



Feature

## Behind Bars Paralegals Provide Valuable Legal Assistance to Inmates

By Ursula Furi-Perry

When it comes to representing and helping inmates, attorneys are not the only legal professionals involved. Several states have chosen to allow the involvement of non-attorney legal staff with prisoner representation and created paralegal-assistance programs to help inmates with certain legal concerns.



"We don't have law libraries anymore," said Daryl Johnson, Legal Access Monitor at the Arizona Department of Corrections. "Instead, we provide an alternative program like paralegal assistance." Following the landmark Supreme Court decision in *Lewis v. Casey*<sup>1</sup>, which originated in Arizona, the state decided that paralegal

assistance to inmates was permissible and adequate and became the first to use paralegals and legal assistants for inmate assistance. The program has been in existence for nearly nine years, with plenty of success and no constitutional violations to date.

Of course, non-attorney legal staff may only offer certain types of assistance; that is, they must not give legal advice to inmates or otherwise risk engaging in the unauthorized practice of law. As such, most paralegals who provide inmate assistance help with filling out forms and guiding inmates through the maze of legal research. "They provide active assistance in the initial hearing stage, making sure that complaints get to the proper court and that forms are properly filled out," Johnson listed. "I make sure that inmates are familiar with the rules that apply to their situation and point them in the right direction at the library," said Tabitha Sedillo, Contract Paralegal for the Arizona Department of Corrections. Much of the paralegals' work deals with convictions or inmates' accommodations and treatment in prison. Most inmates who use paralegals' assistance are acting pro se and simply need to be shown the tools to represent themselves. Sedillo—a five-year veteran of the Department, with previous experience

in criminal law—explains that she handles mainly criminal matters. "You're dealing mostly with inmates that have been convicted of felonies," Sedillo detailed.

And that can get a bit hairy for the paralegal. After all, inmate assistance entails working in a prison, an environment that can prove dangerous and emotionally draining. Johnson and Sedillo recall a recent hostage situation at Buckeye, the prison in which Sedillo works. Despite the dangers, the work hadn't stopped coming. "The legal access program still had to go on, and I just had to become more familiar with the security measures," Sedillo said. "There's also the aspect of the type of people you're dealing with and the situation that you put yourself in." This isn't like working in a law office, Sedillo said. "You are in a prison."

Because of potential dangers and other factors, inmate assistance isn't at the top of most paralegals' employment wish lists. "A lot of people don't want to do this job," said Johnson, noting that the Arizona program only employs three contract paralegals for 30,000 inmates. "It takes a real special person to do this job," Johnson said. "There's always the potential for some kind of risk, but you're able to help people who can't afford to have an attorney. I think it's a very rewarding position because it's a challenge." As Sedillo says, the most rewarding part of the job is getting that long-awaited thank you from an individual she helped.

The Arizona program is unique and revolutionary, but the state isn't the only one that's caught on to using paralegals in inmate assistance programs. Following Arizona's success, a few other states have followed, said Johnson, including New Mexico and North Carolina; and many other states are



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interested in similar measures. One thing is for sure: Non-attorney legal staff who assist inmates can be sure their work

is valuable and needed by many who just can't get help via other means.

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