabi

CONSORTIUM STATISTICAL BREAKOUT

KSP, KRDC, KSIFW, figures from
May 1, 1973 - June 30, 1974

I Civil	Number of Cases	Percent of Total Civil Cases	Total Time (Man-days other than clerical)
A. Major Category			
1. Divorce	33	24%	169
2. Child Custody	Included in divorce		0
3. Bankruptcy/debts	19	15%	84
4. Tax returns	0	0	0
5. Welfare	2	1%	8
6. License	0	0	0
7. Defendant: civil suit	6	4%	28
8. Miscellaneous	79	56%	380
TOTALS	136	100%	669

See Attachment "A" for detail breakdown

B. Ultimate Disposition by Major Category (Total from I-A)

1. Frivolous or no basis for claim	32
2. Successfully disposed of	50
3. Unsuccessfully disposed of (why?)	1 (Adverse court decision)
4. Cases still open	53

II Criminal

A. Major Category

	Number of Cases	Percent of Total Criminal Matters	Total Time (Man-days other than clerical)
1. Post-conviction relief	45	60%	224
a. New trial/appeal	23	30%	112
b. Habeas Corpus	22	30%	112

Consortium Statistical Breakout

	Number of Cases	Percent of Total Criminal Matters	Total Time (Man-days other than clerical)
2. Pending offense matters	30	40%	133
a. Outstanding charges	0	0	0
b. Demand for speedy trial	1	1%	7
c. Extradition	2	2%	14
d. Detainers	27	36%	112
3. Review of convictions	0	0	0
4. Court review of sentences	0	0	0
TOTALS	75	100%	357

B. Ultimate disposition by Major Category (Total from II-A)

1. Frivolous or no basis for claim	9
2. Successfully disposed of by administrative action	15
3. Successfully disposed of by court action	21
4. Unsuccessfully disposed of (why?)	5 (Adverse court decision)
5. Cases still open	25

III Cases not Requiring Judicial Solution

A. Major Category

	Number of Cases	Percent of Total Criminal Matters	Total Time (Man-days other than clerical)
1. Sentence computation	53	8%	253
2. Probation/parole hearing	15	2%	70-1/2
3. Credit for jail time	Included in #1		
4. Restoration of good conduct time	0	0	0
5. Representation at disciplinary hearings	555	89%	240

	Number of Cases	Percent of Total Criminal Matters	Total Time (Man days other than clerical)
Miscellaneous	11	1%	56
TOTALS	634	100%	619

B. Ultimate Disposition by Major Category (Total from III A)

1. Frivolous or no basis for claim	10
2. Successfully disposed of	566
3. Unsuccessfully disposed of (why?)	0
4. Cases still open	59

State of Kansas
for KSIR
ANNUAL STATISTICAL REPORT

Number of cases 1 October, 1973 to 30 June, 1974.

	Civil	Criminal
a. Closed	39	68
b. Open	14	21
c. Closed by court action	9	9
d. Closed by other means	30	59

CONSORTIUM STATISTICAL BREAKOUT
for KSIR
Hutchinson, Kansas

	<u>Number of Cases</u>	<u>Percent of Total Civil Cases</u>	<u>Total Time (Man-days other than clerical)</u>
I Civil			
A. Major Category			
1. Divorce	6	17%	11
2. Child Custody	4	11%	8
3. Bankruptcy/debts	7	20%	8
4. Tax returns	0	-	0
5. Welfare	1	3%	1
6. License	1	3%	1
7. Defendant: civil suit	4	11%	10
8. Miscellaneous	12	34%	20
TOTALS	35	100%	59
B. Ultimate Disposition by Major Category (Total from IA)			
1. Frivolous or no basis for claim	4		
2. Successfully disposed of	26		
3. Unsuccessfully disposed of (Adverse court decision)	1		
4. Cases still open	4		

