

GENERAL MANAGEMENT

COURT APPEARANCES

Purpose: This directive establishes procedures for setting court dates, requesting continuation of court cases, and proper dress for court appearances.

Policy Statement: It is the policy of the North Little Rock Police Department to cooperate and partner with all aspects of the judicial system, and for all members to project a professional image while representing the agency.

Summary of Changes: Adds Policy Statement, changes information regarding traffic court dates, adds information regarding subpoenas, and adopts new format.

Procedure:

1 Plea and Arraignment for Criminal Court

- 1.1 Plea and arraignment for arrested persons in criminal court is the first court date after the arrest. Criminal court is set for Tuesday, Wednesday, and Thursday at 0900 hrs.
 - 1.1.1 Persons arrested after 0600 hrs Thursday will be set for plea at 0900 hrs the following Tuesday.
 - 1.1.2 Persons arrested after 0600 hrs Tuesday and Wednesday will be set for plea the following day at 0900 hours.
 - 1.1.3 Persons arrested prior to 0600 hrs on court days will be set for plea that day.
 - 1.1.4 Employees charging persons in criminal court must complete an *Arrest Disposition Report* (ADR). The ADR narrative will state the probable cause for the arrest. The employee making the arrest will sign the ADR in the officer's name block. ADR's for arrests made on warrants will contain a statement that the arrest was made on a warrant and the warrant number. ADR's must contain the names of all employees and witnesses to be subpoenaed if the case goes to court.

2 Setting Court Dates for Traffic Court

- 2.1 Court dates for traffic offenses will be according to the notifications sent out to all police officers by the traffic court clerk's office. These notifications will inform officers of the date and time for plea and arraignment based upon duty location and of the date and time for DWI and warrant cases.

3 Subpoenas

- 3.1 Subpoenas issued by the North Little Rock District Courts and the Pulaski County Circuit Courts are delivered to the Patrol Administration offices.
 - 3.1.1 A designee of the patrol captain will sort the delivered subpoenas for delivery to the various divisions and/or units within the department.
 - 3.1.2 Upon receipt of a subpoena by a member of the department, the member shall return a copy of the subpoena to Patrol Administration offices.
 - 3.1.2.1 The copy shall be signed with the subpoenaed officer's name, ID number, and the date of receipt.
 - 3.1.3 It is the responsibility of the individual member to inform their supervisor of upcoming court appearances to ensure arrangements can be made for adequate manning levels.

4 Continuation of Trial Dates, Municipal Court

- 4.1 Employees unable to make a court appearance for which they have been subpoenaed to appear may request a continuance of the trial from the court. Requests to the court will be in the form of a motion for continuance filed by the prosecutor.
 - 4.1.1 The employee will complete a *Request for Continuance* form, and submit it to the court for filing as far in advance of the trial date as is possible. The facts constituting good cause to grant the continuance will be stated in the request for continuance.
 - 4.1.2 Employees *will* appear in court for all cases they have been subpoenaed for unless released by the court or the attorney prosecuting the case. The employee is responsible for verifying that they have been released from appearing in court.
 - 4.1.3 Deviations from this procedure will be permitted only under the most exigent circumstances, such as the personal illness of a subpoenaed employee or a bona fide emergency which would prevent timely filing of a written motion for continuance.

- 4.1.4 Scheduling inconvenience (when a subpoenaed employee is, in fact, available for trial) does not constitute good cause for continuation of a trial date or release from subpoena.
- 4.1.5 Employees should notify the prosecuting attorney of scheduled time off even if the employee has not yet received a subpoena for that time period.

5 Appearance In Other Judicial Proceedings

- 5.1 Employees will be present to testify in any court, grand jury, commission, or official hearing when officially notified to appear, unless officially excused. Employees unable to appear at a proceeding for which they have been notified to appear will notify the court, commission or hearing officer in writing as soon as possible.

6 Court Dress

- 6.1 Employees will make all court appearances dressed in the Class A or dress uniforms or civilian clothes consistent with business attire. The tactical uniform will not be worn for any court appearances. Business attire for the purpose of this order will be the following:
 - 6.1.1 Male Members:
 - 6.1.1.1 Suit; or
 - 6.1.1.2 Sport coat, slacks, shirt, tie, and
 - 6.1.1.3 Dress foot wear.
 - 6.1.2 Female Members:
 - 6.1.2.1 Dress;
 - 6.1.2.2 Pants suit;
 - 6.1.2.3 Dress pants; or
 - 6.1.2.4 Skirt with sweater; or
 - 6.1.2.5 Blouse, and
 - 6.1.2.6 Dress foot wear;
- 6.2 Inappropriate wear for court appearances are jeans, sport shirts, shorts, sport shoes, or other casual wear.



Mike Davis
Chief of Police