5-07/210.00 - Department Employee Subpoenaed as Expert Witness in Civil Cases

Department members shall not accept employment, or receive any remuneration in addition to their county compensation, for services as an expert witness or examiner in any civil proceeding in which the county is a party or in which any other party to the proceeding has, in relation to the proceeding, been subject to the jurisdiction or regulation of any county board, commission, or agency.

Any sworn or civilian employee of this Department who is required to attend and provide testimony in any civil proceeding in his official capacity, whether by subpoena or otherwise, shall collect the full amount of fees and mileage, as prescribed by law, for each day's attendance and travel that is necessary. All such employees shall promptly deliver to the county treasurer all such fees and mileage so collected, including any compensation paid to him or her for services as an expert witness or examiner.

An employee who is required or employed to attend and provide testimony in any civil proceeding in an unofficial capacity, whether by subpoena or otherwise, shall not be entitled to compensation or mileage from the county. Individuals may retain for their own use any fees, mileage, or compensation collected from other sources for their authorized services as an expert witness or examiner. However, nothing in this subsection shall authorize any employee of this Department to receive and retain any fees, mileage, or compensation as an expert witness or examiner for any purpose that is contrary to the policies regulating outside employment.