II Criminal

A. Major Category

	<u>Number of Cases</u>	<u>Percent of Total Criminal Matters</u>	<u>Total Time (Man-days other than clerical)</u>
i. Post-conviction relief	29	49%	65
a. New trial/appeal	14	24%	30
b. Habeas Corpus	15	25%	35
c. 1507	(Included in habeas)		

Consortium Statistical Breakout

	<u>Number of Cases</u>	<u>Percent of Total Criminal Matters</u>	<u>Total Time (Man-days other than clerical)</u>
2. Pending offense matters	30	51%	32
a. Outstanding charges	8	14%	10
b. Demand for speedy trial	3	5%	5
c. Extradition	1	2%	1
d. Detainers	12	20%	10
3. Review of convictions	1	2%	1
4. Court review of sentences	5	8%	5
TOTALS	59	100%	97

B. Ultimate disposition by Major Category (Total from IIA)

1. Frivolous or no basis for claim	11
2. Successfully disposed of by administrative action	19
3. Successfully disposed of by court action	18
4. Unsuccessfully disposed of (why?)	4
5. Cases still open	1

I Cases not Requiring Judicial Solution

A. Major Category

	<u>Number of Cases</u>	<u>Percent of Total Criminal Matters</u>	<u>Total Time (Man-days other than Clerical)</u>
1. Sentence computation	6	.05%	10
2. Probation / parole hearing	15	1.5 %	30
3. Credit for jail time	4	.04%	5
4. Restoration of good conduct time	2	.01%	2
5. Representation at disciplinary hearings			
a. first hearings	540	48%	110
b. second hearings	510	46%	90

	<u>Number of cases</u>	<u>Percent of Total Crimin- al Matters</u>	<u>Total Time (Man-days other than clerical)</u>
6. Miscellaneous	<u>31</u>	<u>3.5%</u>	<u>10</u>
<u>TOTALS</u>	<u>1,108</u>	<u>100%</u>	<u>257</u>

B. Ultimate Disposition by Major Category (Total from III A, excluding disciplinary hearings)

1. Frivolous or no basis for claim	<u>8</u>
2. Successfully disposed of	<u>43</u>
3. Unsuccessfully disposed of (why?)	<u>7</u>
4. Cases still open	<u>5</u>

Appendix D
LSPI Budgetary
Information

Consortium of States to Furnish Legal Counsel to Prisoners
Discretionary Grant No. 72-ED-99-0013

	LEAA Support	Grantee Contribution	Category Total
11. Detailed Project Budget			
A. Personnel			
(1) Salaries			
Director, Full-time	\$19,517.50	\$	\$
Project Supervisor, term pay \$30,500; 10% of time		3,050.00	
Assistant Project Supervisor, term pay \$15,500; 66-2/3% of time		10,334.00	
Litigation Attorney, estimate of full-time \$21,000; 40% of time	8,440.00		
Administrative Assistant, Full-time	7,912.50		
Secretary, Full-time	6,330.00		
	<u>\$42,200.00</u>	<u>\$13,834.00</u>	<u>\$55,584.00</u>
(2) FICA and TIAA for professors only; FICA and Unemployment taxes for others	\$ 2,497.00	\$ 1,671.00	\$ 4,168.00
Total A. Personnel (1) Salaries & (2) FICA, etc.	<u>\$44,697.00</u>	<u>\$15,055.00</u>	<u>\$59,752.00</u>
B. Professional Services			
(1) Individual Consultants			
Student Research, 3,500 hours at \$2.50 per hour	\$	\$ 8,750.00	\$
Investigator-Lawyer	1,000.00		
Psychiatrists, 4 days at \$135 per day	540.00		
Total B. Professional Services (1) Indiv. Cons.	<u>\$ 1,540.00</u>	<u>\$ 8,750.00</u>	<u>\$10,290.00</u>
C. Travel			
Travel and subsistence. 26,000 miles at \$.09 per mile plus 8 days out-of-state at \$25 per day and 22 days in-state at \$18 per day	\$ 2,936.00	\$	\$
Total C. Travel	<u>\$ 2,936.00</u>	<u>\$</u>	<u>\$ 2,936.00</u>
D. Equipment			
1 file cabinet with lock	\$ 90.00	\$	\$ 90.00
Total D. Equipment	<u>\$ 90.00</u>	<u>\$</u>	<u>\$ 90.00</u>
E. Supplies and Other Operating Expenses			
Library on loan	\$	\$ 1,000.00	\$
Telephone, \$28 per month local, plus \$400 long distance	736.00		
Postage	400.00		
Stationery and Printing	200.00		
Court Reporter, 4 days at \$50 per day	200.00		

