

**10A:18-6.4 Employee visits with incarcerated relatives**

(a) Employees of the Department of Corrections who have relatives incarcerated in facilities under the jurisdiction of the New Jersey Department of Corrections shall be permitted to visit an incarcerated relative provided the Superintendent is satisfied that there is no threat to the orderly operation of the correctional facility.

(b) For the purpose of this subchapter, "relative" (see N.J.A.C. 10A:18-1.3) shall also include:

1. Grandparents;
2. Cousins;
3. Uncles; and
4. Aunts.

(c) An employee of the Department of Corrections who wishes to visit a relative incarcerated in a correctional facility under the jurisdiction of the New Jersey Department of Corrections shall submit a written request for permission to visit the incarcerated relative to the Superintendent of the correctional facility at which the relative is housed.

(d) The Superintendent may schedule the visit during regular visiting hours or at special times, according to the orderly administration and staffing of the correctional facility.

Amended by R.1990 d.124, effective February 20, 1990.

See: 21 N.J.R. 3410(a), 22 N.J.R. 662(a).

At (c), clarified the requirement of submitting a written request and deleted (e).

#### 10A:18-6.5 Special visits

(a) Special visits must be authorized by the correctional facility Superintendent or designee. Special visits include:

1. Visits from persons who have come long distances;
2. Visits to hospitalized inmates;
3. Visits to inmates in disciplinary status; and
4. Visits between inmates and:
  - i. Members of the clergy;
  - ii. Social service agency representatives;
  - iii. Prospective employers;
  - iv. Sponsors; and
  - v. Parole advisors.

(b) The Superintendent or designee may approve a visitor who accompanies a person on the approved list.

(c) Close Custody visits shall be governed by N.J.A.C. 10A:5, Close Custody Units, and N.J.A.C. 10A:4-10, Detention Program.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

#### 10A:18-6.6 Visits between incarcerated relatives

(a) Visits shall be permitted between incarcerated relatives (see N.J.A.C. 10A:18-1.3) that are incarcerated in facilities under the jurisdiction of the New Jersey Department of Corrections.

(b) The following requirements must be met before visits between incarcerated relatives shall be permitted:

1. Relative relationships must be substantiated by documentation found in the classification folder or from other appropriate resources;
2. Visits must be approved by the Classification Committee(s); and

3. The cost of the visit shall be borne by the inmates involved.

(c) The Business Manager or designee of the correctional facility shall predetermine the expenses involved in arranging a visit between relatives and a detailed statement of expenses shall be prepared in accordance with N.J.A.C. 10A:3-9.13(c).

(d) The frequency, duration and time of the visits must be coordinated between the correctional facilities involved and shall be subject to the other sections of the subchapter.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Substituted "relatives" for "family" or "family members" throughout; deleted former (b); recodified former (c) through (e) as (b) through (d); and in (c), substituted N.J.A.C. reference for specified criteria.

#### 10A:18-6.7 Attorneys and court related personal visits

(a) Attorneys licensed in any jurisdiction and representatives of attorneys shall be permitted contact visits during regular business hours when sufficient space and staff are available.

(b) Representatives of attorneys shall include, but not be limited to the following:

1. Investigators;
2. Investigative aides;
3. Paralegals; and
4. Law students.

(c) A written notice or telephone request from an attorney shall be required 24 hours in advance of an intended visit. The purpose of the advance notice is to insure the availability of:

1. Space;
2. Staff; and
3. The inmate.

(d) Advance notice shall include the following information:

1. Name of the attorney or representative;
2. Name of the inmate to be interviewed;
3. Name of the attorney for whom the representative is acting; and
4. Date and time the interview is sought.

(e) Form 292-I Request for Attorney-Client Contact Visit may be used to verify the inmate's desire to meet with the requesting attorney in the context of an attorney-client relationship.

(f) Appropriate identification is required of attorneys and attorney representatives who visit the inmate at a correctional facility.

(g) Contact visits with attorneys or their representatives may be restricted or prohibited when, in the judgment of the correctional facility Superintendent or designee, the inmate is acting out or is especially dangerous. Contact visits may also be denied where the attorney or representative poses a threat to the security or orderly operation of the correctional facility. In those cases in which contact visits have been denied, every effort shall be made to provide a non-contact visit consistent with the orderly operation of the correctional facility.

(h) The Superintendent or designee may authorize a visit without prior written notice, under exceptional circumstances.

Amended by R.1991 d.155, effective March 18, 1991.

See: 23 N.J.R. 14(a), 23 N.J.R. 859(c).

