



City of Winter Park Fire-Rescue Standard Operating Guideline

800.04

Title: Subpoena Handling Procedures

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Purpose: To establish a procedure to insure proper and uniform handling of subpoenas which are served to Fire Department employees.

Scope: This procedure is to be followed by all employees. Authority to deviate from this procedure rests with the Fire Chief or his designee, who is solely responsible for the results of any deviation.

General: When a subpoena is delivered to the Department, it must be delivered to the individual to whom the subpoena is addressed. If the employee is not available, the Administrative Secretary or a Chief Officer for the Department may receive the subpoena on behalf of the employee. It is the responsibility of the person receiving the subpoena for an unavailable employee to deliver the subpoena to the employee's Battalion or Division Chief immediately.

When the individual named in the subpoena receives it, they should advise their Battalion Chief immediately. The Battalion Chief should check the date of the requested appearance and if the notice given does not allow sufficient time for the employee to appear, the Battalion Chief shall notify the employee to notify the server of the subpoena. If the employee is off duty they will be notified as soon as possible. If the employee is on vacation, the Battalion Chief should notify the attorney as soon as possible.

Please keep in mind that the people who serve the subpoenas have no control over the appearance dates and the reason for short notification is not their fault. Professional attitudes should be maintained during all meetings with all individuals.

James E. White
Chief of Department