



# OFFICIAL ORDER

## MICHIGAN STATE POLICE

**Chapter:** Inspections, Internal Control, Legal and Administrative Proceedings  
**Subject:** 18-27 – Appearance Fees and Expenses  
**Effective:** April 19, 2022  
**Supersedes:** Official Order 47, Section 47.15, dated September 14, 2021  
**Distribution:** Department Members

**PURPOSE:** This Order establishes department policy concerning the receipt and reporting of witness fees and other court-reimbursed expenses, including the use of personal vehicles.

### 18-27-1 APPEARANCE FEES AND EXPENSES

- A. Unless otherwise noted in this Order, the department shall pay members' expenses related to their on-duty appearance in department-related court proceedings and administrative hearings.
- B. Use of Personal Vehicles
  - (1) Worksite commanders may authorize members to use their personal vehicles to travel to and from court in the worksite's area of responsibility when there are no department vehicles available for that purpose.
  - (2) When a member has been authorized to use a personal vehicle, the department shall pay mileage to the member in accordance with procedure manual related to expense allowances and approvals. Such mileage shall only be for miles driven to and from the official workstation to the proceeding. The department shall not reimburse the member for miles driven to or from the member's residence. Mileage reimbursement is not permitted for travel between a member's home, remote work location, and official workstation.
  - (3) When a member uses a personal vehicle, they shall comply with the insurance requirements outlined in the procedure manual related to department vehicles.
- C. Civil Infraction Hearings
 

Members shall not accept witness fees for appearance in civil infraction hearings.
- D. Civil Lawsuit – Department-Related
  - (1) At the conclusion of a member's participation in a department-related civil suit proceeding, the member shall collect all witness fees and other reimbursed expenses.
  - (2) Members shall not cash checks or retain fees received in conjunction with a civil suit arising out of the member's employment with the department.

- (3) The department shall pay the member's expenses for appearing at all department related civil suit proceedings, and members shall turn over to the state all witness fees and expense reimbursements as outlined in written directive related to appearance fees and expenses.

E. Civil Lawsuit – Non-Department Related

- (1) The department shall not pay members' expenses incurred as a result of their appearance in civil proceedings not arising out of their employment with the department.
- (2) Members may retain all witness fees and other reimbursements issued in non department related suits.

F. Criminal Proceedings

- (1) The department shall pay members' expenses related to their on-duty appearance in any criminal proceeding arising out of their employment with the department except where the member is the defendant.

- (2) State Court Proceedings

Members required to appear in a state court criminal proceeding shall not accept witness fees or other expense reimbursements.

- (3) Federal Court Proceedings

Members shall collect witness fees and other available expense reimbursements and turn them over to the state in accordance with written directive related to appearance fees and expenses.

## **18-27-2 RECEIPTING AND REPORTING FEES AND EXPENSES**

- A. When a member turns over to the department a witness fee or expense check, the member shall endorse the check and legibly print "FOR DEPOSIT ONLY, STATE OF MICHIGAN" on the back of the check.
- B. When a member turns witness fees or expense reimbursements over to the department in compliance with this Order, such transactions shall be noted in the Official State Police Receipt Book, and an Official State Police Receipt, ADM-027, shall be issued to the member and their supervisor.
- C. Witness fees or expense reimbursements shall be listed on the Record of Money Collected/Deposited, ADM-028. The ADM-028 and the appropriate deposit slips shall be forwarded to the Budget and Financial Services Division.

DIRECTOR

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**Annual Review Responsibility:** Human Resources Division

**Accreditation Standards:** CALEA TBD