



**LAWYER TO LAWYER MENTORING PROGRAM
WORKSHEET G
INTRODUCTION TO THE LOCAL JAIL**

Worksheet G 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 Prof. Cond. Rules 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 Prof. Cond. Rules 1.2, 1.4, and 2.1.

RESOURCES

OHIO RULES OF PROFESSIONAL CONDUCT

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

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(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 does not violate this rule by acceding to requests of opposing counsel that do not prejudice the rights of the client, being punctual in fulfilling all professional commitments, avoiding offensive tactics, and treating with courtesy and consideration all persons involved in the legal process. 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.

View complete rule and comments at

http://www.supremecourtofohio.gov/rules/profConduct/profConductRules.pdf#Rule1_2

RULE 1.4: COMMUNICATION

(a) A lawyer shall do all of the following:

- (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent 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) comply as soon as practicable with reasonable requests for information from the client;
- (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 Ohio Rules of Professional Conduct or other law.

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



View complete rule and comments at

http://www.supremecourtfohio.gov/rules/profConduct/profConductRules.pdf#Rule1_4

**II. 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.

View rule and comments at

http://www.supremecourtfohio.gov/rules/profConduct/profConductRules.pdf#Rule2_1