

COURT APPEARANCES/COURT STAND-BY

<i>Effective Date:</i> April 15, 2013	<i>Directive Number:</i> 10-1-24	
<i>Special Instructions:</i>		
<i>Distribution: All Sworn & Civilian Personnel</i>	<i>Last Re-Evaluation Date:</i>	<i>Total Pages:</i> 2

I. PURPOSE

To establish guidelines for court appearances and court stand-by.

II. POLICY

It is the policy of this Department that all subpoenas will be handled in an appropriate manner. Officers, upon being subpoenaed to attend court or quasi-judicial hearings, shall take appropriate steps to appear at the trial or hearing. Permission to omit this duty shall be obtained from the prosecuting attorney handling the case or a competent court official.

III. PROCEDURE

All appearances in Superior Court, DUI and jury trials in the Court of Common Pleas (CCP) and DUI trials in the State-designated Justice of the Peace Courts are considered mandatory unless the officer is excused or placed on stand-by by the Attorney General's Office. Officers are required to report to Division of Motor Vehicle hearings during their on-duty hours but not during their scheduled time off.

If an officer is placed on stand-by, the following shall apply:

- For the morning CCP and Family Court calendar, officers will be on stand-by between 0830 and 1130 hours and available by telephone.
- For the afternoon calendar, officers will be on stand-by between 1300 and 1600 hours and available by telephone.
- Stand-by will be cancelled automatically after three hours.

Stand-by

In all situations requiring court stand-by, officers are required to:

- Notify the Cheswold Police Department Chief of Police or his/her designee within 12 hours of the scheduled court appearance that he/she is placing themselves on stand-by. The contact can be made by telephone or e-mail.
- The officer must be able to respond to court within one hour of being notified that their appearance in court is required.

- Upon submission of a request for overtime payment, whether comp. time or financial payment, the court disposition will be listed on the overtime request by the officer submitting the slip.

IMPORTANT: Violations of the policy will result in disciplinary action. Refer to the Code of Conduct Section 7.6, subsection 43.

ORDERED and EXECUTED this 15th day of APRIL, 2013

Christopher Workman
Chief of Police