Added "licensed in any jurisdiction" to modify "attorneys"; added new subsection (e) regarding forms.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

#### 10A:18-6.8 Visits from children

(a) Children under the age of 18 shall not be permitted to visit unless accompanied by a family member defined as a "relative." (See N.J.A.C. 10A:18-1.3.)

(b) In unusual circumstances, exceptions to (a) above may be made by special approval of the Superintendent or designee.

(c) The adult family member shall be responsible for the supervision of the child accompanying said family member on the visit.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Added (c).

#### 10A:18-6.9 Notification of prospective visitors

(a) The correctional facility shall establish a letter of information, written in English and in Spanish, which provides the pertinent visit regulations with which prospective visitors should be familiar. This letter shall include, but is not limited to, the:

1. Visiting times;
2. Number of permissible visitors;
3. Guidelines for visits by children;
4. Identification required;
5. Smoking policy;
6. Directions to the correctional facility; and

7. Provisions of N.J.S.A. 2C:29-6 which prescribe specific penalties for introducing contraband into a correctional facility.

(b) Copies of the letter of information shall be posted in the visiting areas of the correctional facility.

(c) An inmate may choose one household which shall be notified by correctional facility staff as to the occupants' approval as visitors. The approved visitors shall receive a copy of the correctional facility's letter of information. Such notification shall be transmitted within five business days from the day the inmate is received at the correctional facility.

(d) When an individual is not approved as a visitor, notice of and reasons for the exclusion shall be given to the inmate who submitted the individual's name. The inmate may appeal the decision to the Superintendent who shall respond, in writing, within 10 business days of receipt of the appeal.

(e) Procedures on how the inmate can change his or her list of approved visitors shall be incorporated into the Inmate Handbook.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Inserted new (a)5 and recodified former (a)5 as (a)6.

#### 10A:18-6.10 Visitor identification

(a) Adult visitors must have identification when visiting an inmate.

(b) One of the following is an acceptable form of visitor identification:

1. A current driver's license;
2. A current Welfare/Medicaid card;
3. An employment photo I.D. card;
4. A current passport; or
5. A joint connection photo I.D. card. No other form of identification is needed with this card.

(c) Social Security cards shall not be used as a means of identification.

(d) Inability to establish identity should be reported to the Superintendent or designee.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (a), substituted "Adult visitors" for "All visitors"; and in (b), deleted signature card from list acceptable forms of identification.

#### 10A:18-6.11 Visiting schedule

(a) The Superintendent shall establish a visiting schedule consistent with the orderly and efficient operation of the correctional facility.

(b) When the restriction of visiting on scheduled visit days is a hardship to a visitor, arrangements for suitable hours on other days may be made.

(c) Evening visit schedules may be established where the number of staff permit.

(d) Limitation on the length or frequency of visits may be imposed to avoid overcrowded conditions in the visiting area(s) or when deemed necessary by the Superintendent or the highest ranking administrator on duty.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Guidelines for establishing visiting schedules broadened.

#### **10A:18-6.12 Number of visitors**

(a) The Superintendent shall establish written regulations as to the maximum number of persons who may visit an inmate at one time.

(b) These regulations should be interpreted flexibly because their purpose is to prevent overcrowding in the visiting room or unusual difficulty in supervising a visit.

#### **10A:18-6.13 Treatment of visitors**

All correctional staff members shall treat visitors in a professional, dignified, courteous and respectful manner.

#### **10A:18-6.14 Search of visitors**

(a) Signs written in English and Spanish shall be posted in both the visiting area and visiting entrances stating that, as a condition of visitation, all visitors and their belongings are subject to search while on the premises of the correctional facility.

(b) All visitors shall be required to submit to a search by a scanning device and may be required to submit to a pat search.

(c) If a visitor refuses to submit to a search, and there is no reasonable suspicion that the visitor is in possession of contraband, the visitor shall be directed to leave the correctional facility grounds immediately. No visit shall be allowed.

(d) Male or female correctional officers may be assigned to conduct metal detector searches of visitors regardless of the sex of the visitors as long as no physical contact is required.

(e) In the event that a correction officer with the rank of Sergeant or above receives information sufficient to form reasonable suspicion that a visitor is carrying contraband, the visitor shall be pat searched. If contraband is discovered during the pat search of the visitor, the visitor shall be detained and the Internal Affairs Investigator of the correctional facility shall be contacted.

(f) In the event a correctional facility staff member receives information which leads the staff member to believe that a visitor will be concealing contraband on his or her person, the Superintendent or designee shall be contacted immediately. The Superintendent or designee may ask the local magistrate to issue a search warrant so that the visitor may be strip searched in accordance with (g) below. The information given to the magistrate must establish probable cause to search. The Internal Affairs Investigator of the correctional facility shall be contacted and shall be present at the correctional facility before the strip search is conducted.

