

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of State Hospitals
Chapter 16. State Hospital Operations
Article 4. Support Services

Adopt section 4440 as follows:

§ 4440 Duplication Services

- (a) The Department of State Hospitals shall provide a patient with access to duplication services.
- (b) A state hospital may charge ten cents (\$0.10) per page for duplication services.
- (c) An indigent patient, pursuant to Welfare and Institutions Code section 4136, may not be charged for duplication services for the applicable number of copies required by the courts for the following legal documents:
- (1) writs: habeas corpus, mandate, etc.;
 - (2) civil rights complaints;
 - (3) civil complaints or answers;
 - (4) petitions for hearings in appellate courts;
 - (5) exhibits, including slip opinions of the California Court of Appeals, when attached to petitions for hearing in the Supreme Court of California;
 - (6) pleadings, proof of service documents; and
 - (7) motions to proceed in forma pauperis (without funds to hire counsel).
- (d) An indigent patient shall also receive one personal copy of all legal documents duplicated at no cost.
- (e) A state hospital may use a Request for Duplication Services form, DSH-2005 (Rev 5/15), to complete this process.
- (f) A non-indigent patient shall have sufficient funds available in their trust account before a state hospital shall process a Request for Duplication Services.
- (g) A state hospital may not accept any changes, returns, or issue a refund for an order, once the Trust Office has deducted the costs for the duplication services from the patient's trust account.

(h) A state hospital may place reasonable restrictions or limitations on duplication services as necessary when:

- (1) a patient's request compromises the safety and security of others;
- (2) other patients are deprived of duplication services;
- (3) copyrighted legal material, case law, textbooks or other legal reference materials are readily available in the law library; and/or
- (4) a document exceeds 50 pages per week which may or may not include legal materials needed for court filing except when necessary to advance litigation. The patient shall provide a written explanation to designated staff of the need for a document exceeding 50 pages per week.

(i) A patient with time-sensitive legal documents may be given priority duplication services.

NOTE: Authority cited: Sections 4005.1, 4027 and 4101, Welfare and Institutions Code.
Reference: Sections 4136, 5325.1 and 5326, Welfare and Institutions Code; and Section 1798.33, Civil Code.

Hospital Name:
Select...

REQUEST FOR DUPLICATION SERVICES

Patient Name: Unit: Hospital I.D. #

Number of Originals:

Number of Copies of Each Original:

Total Number of Copies:

Total Cost for Copies:

Verification of costs based on number of copies requested.

Trust Office verification of patient's trust account to determine availability of funds.
Note: Account may not be depleted to any amount lower than as specified in W&I Code 4136.

Costs are deducted from patient's trust account.

NO CHANGES, RETURNS OR THE ISSUE OF REFUNDS, WILL BE ALLOWED ON ANY ORDER ONCE THE TRUST OFFICE HAS DEDUCTED COSTS FOR DUPLICATION SERVICES.

Indigent Patients under Welfare and Institutions Code § 4136.

- Applicable legal documents allowed for copying at no charge:
- writs: habeas corpus, mandate, etc.;
- civil rights complaints;
- civil complaints or answers;
- petitions for hearings in appellate courts;
- exhibits, including slip opinions of the California Court of Appeals, when attached to petitions for hearing in the Supreme Court of California;
- pleadings, proof of service documents; and
- motions to proceed in forma pauperis (without funds to hire counsel).

Original legal documents provided based on the number of copies required by applicable court rules.

One personal copy of all legal documents at no cost to patient.

Patient request for duplication services exceeding 50 pages. Explanation:

Patient Acknowledgement

Signature: _____

Date:

THIS SECTION FOR STAFF USE ONLY			
Date Completed	By: (Initial)	P/U Date	Initial:
__/__/__	_____	__/__/__	_____