MENTOR MATCH PROGRAM
WORKSHEET F
INTRODUCTION TO THE LOCAL JAIL

Worksheet F is intended to facilitate a discussion about the protocol for visiting clients in jail.

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- Escort the new lawyer to the local jail(s) and explain the procedures for jailhouse visits.

- Discuss the following details about jailhouse visits:
  - Where do you go when you arrive at the jail?
  - How do you sign in to visit your client?
  - What should you bring with you? (For example, identification, attorney registration card, etc.)
  - What items are prohibited for jailhouse visits?
  - What may you bring to your client?
  - Is there a limit on the length or number of visits to clients?

- Discuss the importance of talking to your criminally-charged client about the facts of his or her case; about keeping him or her informed about the progress of the case and your case development; and about those case decisions which your client should expect to make. See Rules of Prof. Cond. 1.2, 1.4, and 2.1.

- Explain to the new lawyer which decisions an attorney should make in criminal cases and which the client has a right to make, and discuss the importance of explaining this distinction to the client from the outset of representation. Discuss how to properly inform your client of the consequences to his or her decisions in the case. See Rules of Prof. Cond. 1.2, 1.4, and 2.1.

RESOURCES

INDIANA RULES OF PROFESSIONAL CONDUCT

CLIENT-LAWYER RELATIONSHIP
RULE 1.2: SCOPE OF REPRESENTATION AND ALLOCATION OF AUTHORITY BETWEEN CLIENT AND LAWYER

(a) Subject to divisions (c), (d), and (e) of this rule, a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the

client's decision as to a plea to be entered, whether to waive a jury trial, and whether the client will testify.

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View complete rule and comments at http://www.in.gov/judiciary/rules/prof_cond

RULE 1.4: COMMUNICATION

(a) A lawyer shall :

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e) is required by these Rules;

(2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;

(3) keep the client reasonably informed about the status of the matter;

(4) promptly comply as soon as practicable with reasonable requests for information; and

(5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Indiana Rules of Professional Conduct or other law or assistance limited under Rule 1.2(c).

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

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COUNSELOR
RULE 2.1: ADVISOR

In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations, such as moral, economic, social, and political factors, that may be relevant to the client's situation.

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