(g) An approved strip search shall be conducted in private by a correction officer(s) of the same sex as the visitor. No member of the opposite sex of the visitor shall be present in the room during the approved strip search.

(h) All contraband discovered during the search of a visitor shall be confiscated by the correction officer performing the search, and a written report shall be submitted to the Superintendent.

(i) The written report shall specify:

1. The name of the correction officer who performed the search;
2. The name of the inmate who was to receive the visit;
3. The name and address of the visitor who was searched;
4. The time of the search;
5. The description of the items confiscated; and
6. The specific reason for confiscating the items.

(j) All contraband and evidence seized shall be turned over to the Internal Affairs Investigator.

(k) The Superintendent shall decide whether the visitor shall continue to have visitation privileges.

(l) All searches shall be conducted in a professional and dignified manner, with maximum courtesy and respect for the visitor's person.

Amended by R.1995 d.526, effective September 18, 1995.

See: 27 N.J.R. 2675(b), 27 N.J.R. 3613(b).

Administrative Correction.

See: 27 N.J.R. 3957(b).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (b), search by scanning device made mandatory; and in (g), reference to pat search deleted.

#### **10A:18-6.15 Search of inmates**

All inmates shall be subject to a pat search before a visit and a pat search or a strip search after the visit in accordance with procedures established by N.J.A.C. 10A:3-5, Search of Inmates and Facilities.

Amended by R.1997 d.431, effective October 6, 1997.  
See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

#### 10A:18-6.16 Supervision of visits

(a) Visits shall be supervised to help prevent the passage of contraband and to insure the security and orderly operation of the correctional facility.

(b) The staff member in charge of the visiting room shall be responsible for ensuring that all visits are conducted in a quiet, orderly and dignified manner.

(c) The staff member(s) supervising visits should be cognizant of any articles passed between the inmate and the visitor. If there is a reasonable suspicion that articles are being passed which constitute contraband or are otherwise in violation of the law or regulations, the articles shall be confiscated and examined.

(d) Handshaking, embracing and kissing shall be permitted, within appropriate bounds, at the beginning and end of the visit in order to minimize the opportunity to introduce contraband into the correctional facility.

1. An inmate and visitor may hold hands during the visit.
2. Time restrictions regarding contact shall not apply to small children.

Amended by R.1997 d.431, effective October 6, 1997.  
See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (a), substituted "orderly operation" for "welfare"; in (c), substituted "reasonable suspicion" for "substantial basis to conclude"; re-coded (b)i and ii as (b)1 and 2; and in (b)2, substituted "Time restrictions regarding contact shall not" for "Contact restrictions shall not".

#### 10A:18-6.17 Play areas for children

If a correctional facility provides play areas for children of visitors, signs shall be posted in both English and Spanish stating that children who use the area must be supervised by the parents or a relative and that the area and equipment are used at their own risk.

#### 10A:18-6.18 Gifts of money from visitors

(a) A visitor(s) may only bring a money order or certified check to the correctional facility for deposit in an inmate's account. Cash shall not be accepted.

(b) When a visitor(s) brings a money order or certified check for deposit in the inmate's account, the correctional facility shall:

1. Accept the funds;
2. Establish and/or maintain an appropriate record of funds received;
3. Issue a signed receipt to the visitor(s); and
4. Retain a copy of the receipt.

(c) Each correctional facility may place a limit on the amount of funds which an inmate is permitted to receive, per day, from one visitor or a combination of visitors.

Amended by R.1996 d.22, effective January 2, 1996 (operative February 1, 1996).  
See: 27 N.J.R. 3674(a), 28 N.J.R. 152(a).

Substituted "a money order or certified check" and "funds" for "cash", and specified that cash shall not be accepted.

#### 10A:18-6.19 Denial, termination or suspension of a visit

(a) An inmate's visiting privileges shall not be denied because of violation of correctional facility regulations, other than those regulations specifically related to or concerned with visiting privileges.

(b) A visit may be denied, terminated or suspended and a visiting privilege suspended under the following circumstances:

1. The visitor(s) is under the influence of drugs or alcohol;
2. Space is unavailable;
3. The visitor(s) refuses to submit to search procedures;
4. The visitor(s) refuses or fails to produce sufficient identification or falsifies identifying information;
5. The visit rules of the correctional facility are violated by the visitor, provided that such rules are posted;
6. Children are disturbing other persons in the visiting area;
7. Physical contact between the visitor and inmate which is in excess of N.J.A.C. 10A:18-6.16(d); or
8. Any action that affects the ability of the staff to ensure the safe, secure and orderly operation of the correctional facility and the visiting room.

