

## Unit Order 36 - Court Liaison Plan

### **PURPOSE:**

The purpose of this directive is to establish a court liaison plan which will:

Provide an effective method of serving subpoenas upon unit personnel. Ensure the prompt court appearance of subpoenaed personnel. Ensure the testimony of unit personnel is professional and credible. Provide for the proper management and verification of court overtime. Hold each responsible employee accountable for any non-compliance. Reduce overtime costs relating to on-call subpoenas and court appearances.

### **SCOPE:**

This order is directed to all station lieutenants and sergeants as well as deputy personnel assigned to patrol and detective functions.

The specific responsibilities of deputies and detectives can be broken down into the following four components: Adherence to department policy,

### **DEPARTMENT POLICY:**

#### GENERAL RESPONSIBILITIES DETECTIVE BUREAU LIEUTENANT

The Court Liaison Lieutenant shall be responsible for the ongoing management of the Court Liaison operation, and for overseeing the daily performance of the Court Liaison Sergeant and staff. The lieutenant shall be responsible for ensuring that all unit personnel comply with the provisions of this directive, as well as any and all related Departmental policy.

#### COURT LIAISON SERGEANT

The court liaison sergeant shall be directly responsible for actively supervising the unit's court liaison operation, and for ensuring compliance with this directive and all related policy. The sergeant shall directly supervise the daily activities of the court liaison staff, and shall be available for liaison purposes Monday through Friday, from 0830 to 1630 hours.

Additionally, it shall be the responsibility of the Court Liaison Sergeant to:

1. Oversee the activities of station personnel with respect to all court appearances.
2. Establish and maintain effective liaison with key personnel in the courts, including judicial officers, members of the District Attorney's Office, and members of the Public Defender's Office. The sergeant shall meet at frequent intervals with head deputy district attorneys, identifying and resolving any actual or potential problems related to court appearances and/or credibility of testimony.
3. Regularly monitor daily court appearances to:

1. Ensure subpoena compliance and verify attendance.
2. Ensure compliance with Department policy regarding dress and grooming standards.
3. Audit the testimony of unit personnel to ensure that it is credible and professional. Any problems encountered in this area shall be documented and followed up on, and shall be reflected in the Monthly Court Liaison Report. Any training related issues will be promptly communicated, through channels, to the training staff.
4. Approve all court overtime and ensure that the subpoena compensation system is effectively administered. Any discrepancies in the reporting of court overtime shall be identified and appropriate corrective action is immediately taken.
5. Ensure that station personnel receive training regarding court appearance standards and expectations, and ensure that each member is aware of his or her responsibilities as specified in this plan.
6. Assist the Court Liaison/ Detective Bureau Lieutenant with the preparation of the Monthly Court Liaison Report.
7. Ensure that the following systems are being maintained and properly utilized:
  1. Contact log
  2. Log for non-appearance of employee witnesses.
  3. District Attorney complaint process.
  4. Subpoena tracking system.
  5. Compiling, printing and posting of the five-day court list.
  6. Five-day list for verification of service & acknowledgment.
  7. Making frequent checks throughout the day to ascertain the status of all on-call cases.
  8. Promptly notifying station personnel when they are no longer on-call.
8. Be familiar with all court procedures and initiate or recommend changes when appropriate.

#### PATROL SERGEANTS

Patrol sergeants shall be responsible for reviewing the content of all reports and ensuring that only those deputies essential for case prosecution are included in the report.

#### INVESTIGATORS

Investigators shall be responsible for requesting subpoenas for only the minimum number of deputies required to testify. Investigating officers in charge of a case shall be responsible for ensuring that prosecution witnesses are subpoenaed and served, and aware of their required court appearance.

#### COURT LIAISON OFFICER

The station court liaison officer (CLO) shall be responsible for:

1. Subpoena control;
  1. Receiving and processing all incoming subpoenas, and documenting a trail of possession and service,
  2. Ensuring service of subpoenas to station personnel,
  3. Coordinating subpoena service for civilian witnesses,
  4. Receiving, record and file all subpoena acknowledgments,
  5. Maintaining the subpoena control ledger or automated system,
  6. Posting and distribution of the court appearance list on a daily basis.
2. Coordination of on-call court cases between the courts and station personnel;
  1. Maintaining the on-call control log,
3. Maintenance of the Court Liaison Log.

A court liaison log shall be established and maintained which will provide a record of the following:

1. Communications to and from the District Attorney's Office regarding changes in case information (e.g. rescheduled cases, cancellations, status changes from "must appear" to "on-call," witness unavailability, etc) as well as any notifications to or from subpoenaed employees regarding those changes.
2. Reports or inquiries regarding the non-appearance of personnel in any case wherein a subpoena has been issued.
3. The Court Liaison Sergeant shall conduct an inquiry in each such case, and shall document his findings and report to the court liaison lieutenant as appropriate. A recap of all such entries shall be included in the Monthly Activity Report.
4. Any inquiries or reports of problems from the District Attorney's Office.

All such inquiries and problems shall require follow up by the Court Liaison Sergeant, who shall communicate the outcome to the District Attorney's Office, when appropriate. A recap of all such entries shall be included in the Monthly Activity Report.

4. Assisting in resolving conflicts when personnel are subpoenaed to appear during regularly scheduled vacations.
5. Being familiar with the contents of this directive and sections 3-01/050.95 and 07/250.00 et. seq. of the Manual of Policy and Procedures, relating to court cases, court appearances, and the reporting of court overtime.
6. Promptly notifying the Court Liaison Sergeant or, in his or her absence, the watch commander of any problems, difficulties or conflicts.
7. Reviewing all overtime slips for accuracy and forwarding them to the Court Liaison Sergeant for final approval.