

LEGAL MAIL

THE LAW

Each patient shall... "Have the rights specified under subd. 1. to **send sealed mail** and **receive sealed mail**, subject to the limitations specified under subd. 2.

1. Patients have an unrestricted right to send sealed mail and receive sealed mail to or from **legal counsel, the courts, governmental officials, private physicians and licensed psychologists**, and have **reasonable access to letter writing materials including postage stamps...** The officers and staff of a facility **may not read any mail** covered by this paragraph.
2. The rights of patients detained or committed under **ch. 980** to send and receive sealed mail are subject to the following limitations..."
§ 51.61(1)(cm), Wis. Stats. [Emphasis added.]

"(1) Each **inpatient** shall be allowed to **send and receive sealed mail** in accordance with s. 51.61(1)(cm), Stats., and this section.

(2) Any **inpatient** who has been determined **indigent** under the facility's operating policies shall, upon request, be provided with **up to 2 stamped non-letterhead envelopes each week and with non-letterhead stationery and other letter-writing materials.**

(3) Mail shall be **delivered to inpatients promptly** by the facility's normal distribution procedures.

(4) **Upon request** of an inpatient or his or her guardian, mail shall be **opened by a facility staff member and read to him or her.** The initial request shall be **documented** in the treatment record."

DHS 94.19, Wis. Admin. Code [Emphasis added.]

DECISIONS

[None at this time.]