(c) Prior to the denial or termination of visiting privileges for any of the reasons in (b) above, less restrictive action should be instituted. Such action may include:

1. Warning the inmate and/or visitor of improper conduct; and/or
2. Transferring the visit to a non-contact visiting area.

Amended by R.1997 d.431, effective October 6, 1997.  
See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (b)8, substituted "Any action . . . the visiting room" for "Denial or termination of visiting privileges is necessary to preserve security of the correctional facility and maintain order in the visiting room".

#### 10A:18-6.20 Suspension of visiting program under emergency conditions

(a) The Superintendent of a correctional facility shall notify the Commissioner of the Department of Corrections whenever the safety, security and orderly operation of the correctional facility is seriously threatened.

(b) The Commissioner shall determine if an emergency exists at the correctional facility and shall make a public declaration to this effect through the Department's Office of Public Information.

(c) In order to return the correctional facility to a safe, secure and orderly operation, the Superintendent may suspend certain programs for the duration of the emergency. The Superintendent shall consult with the Commissioner regarding the suspension of programs.

(d) The visiting program, including visits to inmates by attorneys and attorney representatives, may be suspended for the duration of an emergency. Information concerning such suspension shall be made part of the public announcement of an emergency.

(e) A public declaration shall be made through the Department's Office of Public Information when the state of emergency has passed, and the scheduling of visits by attorneys and attorney representatives shall be reinstated beginning no later than 24 hours from this public declaration. A statement to this effect shall be made in the public declaration.

(f) The public declaration that the state of emergency has passed shall also contain a statement as to whether the visiting program shall be reinstated. If the visiting program is not to be reinstated, a second public declaration shall be made announcing the date that the visiting program shall be reinstated.

(g) The scheduling of visiting, in terms of the number of visitors, times of visitation and frequency of visits, shall be subject to special conditions as determined by the Superintendent in consultation with the Commissioner. Efforts shall be made to supply all such pertinent information in the public declaration announcing reinstatement of the visiting program.

## SUBCHAPTER 7. BEDSIDE, PRIVATE VIEWING, AND FUNERAL VISITS

### Subchapter Historical Note

Subchapter 7, Bedside and Funeral Visits, was renamed as Subchapter 7, Bedside, Private Viewing, and Funeral Visits, by R.1996 d.489, effective October 21, 1996. See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

### 10A:18-7.1 Notice to inmates

(a) Inmates shall be informed of new or revised rules and procedures regarding bedside, private viewing, and funeral visits by posting appropriate notices in each housing area and other appropriate areas of the correctional facility.

(b) Notice of new or revised rules and procedures regarding bedside, private viewing, and funeral visits will be given

to each Inmate Liaison Committee. These Committees shall be responsible for notifying the inmate population.

(c) During the admission orientation program, new inmates shall be given a description and explanation of the rules and procedures regarding bedside, private viewing, and funeral visits.

(d) New or revised rules and procedures regarding bedside, private viewing, and funeral visits shall be incorporated in the next revision of the correctional facility Inmate Handbook.

Amended by R.1996 d.489, effective October 21, 1996.

See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

Added provision for private viewing.

Administrative correction.

See: 28 N.J.R. 5074(a).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

### 10A:18-7.2 Authority

(a) Pursuant to N.J.S.A. 30:4-8.1, the correctional facility Superintendent may, at his or her discretion, authorize and permit the attendance of an inmate at the bedside of a dying relative, or at a private viewing, when no relatives or friends are present, of a deceased relative as defined in N.J.A.C. 10A:18-1.3 within a six month period of time. Should the relative previously visited at bedside expire more than six months after the date of the bedside visit, the Superintendent may authorize the private viewing visit.

(b) An inmate shall not be permitted to visit relatives or friends during the private viewing of a deceased relative unless the Superintendent has made a recommendation to, and received approval from, the appropriate Assistant Commissioner.

(c) An inmate shall not be permitted to attend or participate in a funeral service unless the Superintendent has made a recommendation to, and received approval from, the appropriate Assistant Commissioner.

(d) The Superintendent may, at his or her discretion and in accordance with (a) above, authorize and permit the attendance of an inmate at the bedside of a dying relative and/or the private viewing of a deceased relative other than those relatives listed in N.J.A.C. 10A:18-1.3 when it can be verified that the relative, such as a grandparent, acted, for a period of time, as a parent or guardian of the inmate.

Amended by R.1988 d.432, effective September 6, 1988.

See: 20 N.J.R. 1332(b), 20 N.J.R. 2294(c).