Detailed Project Budget -- Kansas (Cont'd)

	LEAA Support	Grantee Contribution	Category Total
Transcripts, 20 at \$50 each	\$ 1,000.00	\$	\$
Office Space, 400 sq. ft. at \$6.00 per sq. ft.		2,400.00	
Duplicating, 2,500 pages at \$.10 per page	250.00		
Indirect Costs, 5% of total budget	4,010.00		
Rental, 3 desks; 4 chairs; 2 bookcases; 1 table at \$50 per month	600.00		
Rental, 1 typewriter at \$25 per month	300.00		
Total E. Supplies and Other Operating Expenses	<u>\$ 7,696.00</u>	<u>\$ 3,400.00</u>	<u>\$11,096.00</u>
TOTAL PROJECT COST, KANSAS	<u>\$56,959.00</u>	<u>\$27,205.00</u>	<u>\$84,164.00</u>

Detail Project Budget for First Year:

BUDGET ITEM	Federal Share	State/Local Share	Total
A. Personnel:			
Position	% of Time	Annual Salary	
Director	100%	\$18,500	18,500
Asst. Project Supervisor	63 2/3%	\$15,500	
Project Supervisor	10%	\$27,400	10,334
Litigation Attorney	40%	\$20,000	2,740
Admin. Assistant	100%	\$7,500	8,900
Secretary	100%	\$6,000	7,500
FICA & TIAA for professors			6,000
			1,712
			1,620
	\$41,712.00	\$14,694.00	\$56,406.00
B. Consultant Services - Student Research, 3000 hrs. @ \$2.50/hr. Psychiatrists, 4 days at \$135.00 per day			
	540	7,500	
	\$ 540.00	\$ 7,500.00	\$ 8,040.00
C. Travel - Travel & subsistence, 26,000 at 9¢ per mile plus 10 days out-of-state at \$24.00 and 30 days in-state at \$14.00 per day			
	3,000		
	\$ 3,000.00		\$ 3,000.00
D. Equipment: (Itemize)			
2 desks at \$200.00 each	400		
2 desks at \$125.00 each	250		
2 file cabinets with lockes at \$75.00 each	150		
2 file cabinets without locks at \$70.00 each	140		
2 chairs at \$50.00 each	100		
2 chairs at \$65.00 each	130		
Rental, 2 typewriters at \$20.00 per month	240		
	\$ 1,410.00		\$ 1,410.00
E. Construction			
	\$		\$
F. Other			
Library on loan			
Telephone, \$25/mo. local service + \$200 long Dist.	500	1,000	
Postage	400		
Stationery & Printing	400		
Transcripts, 25 at \$50.00 average	1,250		
Court reporter, 4 days at \$50.00/day	200		
Investigator-Lawyers, 20 days at \$50/day	1,000		
Duplicating, 2500 pages @ 10¢/page	250		
Office rental, 400 sq. ft. at \$6 per sq. ft.		2,400	
Indirect costs (5% of total)	3,812		
	\$ 7,812.00	\$ 3,400.00	\$ 11,212.00
G. Total Federal Funds Requested			
	\$ 54,474.00		
Total Grantee Contribution (Page 2, Item 14)			
		\$25,594.00	

PROJECT TOTALS

\$80,068.00

Kansas

BUDGET
for

Legal Services for Prisoners, Inc.

