4-11/060.00 Notification and Compliance with Court Orders

Court orders require the Department to perform a particular service or function, or to allow an inmate special privileges.

Court orders shall be directed to the unit commander or operations lieutenant for immediate review and processing. All court orders shall be recorded pursuant to the Custody Division Manual, section 4-11/040.00, “Court-Order Logbook.” Unit commanders and their operations lieutenant shall have the ultimate responsibility of ensuring compliance with court orders. Compliance with court orders shall be documented and retained for a period of two years.

Standard Court Orders

The court order shall be implemented in cases where the order can be easily complied with and does not interfere with daily operations of the facility.

Non-Standard Court Orders

In cases where court orders deviate from established Departmental policy or facility procedures, the unit commander and/or his operations lieutenant shall be notified for review and approval when:

• The nature of the court order could interfere with, interrupt, or compromise the normal operations of the facility
• The order concerns inmates who are newsworthy or the focus of public interest
• The order is of special concern to a facility, Custody Division, or the Department

Compliance with Non-Standard Court Orders

Once a non-standard court order is approved by the unit commander or the operations lieutenant, the court order shall be implemented as ordered by the judge.

Dispute of Non-Standard Court Orders

When a court order requires significant deviation from Department policy causing the facility unit commander and/or the operations lieutenant to dispute the court order, the following procedures shall be followed:

• The unit commander or the operations lieutenant shall make contact with the attorney of origin in order to discuss the reason(s) for the dispute and request changes to the court order
• In all cases where the dispute can be settled with the attorney of origin, notification shall be made to County Counsel detailing the dispute and outcome agreed upon by both parties. Once the final outcome is agreed upon by the attorney of origin and the impacted facility, the unit commander shall ensure compliance
• In all cases where a dispute cannot be resolved with the attorney of origin, notification shall be made to County Counsel detailing the dispute and the stance of the facility. It shall be the responsibility of County Counsel to notify the issuing judge of the dispute and request changes to the court order. County Counsel shall notify the facility on the outcome of requested changes. Once the final outcome is determined and agreed upon by the judge, and meeting with the approval of County Counsel, the facility shall comply as detailed in the agreed upon court order

Correctional Health Services Court Orders

All court orders pertaining to medical issues shall be forwarded to the Director of Correctional Health Services (CHS). This includes, but is not limited to:

- Inmate diets
- Inmate physical welfare
- Inmate health
- Orders appointing a doctor to examine an inmate