Substantially amended.

Amended by R.1995 d.585, effective November 20, 1995.

See: 27 N.J.R. 3274(a), 27 N.J.R. 4717(b).

Amended by R.1996 d.489, effective October 21, 1996.

See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

Added provision for private viewing.

Administrative correction.

See: 28 N.J.R. 5074(a).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

**10A:18-7.3 Verification**

(a) The burden is on the inmate to prove that the ill or deceased person is a relative as defined in N.J.A.C. 10A:18-1.3 and this subchapter.

(b) The fact of illness or death shall be verified by the Superintendent or designee.

New Rule, R.1988 d.432, effective September 6, 1988.

See: 20 N.J.R. 1332(b), 20 N.J.R. 2294(c).

Old section 3 "Eligibility" recodified to section 4.

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

**10A:18-7.4 Eligibility**

(a) The correctional facility Superintendent shall determine whether an inmate is eligible to go on a bedside, private viewing, and/or funeral visit.

(b) If the Superintendent is in doubt as to the propriety of permitting a particular inmate to leave the correctional facility under the circumstances enumerated in this subchapter, the Superintendent shall consult with the appropriate Assistant Commissioner.

Amended by R.1988 d.432, effective September 6, 1988.

See: 20 N.J.R. 1332(b), 20 N.J.R. 2294(c).

Recodified old section 4 "Court ordered funeral visits" to section 7; repealed text in (a) "The correctional facility ... his or her designee," also repealed subsections (c) and (d).

Amended by R.1995 d.585, effective November 20, 1995.

See: 27 N.J.R. 3274(a), 27 N.J.R. 4717(b).

Amended by R.1996 d.489, effective October 21, 1996.

See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

Added provision for private viewing.

Administrative correction.

See: 28 N.J.R. 5074(a).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

**10A:18-7.5 Ineligibility**

(a) The inmate shall not be permitted to go on a bedside, private viewing, or funeral visit that is outside the State of New Jersey.

(b) The inmate shall not be permitted to go on a bedside, private viewing, or funeral that is in a private residence.

(c) The correctional facility Superintendent is not required to permit bedside, private viewing, or funeral visits if:

1. The visit will interfere with the security or orderly operation of the correctional facility;
2. The inmate has demonstrated a poor correctional facility adjustment;
3. The inmate is a known escape risk;
4. The inmate has a history of guilty findings for serious disciplinary offenses;
5. The inmate is recognized as untrustworthy;

6. The inmate is a highly publicized person whose reappearance in the community under any conditions other than strict compliance with the laws governing parole and release would cause unfavorable comment in the community; or

7. The location of the bedside visit, private viewing, or funeral could place either the escorting correction officer(s) or the inmate in jeopardy.

New Rule, R.1988 d.432, effective September 6, 1988.

See: 20 N.J.R. 1332(b), 20 N.J.R. 2294(c).

Old section 5 "Payment of visit expense" recodified to section 8.

Amended by R.1996 d.489, effective October 21, 1996.

See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

Added provision for private viewing.

Administrative correction.

See: 28 N.J.R. 5074(a).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

In (c)2, substituted "has demonstrated ... adjustment" for "incorrigible criminal"; and in (c)4, substituted "history of ... offenses" for "unusual disciplinary problems".

**10A:18-7.6 Security**

During the bedside, private viewing, or funeral visit, the inmate shall at all times be in the custody of one or more correction officers.

New Rule, R.1988 d.432, effective September 6, 1988.

See: 20 N.J.R. 1332(b), 20 N.J.R. 2294(c).

Old section 6 "Notification of Central Office" recodified to section 9.

Amended by R.1996 d.489, effective October 21, 1996.

See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

Added provision for private viewing.

Administrative correction.

See: 28 N.J.R. 5074(a).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

**10A:18-7.7 Court ordered private viewing, or funeral visits**

All court orders for bedside, private viewing, or funeral visits shall be referred immediately to the Office of the Commissioner for visit authorization.

Administrative Correction to (b) changing the visit authorization.

See: 22 N.J.R. 3625(a).

Amended by R.1996 d.489, effective October 21, 1996.

See: 28 N.J.R. 3868(a), 28 N.J.R. 4580(b).

Added provision for private viewing.

Administrative correction.

See: 28 N.J.R. 5074(a).

Amended by R.1997 d.431, effective October 6, 1997.

See: 29 N.J.R. 2769(a), 29 N.J.R. 4311(c).

Substantially amended section.

**10A:18-7.8 Payment of visit expenses**

(a) The inmate or the inmate's family shall reimburse the correctional facility for all travel and other necessary expenses.