Fiscal Year July 1, 1974
through June 30, 1975

	LEAA Support	Grantee Support	Category Total
A. Personnel			
(1) Salaries			
Director (full time) G. C. C. A. Project	\$ 19,517.50	\$	\$ 19,517.50
Director			
Litigation Attorney, estimate of full time \$21,000; 40% of time	8,440.00		8,440.00
Administrative Assistant/Secretary, full time	7,912.50		7,912.50
Secretary, full time	6,330.00		6,330.00
	\$42,200.00		\$42,200.00
(2) FICA			
Director		737.10	737.10
Litigation Attorney		493.74	493.74
Administrative Assistant/Secretary		442.88	442.88
Secretary		370.31	370.31
		\$2,044.03	\$ 2,044.03
(3) Unemployment Taxes			
		285.00	285.00
Total A. Personnel (1) Salaries, (2) FICA, (3) Unemployment taxes	\$42,200.00	\$2,329.63	\$44,529.63
B. Travel			
Travel and subsistence, 10,000 miles at \$.12 per mile for litigation attorney and 11,670 miles at \$.12 per mile for the director	\$ 1,400.00	\$1,200.00	\$ 2,600.00
18 days travel in-state at \$18 per day	324.00		324.00
6 Round trip economy air fare for 3 conferees at 2 Consortium Conferences of 2 days each in Washington at \$143 per fare	858.00		858.00
16 days travel out-of-state at \$25 per day (3 conferees, 2 conferences of 2-days each plus travel for state		400.00	400.00
	\$ 2,582.00	\$1,600.00	\$ 4,182.00
Total B. Travel	\$ 2,582.00	\$1,600.00	\$ 4,182.00
C. Equipment			
1 file cabinet, 4-drawer with lock at \$100 & 1 typewriter at \$494.00	\$ 100.00	494.00	\$ 594.00
	\$ 100.00	\$ 494.00	\$ 594.00
Total C. Equipment	\$ 100.00	\$ 494.00	\$ 594.00

	LEAA Support	Grantee Support	Category Total
D. Supplies and Other Operating Expenses:			
Telephone - \$28 per month local service and \$75 per month long distance	\$	\$	\$
Postage		1,236.00	1,236.00
Stationery and Printing		200.00	200.00
Duplicating, transcripts and records pertaining to inmate litigation, approximately 50 cases at 50 pages average, 2500 pages		100.00	100.00
Rental, 3 desks, 6 chairs, 5 bookcases, 2 tables at \$50 per month		250.00	250.00
Books and subscriptions	75.00	600.00	600.00
Indirect costs, 5% of total		300.00	375.00
		2,603.33	2,603.33
Total D. Supplies & Other Operating Expenses	\$ 75.00	\$5,289.33	\$ 5,364.33
Total Project Cost, Kansas	\$44,957.00	\$9,712.96	\$54,669.96

KANSAS

OMB NO. 50-10158

PART III - BUDGET INFORMATION

SECTION A - BUDGET SUMMARY

Grant Program, Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. DF Part E 16.501		\$	\$	\$44,957.00	\$9,712.96	\$54,669.96
2.						
3.						
4.						
5. TOTALS		\$	\$	\$44,957.00	\$9,712.96	\$54,669.96

SECTION B - BUDGET CATEGORIES

Object Class Categories	(1) LEAA	(2) Grant Program, Function or Activity		(4)	Total (5)
		(a) Grantee	(b)		
a. Personnel	\$2,200.00	\$2,329.63	\$	\$	\$44,529.63
b. Fringe Benefits					
c. Travel	2,582.00	1,600.00			4,182.00
d. Equipment	100.00	494.00			594.00
e. Supplies	75.00	2,686.00			2,761.00
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges	44,957.00	7,109.63			52,066.63
j. Indirect Charges		2,603.33			2,603.33
k. TOTALS	\$44,957.00	\$9,712.96	\$	\$	\$54,669.96
7. Program Income	\$	\$	\$	\$	\$

