


FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT COURT ATTENDANCE AND VERIFICATION	POLICY NUMBER 17.13
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17.13.01 PURPOSE

To establish procedures for tracking witness subpoenas.

17.13.02 POLICY

It is the policy of the Florida Highway Patrol to track all subpoenas, from the time received to the final disposition of the case. All members **MUST** respond to such subpoenas.

17.13.03 DEFINITION

SUBPOENA - Any writ, notice to appear, or other document from the court which is served pursuant to Chapter 48, Florida Statutes.

17.13.04 OBJECTIVES

- A. To maintain a tracking system of subpoenas received.
- B. To ensure members are notified in a timely fashion of subpoenas.
- C. To ensure supervisory and administrative oversight of member compliance with issued subpoenas and required court attendance.

17.13.05 RESPONSIBILITIES

- A. The District Commander will assign a clerical/administrative support employee to track subpoenas, and this employee shall notify the recipient member of the subpoena(s) when received.
- B. The subpoenaed member is responsible for proper response to subpoenas when notified.
- C. District Lieutenants are responsible for ensuring completion of the subpoena tracking system as required.
- D. District Lieutenants are responsible for reviewing the subpoena tracking system on a monthly basis to ensure members are accepting subpoenas.
- E. The District Commander, shall verify that members are responding to subpoenas as required. This may be accomplished through any means, including, yet not

limited to arranging to have docket information or written notification concerning non-appearance forwarded to him/her, reviewing on-line dispositions using Comprehensive Case Information System (CCIS) or other clerk of the court websites, personally attending court, and or verification through a supervisor that actually attended court.

17.13.06 PROCEDURES

A. INITIAL RECEIPT OF SUBPOENAS

1. Different Jurisdictions may vary on how subpoenas are issued, received, and served to members. Local protocol shall be followed. If a specific electronic and/or written system is used by a local jurisdiction to track and issue subpoenas, then members and designated administrative personnel will comply with all system requirements.
2. Once a subpoena has been received by a member, or a person designated to receive subpoenas, the information shall be logged into the tracking system.
3. An electronic subpoena tracking system may be used by administrative personnel if such a system records (at a minimum):
 - a) Member's Name
 - b) Date Subpoena Received
 - c) Date Subpoena Rejected/Refused
 - d) Reason why Rejected/Refused
 - e) Defendants Name
 - f) Citation/Docket Number
 - g) Date & Time of Appearance
 - h) Court Location
 - i) Date & Time Member Notified
4. If an electronic tracking system is not used, the subpoena(s) will be logged on the FHP Subpoena Log (HSMV 62997).

B. NOTIFICATION OF THE MEMBER

1. As soon as possible, designated clerical/administrative support personnel, a supervisor, or duty officer shall notify the recipient member by email, telephone, radio, or in person. If the member is notified by email, the member's supervisor shall be cc'd.
2. The date, time, location, and name of the defendant shall be given to the member.

3. The employee making notification shall record, or cause to be recorded, the time of notification.

C. VERIFICATION OF COURT ATTENDANCE AND SUBPOENA COMPLIANCE

District Commanders shall review and evaluate docket information concerning non-appearance by members on a weekly basis.

D. ATTENDANCE

1. Members shall respond to all subpoenas on the date and time specified or as directed by the court or entity issuing such subpoena.
2. Members will utilize the Computer Aided Dispatch (CAD) System to document their attendance and specific status.
3. Members who are unable to respond to a subpoena due to illness or other emergencies shall notify the on-duty supervisor and the court or entity issuing the subpoena.