
Procedure for Court Calendar Operation

1.0 Purpose – To establish procedures for managing the court calendar for State Crime Laboratory (Laboratory) employees.

2.0 Scope – This procedure applies to the Court Coordinator or designee.

3.0 Definitions

- **Administrative Document** – Document pertaining to a case (other than the Request for Examination of Physical Evidence Form, Laboratory Report and Case Notes).
- **Forensic Advantage (FA)** – The Laboratory's electronic information management system. Used to access cases completed after January 1, 2008.

4.0 Procedure

4.1 Subpoenas

4.1.1 Generally, subpoena precedence is as follows: Federal Court (including Tribal and Military), Superior Court, District Court, Civil Superior Court and Civil District Court.

4.1.2 Laboratory employees are subpoenaed on a first-come, first-serve basis. The standby priority is based on the date the subpoena is received, with the exception of Federal and/or Military Court.

4.1.3 The Court Coordinator shall scan each subpoena into the Case Object Repository of the appropriate case. The case will not be published because of this addition.

4.1.4 When the issuing party communicates to the Court Coordinator the need for a Laboratory employee, the court personnel shall be informed of all pending subpoenas for that employee that may conflict with the subpoena.

4.1.5 The Court Coordinator shall immediately notify the Laboratory employee of the need for appearance when that need has been communicated by the issuing party.

4.1.6 Separation of employee - Upon notice of separation, the supervisor of the employee shall obtain the separation date. The supervisor shall also request the employee's permission to provide District Attorneys with the employee's contact information.

4.1.6.1 If an employee provides contact information, the supervisor shall complete the notification memo on official letterhead.

4.1.6.1.1 This memo shall be sent to all District Attorneys, the Court Coordinator, and Crime Laboratory legal counsel. A copy shall be provided to the employee and placed in employee's personnel file.

4.1.6.1.2 The Court Coordinator shall provide the employee with copies of all pending subpoenas prior to the last work day in the Crime Laboratory.

4.1.6.2 If an employee chooses NOT to provide contact information to District Attorneys, the supervisor shall complete the notification memo on official letterhead.

4.1.6.2.1 This memo shall be sent to all District Attorneys, the Court Coordinator, and Crime Laboratory legal counsel. A copy shall be provided to employee and placed in employee's personnel file.

4.1.6.2.2 The Court Coordinator shall provide the employee with copies of all pending subpoenas prior to the last work day in the Crime Laboratory.

4.1.6.2.3 The Court Coordinator shall mail copies of any new subpoenas to the employee after his/her separation date.

4.2 Court Calendar

4.2.1 All information regarding subpoenas and leave shall be recorded on the FA court calendar.

4.2.2 Any leave approved by a supervisor shall be forwarded to the Court Coordinator by the approving supervisor or Office Assistant. The dates of all training and conferences shall be communicated to the Court Coordinator by the Laboratory employee. All leave, training, or conferences shall be added to the court calendar by the Court Coordinator.

4.2.2.1 In the comment section, list the date(s) the employee may be unavailable for court and the location of the training or conference.

4.2.3 When the Court Coordinator receives a subpoena for an employee who is scheduled to be out of the Laboratory, the Coordinator shall complete the following: notify the issuing party of the potential conflict in a timely manner; document in FA the date and person contacted and the comment "Aware of Leave." If a subpoena is on the court calendar and the analyst requests leave and/or training, the analyst shall be responsible for contacting the DA's office.

4.2.4 Once a week, each District Attorney's office or other issuing party shall be notified that an employee who is under subpoena has a potential scheduling conflict, unless previously notified. This notification shall be documented by the Court Coordinator or designee in FA by typing "Aware of Leave" and the name of the person notified.

4.2.5 On the first business day of the week, a hard copy of the court calendar for the week is printed and used for documentation for that week.

- 4.2.6** If an employee is sent to court, the county and the date and time the employee is needed shall be documented on the court calendar. This hard copy shall be retained according to the State Crime Laboratory Record Retention Schedule.

4.3 Dissemination of DWI Reports

- 4.3.1** Notarized Laboratory Reports for all DWI offenses are received by the Court Coordinator from the Drug Chemistry Section Chemistry Technicians or Toxicology analysts.

- 4.3.2** A copy of the notarized Laboratory Report shall be disseminated to the District Attorney's office and Clerk of Court for the county of offense, investigating officer, DHHS and DMV. A current list of Clerk of Court names and addresses shall be maintained.

- 4.3.3** Reports shall be mailed weekly.

5.0 References

Evidence Control and Administrative Services Section procedures

Evidence Control and Administrative Services Section training documents

Separation from Employment notices memorandum from Joy Strickland, legal counsel

6.0 Records

- Current District Attorneys – names and contact information
- Current Victim/Witness Coordinators – names and contact information
- Current Clerks of Court – names and contact information, including mailing address
- Memo for separating employee providing future contact information
- Memo for separating employee not providing future contact information

7.0 Attachments – N/A

Revision History		
Effective Date	Version Number	Reason
09/17/2012	1	Original ISO Document
10/16/2013	2	Made procedure applicable to all three labs; 4.3.1 - added toxicology analysts; added issuing authority to header.
09/05/2014	3	3.0 – changed SBI-5 to Request for Examination of Physical Evidence Form; 4.2.7 - deleted, redundant with 4.1.5; 4.3.1- added notarized; 4.3.2 - added DA, DHHS and DMV
02/27/2015	4	4.1.3 - new procedure for subpoenas; 4.2.1 - calendar will be kept as far in advance as information has been received.; 4.2.3 - new lab wide changes implemented for analysts; 4.3.2 - added investigating officer