

Law Library Services to Prisoners: A Bibliography

Standing Committee on Law Library Service to Institution Residents
Social Responsibilities Special Interest Section
American Association of Law Libraries
<http://www.aallnet.org/sis/srsis/>

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Note: Discussions of prison law libraries have been driven by two major Supreme Court cases. In *Bounds v. Smith*, 430 U.S. 817, 97 S.Ct. 1491 (1977), the Court held that the fundamental constitutional right of access to courts requires prison authorities to provide adequate law libraries or adequate assistance from persons trained in the law. In *Lewis v. Casey*, 518 U.S. 343, 116 S.Ct. 2174 (1996), the Court held that prisoners do not have an abstract freestanding right to a law library and must demonstrate actual injury in order to sustain a challenge to the adequacy of the law library.

Before Bounds and Lewis

Morris L. Cohen, *Reading Law in Prison*, 48 PRISON J. 21 (Spring-Summer 1968).

Charles Larsen, Herman C. Spector, and Marshall W. Krause, *Prison Writ-Writing: Three Essays*, 56 CAL. L. REV. 342 (1968).

O. James Werner, *Law Library Service to Prisoners: The Responsibility of Nonprison Libraries*, 63 L. LIBR. J. 231 (1970).

O. JAMES WERNER, *MANUAL FOR PRISON LAW LIBRARIES* (1976).

O. James Werner, *Present Legal Status and Conditions of Prison Law Libraries*, 66 L. LIBR. J. 259 (1973).

OLGA B. WISE AND J. MACGREGOR SMITH, *PLANNING A LEGAL REFERENCE LIBRARY FOR A CORRECTIONAL INSTITUTION* (1976).

After Bounds

Anne R. Bowden, *North Carolina County Jail Inmates' Right of Access to Courts*, 66 N.C. L. REV. 583 (1988).

Samuel Jan Brakel, *"Mastering" the Legal Access Rights of Prison Inmates*, 12 NEW ENG. J. ON CRIM. & CIV. CONFINEMENT 1 (1986).

Justin Brooks, *Keeping the Jailhouse Lawyer Out of Jail: Reduce Recidivism by Teaching Law to Inmates*, 9 CRIM. JUST. 18 (Summer 1994).

Frances T. Freeman Cruz, *Prisoners' Struggle with the Judicial System*, 9 NEW ENG. J. ON CRIM. & CIV. CONFINEMENT 145 (1983).

Richard E. Ducey, *Survey of Prisoner Access to the Courts: Local Experimentation a'Bounds*, 9 NEW ENG. J. ON CRIM. & CIV. CONFINEMENT 47 (1983).

Arturo A. Flores, *Bounds and Reality: Lawbooks Alone Do Not a Lawyer Make*, 77 LAW LIBR. J. 275 (1984-1985).

ARTURO A. FLORES, *WERNER'S MANUAL FOR PRISON LAW Libraries* (2nd ed. 1990).

Steven D. Hinckley, *Bounds and Beyond: A Need to Reevaluate the Right of Prisoner Access to the Courts*, 22 U. RICH. L. REV. 19 (1987).

Elizabeth Slusser Kelly and Virginia Davis, panelists, *Prison Law Library Service: Questions and Models*, 72 L. LIBR. J. 598 (1979).

Howard Meshnick, *Constitutional Law – Prisoners' Right of Access to Courts Does Not Mandate Additional Legal Assistance When Law Library Access is Adequate*, 19 SUFFOLK U. L. REV. 120 (1985).

William D. Mongelli, *De-Mystifying Legal Research for Prisoners*, 86 L. LIBR. J. 277 (1994).

Wayne Ryan, *Access to the Courts: Prisoners' Right to a Law Library*, 26 HOW. L.J. 91 (1983).

Christopher E. Smith, *Examining the Boundaries of Bounds: Prison Law Libraries and Access to Courts*, 30 HOW. L.J. 27 (1987).

Christopher E. Smith, *Improving the Use of Prison Law Libraries: A Modest Proposal*, 79 L. LIBR. J. 227 (1987).

Charles R.B. Stowe, *Equal Access to Courts: A Look at Texas Prison Libraries*, 50 TEX. B. J. 1238 (1987).

Charles R.B. Stowe, *Equal Access to Courts: A Look at Texas Prison Libraries: A Modest Proposal*, 79 L. LIBR. J. 227 (1987).

GENE TEITELBAUM, *INSPECTING A PRISON LAW LIBRARY* (1989).

After Lewis

George L. Blum, Annotation, *Sufficiency of Access to Legal Research Facilities Afforded Defendant Confined in State Prison or Local Jail*, 98 A.L.R. 5th 445 (2002).

Jill Schachner Chanen, *Banned in the Bighouse: With Elimination of Prison Law Libraries in Arizona, Inmates Must Rely on Paralegals to Prepare Petitions*, 84 A.B.A. J. 26 (Mar. 1998).

Joseph L. Gerken, *Does Lewis v. Casey Spell the End to Court-Ordered Improvement of Prison Law Libraries?*, 95 LAW LIBR. J. 491 (2003).

Sandra Marz, *A Jail Becomes a Modern Law Library*, 6 AALL SPECTRUM 8 (May 2002).

Joseph A. Schouten, *Not So Meaningful Anymore: Why a Law Library is Required to Make a Prisoner's Access to the Courts Meaningful*, 45 WM. & MARY L. REV. 1195 (2004).

Evan R. Seamone, *Fahrenheit 451 on Cell Block D: A Bar Examination to Safeguard America's Jailhouse Lawyers from the Post-Lewis Blaze Consuming Their Law Libraries*, 24 YALE L. & POL'Y REV. 91 (2006).

SOCIAL RESPONSIBILITIES SPECIAL INTEREST SECTION, AMERICAN ASSOCIATION OF LAW LIBRARIES, RECOMMENDED COLLECTIONS FOR PRISON AND OTHER INSTITUTION LAW LIBRARIES (Rebecca S. Trammel ed., 1996).

(Note - Federal and General materials updated by Werner's Manual for Prison Law Libraries, 3rd ed.; State materials currently being updated for publication on the SR-SIS website)

David Steinberger, *Lewis v. Casey: Tightening the Boundaries of Prisoner Access to the Courts*, 18 PACE L. REV. 377 (1998).

Michael W. Tillman-Davis, *My Time on Rikers Island*, 99 L. LIBR. J. 151 (2007).

Rebecca S. Trammel, *Out of Bounds: Lewis v. Casey Redefines Rights Previously Found in Bounds v. Smith – Seriously Undermining Prison Law Libraries and the Ability of Inmates to See Justice*, 2 AALL SPECTRUM 10 (Sept. 1997).

REBECCA S. TRAMMELL, WERNER'S MANUAL FOR PRISON LAW LIBRARIES (3rd ed. 2004).

Camilla Tubbs, *Electronic Research in State Prisons*, 25 LEGAL REF. SERVICES Q. 13 (2006).

Karen Westwood, *Meaningful Access to the Courts and Law Libraries: Where are we Now?*, 90 L. LIBR. J. 193 (1998).