

SPECIAL ORDER



DISTRICT OF COLUMBIA

Subject
**Guidelines for Scheduling Employee
Court Key Day(s)**

Series	Number
06	04

Effective Date
July 7, 2006

Related to
**GO-PCA-701.06 (Court Appearance
Notifications), Effective Date August 2, 2005**

Rescinds
**General Order 701.1 (Courts and Hearings),
Effective Date July 25, 1991: *Part 1, Section D***

**SO-02-01 (Scheduled BTA Hearings), Effective
Date January 11, 2002**

**SO-02-01A [Amendment to SO-02-01
(Scheduled BTA Hearings)], Effective Date
February 27, 2002**

**SO-02-17 (Procedures for Scheduling OCC
Court Hearings), Effective Date June 14, 2002**

**Standard Operating Procedures (PD Form 61D:
Violation Citation), Effective Date December 26,
2005: *Section VIII.A.1.***

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I. PURPOSE

The Department has implemented a new system to ensure accountability of sworn and civilian members that must appear for Grand Jury (GJ), Witness Conference (WC), Bond and DC Misdemeanor and Traffic Community Court (DCMTCC) proceedings; Bureau of Traffic Adjudication (BTA), and Preliminary hearings.

II. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated:

1. Court Key Day – the assigned day each week that has been designated or set aside for a member to handle pre-identified court matters.
2. DCMTCC – handles misdemeanor and criminal traffic violations that occur in the District of Columbia for prosecution by the Office of the Attorney General (OAG).

III. REGULATIONS

- A. A member's court key day(s) shall NOT be scheduled for his/her day off.
- B. Except for those members working the midnight tour of duty, court cases and activities shall generally be scheduled to occur during the member's tour of duty. Exceptions must be brought to the attention of the Court Liaison Division (CLD).
- C. Witness Conferences and Grand Jury proceedings will only be authorized for Monday through Friday, between 0830 and 1700 hours. Members shall advise the requesting Assistant United States Attorney (AUSA) that prior approval must be obtained from the Commander, CLD:
 - 1. For any time before 0830 hours or after 1700 hours;
 - 2. Any alternate day other than the member's assigned court day; or
 - 3. Any Saturday appearance.
- D. In adult "lock-up" cases occurring after the court cut-off time, the prisoner will be presented/arraigned on the next court day (court is closed on Sunday). Members shall not remain in court for this proceeding, unless specifically instructed to be present by an official of CLD.
- E. In Bond cases, the arrestee's appearance date shall be scheduled two weeks from the date of the arrest (e.g., if arrest occurs on Tuesday, the appearance date is scheduled for Tuesday two weeks following the arrest).
 - 1. Members shall appear to paper the case on their next scheduled court key day.
 - 2. When an arrest occurs on the member's court key day or on Saturday or Sunday, the court appearance date for the arrestee shall be projected and scheduled two weeks following the arrest in accordance with the court key day.

NOTE: If there is a co-defendant who remains incarcerated, the defendant who is released on bond will be required to come to court and be presented/arraigned along with the "locked-up" co-defendant on the next day court is in session.

In this instance, the Bond Case should be papered at the same time that the case is papered for the incarcerated co-defendant.

- 3. Advise defendants who are released on bond of the date, time and location of their scheduled court appearance.

- F. Members shall be accountable for appearing at their scheduled BTA, Preliminary hearings and DCMTCC in accordance with their scheduled court key day(s).
- G. Members having court schedule conflicts or sick and emergency leave situations shall follow procedures outlined in GO-PCA-701.06 (Court Appearance Notifications).
- H. Members shall immediately notify an official of the CLD or an official of their element when they will be late or unable to attend a scheduled proceeding or hearing.
 - 1. Log numbers shall be issued by CLD personnel as confirmation of notification.
 - 2. The element/unit official, who was notified, shall be responsible for notifying a CLD official when the member is unable or unavailable to make the notification to CLD.
- I. Members who have been scheduled for a court day(s) other than their scheduled court key day shall immediately bring it to the attention of the CLD or element official.

IV. PROCEDURAL GUIDELINES

- A. Commanding Officers shall:
 - 1. Assign a court key day for sworn and appropriate civilian members of their command.

NOTE: A court key day is the same day each week; e.g., every Monday.
 - 2. If possible, officers who generally work together should be given the same court key day.
 - 3. Not assign more than 20 percent of the total number of personnel within his/her command for court on any given day.
 - 4. **For BTA appearances only**, schedule members as follows:
 - a. Members working the Midnight or Power Shift tours of duty shall be scheduled between 0730 and 0830 hours.
 - b. Members working the Day tour of duty shall be scheduled for day work hours (e.g., 1000 hours).
 - c. Members working the Evening tour of duty shall be scheduled for the evening hours (e.g., 1300 hours, etc.).

5. Schedule members who write more than 20 tickets per month a second court key day (and time, if appropriate) following the same guidelines listed above.
 6. Ensure that the members of his/her command appear for their scheduled court proceedings and hearings; or that proper notification is made if the member cannot attend.
- B. Computer Assisted Notification System (CANS) Coordinators shall:
1. By the 10th of each month, submit to CLD an updated schedule reflecting any changes to member status (i.e., days off, transfers, details and retirements).
 2. By December 10, submit to CLD an updated yearly calendar of court key days for members assigned to their elements.

V. CROSS REFERENCES

- A. General Order 701.1 (Courts and Hearings)
- B. GO-PCA-701.06 (Court Appearance Notifications)

//SIGNED//
Charles H. Ramsey
Chief of Police

CHR:SOA:DAH:ELP:jdh:pas