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LEGAL SERVICES

(202) 336-8800

Fax (202) 336-8959

John McKay
President

Writer's Direct Telephone
(202) 336-8814

May 29, 1997

Warren E. Hearnese, Executive Director
Southeast Missouri Legal Services, Inc.
116 North Main Street

LSC received a number of comments seeking reconsideration of a policy which was viewed as equating confinement in a mental health facility with incarceration in a prison. Based on these comments and other considerations, in the final rule, LSC has modified the definitions of "incarcerated" and "Federal, State or local prison," such that the restrictions on representation of prisoners apply to person involuntarily held in *penal* facilities maintained under governmental authority. Thus, under the final rule which is now in effect, representation of persons confined to mental health facilities regardless of the reason for the confinement.