

**LITTLE ROCK POLICE DEPARTMENT
GENERAL ORDER**

G. O. 110 COURT APPEARANCES

DATE: 01/13/2025	DISTRIBUTION: DEPARTMENTAL	REPLACES: 09/11/2024	NUMBER: G. O. 110
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I. Court Appearances – General

- A. Employees will attend at the time and place indicated when served in person or by telephone with a subpoena.
- B. Attire
 - 1. Male employees shall wear the police uniform or a suit and tie when appearing in court in a capacity related to official duties. A dress shirt and tie are acceptable for extremely warm weather.
 - 2. Female employees shall wear the police uniform or a dress, skirt and blouse or pants suit when appearing in court in a capacity related to official duties.
 - 3. Jeans, denims and casual clothing are not acceptable for court appearances.
 - 4. No identifiable part of the uniform will be worn when appearing in court as litigants or witnesses in personal matters which are not related to official duties (e.g. divorce, child custody hearing, etc.).
 - 5. Employees may carry their weapons when appearing in court. (Exceptions: The Federal Courts require all police officers to surrender their weapon to the U.S. Marshall prior to entering the courtroom. Officers will surrender their weapon to a court official if any judge so orders.)
- C. Procedure
 - 1. Employees will appear punctually for court appearances.
 - 2. Employees who have a pending felony case in any court shall contact the appropriate Prosecuting Attorney to discuss the facts and circumstances surrounding the case.
 - 3. Officers will not discuss the facts and circumstances of any case with any defense attorney unless authorized by the Prosecuting Attorney handling the case.
 - 4. Employees will be responsible for obtaining related evidence from the Property Room and shall return the evidence when released by the court. Evidence held by the court will require the employee to obtain a court receipt which will be returned to the Property Room.

5. Employees will not linger in court after their release by the court. If the case is rescheduled, the employee shall return to their assignment until their appearance is needed. Any deviation from this Policy requires the approval of a supervisor.

D. Absence

1. Employees who are going to be on military leave, Family Medical Leave (FMLA), attending an out of city school, or on vacation for more than five consecutive working days, or seven (7) consecutive days, shall submit a written notification of their absence. The notice will be on an Officer's Report which will be submitted through the Chain of Command, at least four weeks prior to the requested dates. The notice will be submitted to the Police Subpoena Service Officer Technician for processing.
2. It is the responsibility of each employee confronted with an emergency, serious illness, or death in the family, etc., to contact the Prosecuting Attorney and/or the Court Bailiff as soon as reasonably possible but no later than two hours before the scheduled court time to request the case be passed. The officer making the request is responsible for ascertaining the new court date, if passed.
3. Employees who are on authorized leave as a result of an on-the-job injury shall honor all subpoenas unless the injury physically incapacitates the employee to the extent that their appearance is impossible.
4. Employees who intend to be absent from duty for more than seven (7) consecutive days or need to be excused from court which is seven (7) days or more before their court date shall submit a written notification of their absence on an Officer's Report (LRPD Form 5600-02) which will then be forwarded through their Chain of Command. This notice will be submitted to the Police Subpoena Technician for processing.
5. If an absence involves a serious illness, emergency, or death in the family which is less than seven (7) days before and no more than two (2) hours before the scheduled court time, it is the responsibility of the officer to make a notification to the Prosecuting Attorney and/or Court to request the case be passed.
6. Employees who have been relieved of duty, on modified duty, or have been injured as a result of an on-the-job injury shall honor all subpoenas unless the on-the-job injury physically incapacitates the employee to the extent that their appearance is not possible.

II. Subpoenas

- A. Employees will accept all subpoenas legally served and will be available at the designated time. Suspended employees are required to testify when subpoenaed and will be compensated.
- B. The Headquarters Division Commander is responsible for ensuring the proper handling of all subpoenas for the Department.
- C. The Police Subpoena Service Officer Technician will be responsible for the actual receipt, distribution and return of all subpoenas and stop subpoenas.
 1. ~~The Subpoena Service Officer receives subpoenas from the courts via email and will stamp the date and time the subpoena is received. The Subpoena Service Officer will~~

~~enter each subpoena into PoliceRMS and the corresponding officer will receive the subpoena in their My Subpoena option within PoliceRMS.~~

2. ~~Officers are required to log in to PoliceRMS, one time during their regular shift, while on duty, from a desktop computer and manually check for served subpoenas by clicking the My Subpoena option. The Incident Subpoena Check window will appear, and officers will be able to view any upcoming, stopped, and missed subpoenas. Before exiting Police RMS, officers shall either view their subpoenas or click the button at the bottom of the window indicating they are done which acknowledges they have been notified of their subpoena.~~
3. ~~The Subpoena Service Officer will make every effort to serve the officer even when a subpoena is received that is three days or less from the court date. The service may be made by calling the officer collect if necessary to make proper notification.~~
4. ~~The Subpoena Service Officer shall return the subpoena unserved to the court issuing the subpoena if all reasonable efforts to serve the subpoena have failed.~~

1. When the Police Subpoena Technician receives subpoenas from those agencies or courts working in conjunction with law enforcement, the Police Subpoena Technician shall stamp the date and time on the subpoena received. The subpoena is then entered into the Subpoena Tracking System to be reviewed and accepted by the designated officer on the subpoena.

