



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: APRIL 7, 2021	CHAPTER: 2 - Legal	PAGE: 1 of 3	NUMBER: 2.03.05
SUBJECT: COURT ATTENDANCE			
CHIEF: <i>Calvin D. Williams, Chief</i>			

PURPOSE: To establish guidelines for members responding to a subpoena to attend any arraignment, grand jury hearing, pre-trial, trial, or other court proceeding.

POLICY: *It is the policy of the Cleveland Division of Police* that members receiving a subpoena shall attend court as required and properly document attendance.

PROCEDURES:

I. Court Attendance

A. Subpoenaed members shall:

1. Attend any arraignment, grand jury hearing, pre-trial, trial or other court proceeding as required.
2. Sign-in at the Court Unit or Juvenile Court prior to a court appearance; if the Court Unit is closed, officers shall sign-in at the Record Section.
3. Obtain a time stamp on the back of the *subpoena*; the time stamp on the subpoena should be the same as that entered on the Court Attendance sign-in sheet.
 - a. If the Court Unit is closed, members shall sign-in and receive their time stamp at the Record Section.
 - b. If the time stamp is inoperable, Court Unit personnel shall promptly notify the Officer-in-Charge of the Record Section who shall record the time and initial the subpoena.
4. Check in with the bailiff or prosecutor in each courtroom for which they have been subpoenaed.
5. After completion of court or upon being excused, have the prosecutor sign the back of the subpoena.
6. Obtain a time stamp on the back of the subpoena; if the Court Unit is closed, members shall receive their time stamp at the Record Section.
7. Sign-out with the same time as stamped on the back of the subpoena; if the Court Unit is closed, members shall sign-out at the Record Section.
8. Submit the stamped and signed subpoena to their OIC.

PAGE: 2 of 3	SUBJECT: COURT ATTENDANCE	NUMBER: 2.03.05
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9. Not submit subpoenas that have material information marked over, crossed out or otherwise altered unless the prosecutor assigned to the case signs and dates the altered subpoena.
10. Seek counter service at the respective prosecutor's office for an altered subpoena.

B. Overtime.

1. The City of Cleveland shall compensate off-duty court appearances which resulted from the member's primary responsibility to the citizens of Cleveland according to the current collective bargaining agreements.
2. The City of Cleveland shall not compensate personnel:
 - a. For court attendance generated by activities related to secondary employment.
 - b. For submitting an altered subpoena.
 - c. For having to return to the prosecutor's office to receive a signature when the member failed to obtain the signature during the original appearance.
3. Members shall submit a completed overtime card, form C of C 71-OT-2, with the stamped and signed subpoena attached.
4. Court appearances via Zoom.
 - a. Members who attend court via Zoom shall give their City email address to the prosecutor handling the case.
 - b. The prosecutor shall send the member an email verifying court attendance.
 - c. Members shall print the email and submit a completed overtime card with the email and subpoena attached.

- C. Subpoenas from jurisdictions outside of Cuyahoga County shall be handled in the same manner as Cuyahoga County Common Pleas Courts subpoenas to the extent possible.

II. Witness Vouchers

A. Members shall:

1. Obtain a witness voucher from the County Clerk's Office for a Common Pleas Court subpoena.
 - a. Only officers who appear in person to testify in court will receive a witness voucher.

