

October 16, 2014

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.005

RULE TITLE: Informal Grievance

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct grammatical and typographical errors, and to revise Form DC6-236 to add a space where inmates are to sign their names and a space where Department staff are to print their names.

SUBJECT AREA TO BE ADDRESSED: Informal grievances

RULEMAKING AUTHORITY: 944.09 FS

LAW IMPLEMENTED: 944.09 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Vazquez, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.005 Informal Grievance.

(1) No change.

(2) When submitting an informal grievance, the inmate shall use Form DC6-236, Inmate Request, and shall:

(a) No change.

(b) On the line reading "Request,"; the inmate shall check the box to indicate that Form DC6-236 is being used as an "Informal Grievance\_". Failure to do this will cause the request to be handled routinely and it will not be considered an informal grievance. This will also cause the form to be unacceptable as documentation of having met the informal step if it is attached to a formal grievance submitted at the next step.

1. No change.

2. When completing the inmate request form for submission as an informal grievance, the inmate shall ensure

that the form is legible, that included facts are accurately stated, and that only one issue or complaint is addressed. The inmate must limit all grievance narrative to Form DC6-236, and only two additional pages of narrative will be allowed. The inmate shall sign and date the form and write in his Department of Corrections number and forward the informal grievance to the designated staff person. If an inmate fails to sign his grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate's grievance. Form DC6-236 is incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <https://www.flrules.org/gateway/reference.asp?NO=Ref-01222>. The effective date of the form is \_\_\_\_\_.

(3) – (5) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 1-15-92, 12-22-92, 3-30-94, 4-17-94, 4-10-95, 8-10-97, 12-7-97, 2-17-99, Formerly 33-29.005, Amended 8-1-00, 2-9-05, 3-25-08, 1-31-10, 5-27-12, 11-7-12, 11-24-13, 4-20-14, \_\_\_\_\_.