

EXPERT CONTACT VISITS WITH INMATES AT CENTRAL PRISON

IDS Policy:

The Division of Adult Correction has agreed that IDS may authorize expert contact visits in all potentially capital cases at the trial level, all capital appeals, and all capital post-conviction proceedings for defendants housed at Central Prison. In those cases, the attorney does not need to obtain a Court Order authorizing the contact visit, and should instead seek authorization from the IDS Office. (Please note that the attorney must obtain this authorization in addition to, not instead of, the IDS or Capital Defender authorization for expert funding.)

If an attorney needs to schedule a contact visit at Central Prison between an expert and a client in one of the above case types, the following procedure should be used:

1) The attorney of record should email the following written information to

Whitney.B.Fairbanks@nccourts.org with a copy to Maxwell.G.Silva2@nccourts.org:

- a) The attorney's name and fax number;
- b) The name of the defendant;
- c) The county of origin and case number(s) at the trial level;
- d) The name of the expert;
- e) The type of expert;
- f) The date and time you want to schedule the contact visit (Mondays, Tuesdays, and Thursdays, 8:30am-10:30am and 12:30pm-4:45pm, with 3 business days' notice); and
- g) The reason that the expert needs to have contact with the defendant—e.g., they need to exchange materials, physical examination is required, etc.

2) Assuming the IDS Director (or the Director's designee) finds that a contact visit is necessary to the defense of the case, the IDS Office will then prepare an authorization for the contact visit and email it to the requesting attorney.

3) The attorney should send the following information to Central Prison, c/o Lt. V. Freeman via fax to (919) 743-2438 or email to Central_Prison_Visiting@dac.nc.gov (note new email as of April 2023):

- a) A letter on the attorney's letterhead asking the prison to schedule a visit at the date and time indicated;
- b) A detailed list of any items and equipment that the expert will need to bring with them; and
- c) The IDS authorization for the contact visit.

Please contact Whitney B. Fairbanks at (919) 354-7200 or Whitney.B.Fairbanks@nccourts.org if you have any questions about this procedure, or if you have any problems scheduling a visit.

Policy effective April 2004; updated June 2007, August 3, 2009, October 21, 2009, October 19, 2012, December 8, 2014, December 1, 2015, January 24, 2022, and April 5, 2023.