
	<b>LOWER MERION TOWNSHIP POLICE DEPARTMENT</b> <b>Ardmore, Pennsylvania</b>	
	<b>Policy 3.6.4</b>	
Subject:		Distribution:
<b>Court Hearings</b>		<b>All Personnel</b>
Date of Issue:	Expiration Date:	Rescinds:
<b>06-01-2014</b>	<b>Until Amended or Rescinded</b>	<b>Directive: 02-26</b>
References:		
<b>CALEA: N/A; PLEAC: N/A</b>		
By Authority of:		
		<b>Superintendent of Police</b>

## PURPOSE

The purpose of this policy is to establish uniform guidelines for attendance at court, procedures for conducting hearings, and the proper recording of case dispositions.

## POLICY

The policy of this police department is to effectively coordinate officer attendance at Common Pleas Court Hearings or Trials, District Court, or any other court proceedings and to ensure proper case preparation.

## PROCEDURE

**A.** The following information shall serve as an outline of the responsibilities of all personnel regarding response to hearing notifications from the District Courts for Summary violations and Criminal Hearings.

### **1. OFFICER RESPONSIBILITIES:**

- a.** Upon receipt of a hearing notice, officers are to verify their availability. If scheduled for a Holiday, Day Off, PH, Vacation, etc., complete a Request for Continuance Form ([OPR-1](#)) and forward it to the appropriate court. The Officer requesting the continuance is responsible to notify their unit supervisor who is responsible to maintain a log of hearings scheduled for his/her unit. A supervisor must approve second and subsequent requests for a continuance.
- b.** If no conflict exists, the officer must appear on the scheduled date and time of the hearing.
- c.** The officer acting as lead investigator in the case is to assure timely notification of the proceeding to required witnesses.

- d. When notified to report, officers are to respond promptly to the hearing location.
- e. When faced with an unavoidable delay in response, officers are to notify a supervisor and the Communications Center so that the District Court is alerted to this situation.
- f. When on duty, promptly notify County Dispatch upon conclusion of your hearing.
- g. If the hearing involves a reportable incident, record the hearing disposition on the appropriate departmental report(s), e.g. supplementary and arrest report. Report dispositions of all cases to the supervisor or his/her designee assigned to monitor hearings.

**2. Supervisor Responsibilities:**

- a. To make certain that the responsibilities of Patrol Officers, as outlined above, are properly discharged.
- b. To monitor and to record upcoming hearing dates in platoon records.
- c. To assign personnel scheduled for hearings on a given date so that they are available when called for their respective hearings, e.g., an officer scheduled for a hearing should not be assigned a prisoner transport or training that may render him/her unavailable for scheduled hearing(s).
- d. To attend hearings in order to evaluate officer testimony, and to coordinate response to and from hearings. If a supervisor is unavailable he/she may assign an officer to handle this task.
- e. Supervisors are to ensure that all personnel dress appropriately when attending court proceedings. Policy 3.21.3 Uniforms and Personal Appearance require uniform or business attire.

**B. The following information shall serve as an outline of the responsibilities of all personnel regarding response to a subpoena from the Common Pleas Court.**

**1. Officer Responsibilities:**

- a. Upon receipt of a subpoena from the Montgomery County Court of Common Pleas, as per instructions from the District Attorney's Office, officers are not to respond unless contacted by the District Attorney's Office.
- b. Once notification is received, promptly appear on the scheduled date and time of the proceeding. If a serious conflict exists, notify a Platoon or Unit

Supervisor and contact the District Attorney's Office so that arrangements can be made to reschedule the hearing when possible. If the District Attorney's Office is unable to reschedule the case, officers are required to comply with the subpoena.

- c.** To cooperate with the District Attorney's Office in the preparation of the case for trial. Ensure prompt response to the proceeding's location.
- d.** Recording of the case disposition on the appropriate supplementary and/or arrest reports.

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