



**WEST VIRGINIA
DIVISION OF
JUVENILE SERVICES**

POLICY NUMBER:

333.00

PAGES:

2

CHAPTER:

Institutional Operations

REFERENCE AND RELATED STANDARDS:

**WV Code Chapter § 49-2-903; ACA 3-JTS-3D-01/02/03;
ACA 3-JDF-3D-01/02/03; ACA 3-JCRF-3D-01/02; PbS
Standards Safety #3; Prison Rape Elimination Act
(PREA), §115.353**

SUBJECT: Resident Access to Courts and Counsel

DATE: October 1, 2015

PURPOSE

This Policy is to ensure that all residents have access to courts, counsel and outside advocates. The facility protects the safety and constitutional right of residents and seeks a balance between expression of individual rights and preservation of facility order.

CANCELLATION

This policy has been revised and supersedes Policy 333.00 dated January 24, 2014.

APPLICABILITY

This Policy applies to all Division of Juvenile Services' Facilities and /or Offices.

PROCEDURES

1. The Division of Juvenile Services will ensure the right of all residents to have access to courts and ensure and facilitate residents' access to counsel and to assist residents in making confidential contact with attorneys and their authorized representatives. Such contact includes, but not limited to, telephone communications, uncensored correspondence, and visits.
2. The Division will ensure that residents have reasonable access to parents and legal guardians.
3. The Division will ensure that residents have access to outside victim advocates for emotional support services related to sexual abuse by providing, posting, or otherwise making accessible mailing addresses and telephone numbers, including toll free hotline numbers where available. Staff will inform residents, prior to giving them access, of the extent to

Chapter	Subject	Policy #	Page
Institutional Operations	Juvenile Access to Court and Counsel	333.00	2 of 2

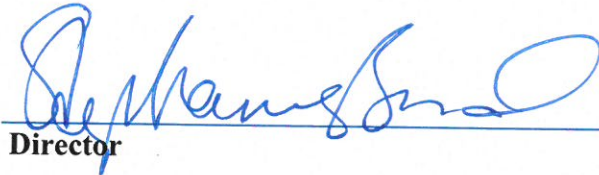
which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

4. Residents are not to be subjected to discrimination based on race, religion, national origin, sex, disability, or political views in making administrative decisions and in providing access to programs.
5. This policy will be adopted in its entirety and the facility will not create an operational procedure

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:



Director

10/6/15

Date