2. Officers are required to login to PoliceRMS during their regular shift while on duty and select "My Subpoenas" under the Officer selection in PoliceRMS. Before exiting PoliceRMS, the officer is required to view and accept any upcoming, stopped, or missed subpoenas. The officer shall click on the "Click here when done" to acknowledge they have been notified of their subpoena. At no time will the officer ignore or refuse the attempts to serve any subpoena by the Police Subpoena Technician or by a process server.

3. The Police Subpoena Technician will make every effort to serve the officer even when the subpoena is less than two (2) days from the court date.

4. Personnel who have been transferred to the Extended Leave Unit will be directly notified by the Police Subpoena Technician to officially serve any active or stop subpoenas. The Lieutenant over Extended Leave will provide an up-to-date roster of personnel to the Police Subpoena Technician who will then forward this to the Courts.

5. The Police Subpoena Technician shall return any unserved subpoena to the court issuing the subpoena if all reasonable efforts to serve the subpoena have failed. All attempted contacts will be documented by the Police Subpoena Technician. Neither the Police Subpoena Technician nor the officer will be held accountable for non-appearance.

~~D. No employee of the Little Rock Police Department will accept a civil subpoena for service upon another employee.~~

1. ~~An individual attempting to serve a civil subpoena shall be directed to the subpoenaed employee's assigned location and advised of the employee's duty hours and days off.~~

~~E. The Subpoena Service Officer shall not accept any civil subpoena for service.~~

- D. Civil Subpoenas shall not be accepted by the Police Subpoena Technician for service, nor shall any employee of the Little Rock Police Department accept a civil subpoena for service upon another employee.
1. The Police Subpoena Technician or any departmental personnel shall direct the process server to the employee 's assigned location and advise the employees duty hours and days off The Warrants Sergeant will be notified anytime a process server attempts to serve a subpoena upon any personnel.
 2. The on-duty supervisor of the employee shall assist a process server or attorney with the service of any subpoena. At no time shall a supervisor refuse to assist or employee refuse to accept a subpoena for service.

III. **Karpel Issued Subpoenas**

- A. Access to Karpel is made through the LRPD Homepage under the LINKS Section. Select "Karpel-Subpoena Link."
- B. All personnel will be provided with a password for their first initial login. Karpel will then prompt you to change your password for security reasons.
- C. Officers are required to login to Karpel during their regular shift while on duty. Upon login in, you will be prompted if you have received any new subpoenas.
- D. By selecting "View," the officer has acknowledged and has officially been served their subpoena through Karpel.
- E. Absences shall be treated the same as Section I. D. of this Order.

IV. **Testifying for the Defendant**

- A. Any employee who is subpoenaed or volunteers to testify for the defense in any criminal or civil trial or hearing or any case against the City or Department, shall notify their Division Commander in writing.
 1. The notification will be on an Officer's Report Form and will be completed immediately upon the receipt of the subpoena or upon their intention to testify or prior to this appearance as a witness.
 2. This Section does not apply to the appeal of Departmental disciplinary actions.
- B. Any employee who is subpoenaed to give a deposition or affidavit to anyone other than the City Attorney or Prosecuting Attorney shall immediately notify their Division Commander in writing.
 1. The notification will be on an Officer's Report Form and will be completed immediately upon the receipt of the subpoena.
 2. The notification will immediately be forwarded to the Office of the Chief of Police.
 3. This Section does not apply to the appeal of Departmental disciplinary actions.

V. Court Overtime

- A. Officers will be allowed overtime or compensatory time off as mandated by the existing Statement of Agreement.
- B. Restrictions
 - 1. For the purpose of this Section, the term “court” shall be defined as appearances in Municipal Court, Circuit Court (Civil or Chancery Court appearances which are a result of employment with the City), Federal District Court, Juvenile Court, Probate Court, Parole Revocation Hearings or before a Grand Jury when under subpoena. It does not include personal appearances not related to police duties.
 - 2. Depositions, sworn statements or court appearances which are related to personal lawsuits against the City or other persons or entities will be conducted on the officer’s own time.
- C. Procedures - Municipal, Circuit, Federal, Juvenile, Chancery, Probate Courts and Parole Revocation Hearings.
 - 1. Officers shall complete a Little Rock Police Department ~~Daily~~ Overtime/Compensatory/Off-Duty Time Form (LRPD Form 5600-86) for their appearance in Municipal, Circuit, Federal, Juvenile, Chancery, Probate Court and Parole Revocation Hearings.
 - 2. The “time in” will be the appearance time indicated on the subpoena.
 - 3. Officers shall show the “time out” as soon as they are released by the court and/or the Prosecuting Attorney.
 - 4. The Little Rock Police Department Overtime/Compensatory/Off-Duty Time ~~overtime~~ Form will be presented to the court bailiff for approval.
 - 5. Should an Officer desire “Compensatory Time Worked” in lieu of overtime for their court appearance, they should properly fill out their ~~Overtime~~ Little Rock Police Department Overtime/Compensatory/Off-Duty Time Form.
 - 6. Officers will route their Little Rock Police Department Overtime/Compensatory/Off-Duty Time ~~court overtime~~ Form to their supervisor for approval and submission to the payroll clerk.

Additions and revisions are italicized and underlined

Deletions are denoted with a strikethrough.