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) APPLICANT	(c) STATE	(d) OTHER SOURCES	(e) TOTALS	
8. DF Part E	\$	\$ 9,712.96	\$	\$ 9,712.96	
9.					
10.					
11.					
12. TOTALS	\$	\$ 9,712.96	\$	\$ 9,712.96	

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$44,957.00	\$14,239.25	\$10,239.25	\$10,239.25	\$10,239.25
14. Non-Federal	9,712.96	2,428.24	2,428.24	2,428.24	2,428.24
15. TOTAL	\$54,669.96	\$16,667.49	\$12,667.49	\$12,667.49	\$12,667.49

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)				
	(b) FIRST	(c) SECOND	(d) THIRD	(e) FOURTH	
16.	\$	\$	\$	\$	
17.					
18.					
19.					
20. TOTALS	\$	\$	\$	\$	

SECTION F - OTHER BUDGET INFORMATION		
(Attach additional Sheets If Necessary)		
21. Direct Charges:	LEAA	\$44,957.00
	AID	7,109.63
22. Indirect Charges:	AID	2,603.33
23. Remarks:		

PART IV PROGRAM NARRATIVE (Attach per instruction)

LEGAL SERVICES FOR PRISONERS, INC.			
BUDGET			
G.C.C.A.			
July 1974 through June 1975			
	G.C.C.A. Support	AID Support	Category Total
A. Personnel			
(1) Salaries			
Staff Attorney	\$18,000.00		\$18,000.00
Secretary	6,000.00		6,000.00
(2) FICA			
Staff Attorney	737.10		737.10
Secretary	351.00		351.00
(3) Unemployment Taxes		\$ 142.80	142.80
TOTAL A. Personnel (1) Salaries (2) FICA (3) Unemployment taxes.	<u>\$25,088.10</u>	<u>\$ 142.80</u>	<u>\$25,230.90</u>
B. Travel			
Travel and subsistence 21,000 miles at 13 cents per mile - trips to honor camps; 50 days in state at \$18.00; 4 out of state at \$25.00	<u>\$ 3,730.00</u>	<u>0</u>	<u>\$ 3,730.00</u>
TOTAL B. Travel	<u>\$ 3,730.00</u>	<u>0</u>	<u>\$ 3,730.00</u>
C. Equipment			
1 secretary desk at \$150		\$ 150.00	\$ 150.00
1 executive chair at \$100		100.00	100.00
1 secretary chair at \$75		75.00	75.00
2 side chairs at \$40		80.00	80.00
1 typewriter at \$494		494.00	494.00
1 file cabinet, 4 drawer		100.00	100.00
with lock at \$100		<u>999.00</u>	<u>999.00</u>
TOTAL C. Equipment	<u>0</u>	<u>\$ 999.00</u>	<u>\$ 999.00</u>

	<u>G.C.C.A. Support</u>	<u>AID Support</u>	<u>Category Total</u>
D. Supplies and other operating expenses			
Telephone	\$ 560.00		\$ 560.00
Postage	200.00		200.00
Printing and stationary		\$ 180.00	180.00
Xerox	200.00		200.00
Supplies	150.00	50.00	200.00
Books and subscriptions		375.00	375.00
Indirect Costs		1,583.75	1,583.75
	<u>\$ 1,110.00</u>	<u>\$2,188.75</u>	<u>\$ 3,298.75</u>
TOTAL D. Supplies and other operating expenses	<u>\$ 1,110.00</u>	<u>\$2,188.75</u>	<u>\$ 3,298.75</u>

	<u>G.C.C.A. Support</u>	<u>AID Support</u>	<u>Project Total</u>
Project Total, Kansas	<u>\$29,928.10</u>	<u>\$3,330.55</u>	<u>\$33,258.65</u>

END