

4-08-010 Court Orders

PURPOSE OF ORDER:

To establish procedures for processing court orders received at Twin Towers Correctional Facility (TTCF).

SCOPE OF ORDER:

This order shall apply to all personnel assigned to and/or working in any capacity at Twin Towers Correctional Facility.

ORDER:

Subpoenas duces tecum (wherein the Department or TTCF has been directed to provide documents, books, records, etc.) and court orders regarding TTCF inmates shall be forwarded to the TTCF Legal Unit for verification, execution and disposition. Court orders for court appearance by personnel shall be forwarded to the TTCF Operations Sergeant.

When an inmate presents TTCF staff with a court order, personnel shall immediately forward a copy of the court order to the TTCF Legal Unit for processing. If the Legal Unit is closed and the court order is of an exigent nature, the handling deputy shall forward the order to the on-duty watch commander who shall forward a copy of the order to the Legal Unit with the disposition (or action taken) duly noted on the order.

When an attorney, or other professional, presents TTCF Visiting staff with a court order, the deputy personnel shall immediately notify the Visiting bonus deputy, who shall forward a copy of the court order to the TTCF Legal Unit for verification, logging, and processing. If the Visiting bonus deputy is not available and the court order is of an exigent nature, the handling deputy shall forward the order to the on-duty watch commander, who shall forward a copy of the order to the Legal Unit with the disposition (or action taken) duly noted on the order.

The Legal Unit staff shall be responsible for entering all court orders in the Court Order Logbook maintained in the computer. The logbook can be reviewed by the watch commander through the computer. The Legal Unit staff shall determine which module or unit should execute the court order, then forward a copy of the court order to the appropriate handling officer.

The Legal Unit staff shall forward a copy of unusual court orders, or those which substantially deviate from established departmental or facility policy or procedures, to the Unit Commander for disposition. A court order may be valid whether or not it bears a court seal. When the validity of a court order is suspect, the Legal Unit shall contact the Court for verification.

Once a court order has been completed, the handling officer shall write the following on the court order: name, employee number, date and time of completion. The handling officer shall then return the court order to the Legal Unit staff, who shall indicate the completion of the order in the Court Order Logbook and file it in the court order file.

Court orders for Medical Services and the Department of Mental Health are generally sent directly to the appropriate unit. In the event the Legal Unit receives an original court order for Medical Services or the

Department of Mental Health it will be faxed to the appropriate unit. The fax log will serve as a receipt for the court order being sent to the appropriate unit.

The Legal Unit staff shall log, to acknowledge receipt, all court orders pertaining to medical issues (including, but not limited to, diet, physical welfare, health, appointed examination by physician) and then forward them to Medical Services. These court orders shall be handled and maintained by Medical Services to their conclusion and are not to be returned to the Legal Unit.

The Legal Unit staff shall log, to acknowledge receipt, all court orders pertaining to mental health issues and then forward them to the Department of Mental Health. These court orders shall be handled and maintained by the TTCF Department of Mental Health to their conclusion and are not to be returned to the Legal Unit.

All subpoenas duces tecum (SDT) shall be entered in a separate logbook. The Legal Deputy shall follow the guidelines set forth in the Manual of Policy and Procedures, section 5-07/240.00. The operations lieutenant shall review the SDT Logbook on a regular basis to ensure that all court orders are being completed in a timely manner.

The Legal Unit staff shall review the Court Order Logbook on a regular basis to ensure that all court orders are being completed in a timely manner. The operations lieutenant shall be responsible for auditing the Court Order Logbook on a regular basis.

Per Custody Division Manual section 4-13/000.00, Retention of Records, TTCF court orders shall be retained for a period of two (2) years.
