



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: Legal Services – Parole Field Services		Policy Number: 12.4.01.32
Date of Issue: October 20, 2025	Authority: Signature on File Dr. Laurel R. Harry	Effective Date: November 3, 2025

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. PURPOSE

The purpose of this policy is to explain the manner in which legal services are provided by the Department of Corrections Office of Chief Counsel to Parole Field Services.

III. APPLICABILITY

This policy applies to all Parole Field Services staff.

IV. DEFINITIONS

None.

V. POLICY

The Office of Chief Counsel provides legal services to the Department of Corrections Office of Parole Field Services.

VI. PROCEDURE

A. Requests for Legal Representation

Policy 12.4.01.32

Issued: 10/20/2025

Effective: 11/3/2025

An employee named as a defendant or respondent in a lawsuit relating to matters within the scope of their employment may request representation as outlined in Management Directive 205.6. The employee must promptly notify the Office of Chief Counsel of the lawsuit and request representation, as follows:

1. Forward original process to the Office of Chief Counsel
 - a. In state court actions, original process will be in the form of a complaint or a writ of summons.
 - b. In federal court actions, original process will be in the form of a complaint, which may be accompanied by a summons or a request from the court to waive service.
2. On the day of receipt, the original process and any accompanying correspondence or other paperwork shall be hand-delivered to the Office of Chief Counsel or scanned and emailed to **CR, Litigation Notice Processing**.
3. Original process forwarded to the Office of Chief Counsel must be accompanied by a completed DC-P 66 form.
4. An employee who requests representation in the manner set forth above will be advised if representation is offered or denied.
 - a. Employees who request representation must complete and sign a request for representation form.
 - b. Employees who accept an offer of representation must fully cooperate in the defense of the case, which includes notifying the Office of Chief Counsel if there are any changes to the employee's contact information.
 - c. Employees who accept representation authorize the commonwealth to settle the case as it deems appropriate and to make legal and strategic decisions relating to the defense of the case as it deems appropriate.
 - d. Employees who accept representation shall fully comply with any litigation hold memos issued by the Office of Chief Counsel.

B. Legal actions involving the Department or any employees

In addition to original process, as set forth above, other forms of legal action may include petitions for writ of habeas corpus, motions, requests to sign affidavits or certifications of records, or other petitions that seek relief against the Department, or other documents filed with a court or administrative agency.

If an employee is unsure whether a document involves a legal action against the Department or an employee, the document should be construed as if it does involve a legal action against the Department or an employee.

An employee of the Department who receives or is served with notice of a legal action involving the Department shall notify the Office of Chief Counsel, as follows:

1. On the date of receipt, hand deliver the document to the Office of Chief Counsel or scan and email the document to **CR, Litigation Notice Processing**. The originals of any documents scanned and emailed must be mailed to the Office of Chief Counsel no later than the close of the next business day following receipt.
2. All documents forwarded to the Office of Chief Counsel must be accompanied by a **DC-P 66, Litigation Notice (Attachment A)**.

C. Requests for Legal Advice

Requests for legal advice in matters not already assigned to an attorney shall be submitted as follows:

1. Requests shall be submitted by email to **CR, CEN Legal Assistance Center** with the Deputy Chief Counsel for Parole Field Services copied on the request.
2. All requests for advice that involve documents must include copies of the documents involved.
3. Requests for legal advice will be assigned to a member of the Office of Chief Counsel for review and response.

D. Subpoenas and requests for documents and other information

1. Subpoenas, court orders and requests for information from outside parties shall be submitted by email to **CR, Parole Field Services Legal mailbox** accompanied by a **DC-P 7, Fact Sheet for Legal Review of Subpoena or Court Order (Attachment B)**.
2. For further guidance concerning subpoenas and requests for documents and Other information, please refer to **DC-ADM 003, "Release of Information."**

E. Accepting service of original process and subpoenas

1. Original process that names an employee as a defendant and subpoenas for employees shall be accepted by the District Director or Deputy District Director in charge of the work location in which the employee works.
2. Original process that names an employee as a defendant or respondent that works in central office shall be accepted by an employee of the Office of Chief Counsel.
3. Original process and subpoenas shall not be accepted for former employees or employees who do not work at the location at which service is attempted.

4. The person accepting original process or a subpoena must ascertain the identity of the person making service by requesting identification or obtaining a business card.
5. The person accepting original process or a subpoena shall immediately notify the named employee after accepting original process or a subpoena and provide a copy of the original process or subpoena to the named employee.
6. In addition, the person accepting original process or a subpoena shall follow the procedures set forth above, relating to notification to the Office of Chief Counsel.

VII. SUSPENSION DURING AN EMERGENCY

This policy may be suspended during an emergency at the sole discretion of the Secretary of the Department of Corrections.

VIII. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department.

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF POLICY

A. Release of Information

1. This policy is public information and may be released upon request.
2. Procedures Manuals, Appendixes, and Attachments (if Applicable)

The related procedures manuals, appendixes, and attachments (elements) for this policy are public information and are releasable upon request unless designated by the Department as confidential. Confidential elements are not public information and shall not be released in entirety or in part, without the prior approval of the Secretary/designee. Procedures manuals or other elements which are not further restricted, may be released to any Department employee on an as needed basis.

B. Distribution of Policy

1. Public and General Distribution

Department policies that are not designated as confidential or further restricted, shall be made available to the public through the Department's public web site.

2. Distribution to Staff and Other Government Agencies

All Department policies and related elements, which are not further restricted, shall be available to all Department members. It is the responsibility of those individuals

within the Department receiving policies through general distribution, to ensure that each employee expected or required to perform the necessary procedures/duties has access to the policy and procedures. Distribution of confidential policies or elements to other government agencies is subject to the approval of the Secretary/designee.

X. SUPERSEDED POLICY AND CROSS REFERENCES

A. Superseded

This document establishes policy and procedure on this subject.

B. Cross References – Statutes

Pennsylvania Code, Title 4, Part II, Subpart D, Chapter 39, Entitlements for Commonwealth Employees

C. Department Policies

DC-ADM 003, Release of Information

D. American Correctional Association Standards: None