

DEPARTMENT OF HEALTH SERVICES
COUNTY OF LOS ANGELES**SUBJECT:** LEGAL PAPERS**POLICY NO.** 170

PURPOSE:: To state the Department's position regarding receipt of legal papers.**POLICY::** The Department and its employees shall respond to presentation of legal papers in a responsible fashion. Legal papers brought to Department facilities may include:

1. Subpoenas
2. Warrants
3. Legal Pleadings (Suit against the facility, Department and/or County)

Subpoenas, particularly Subpoenas Duces Tecum, are court orders which must be honored. If an individual subpoena is served on a Department employee as an official of this Department, such subpoena must also be honored. Custodians of records responding to subpoenas shall assure that no breach of confidentiality is made in the Department's response.

Some subpoenas may be answered directly by a Custodian of Record, other subpoenas require court appearances. In some instances it may be necessary for County Counsel to discuss the matter before the court appearance. For this reason, it is the responsibility of the employee to notify his or her supervisor regarding the issuance of a subpoena, so that this may be reported through the appropriate chain of command to County Counsel.

Warrants for arrest of persons normally are not honored by the Department. A peace officer having a warrant must personally serve the individual. It is the responsibility of the peace officer and not the Department to serve the warrant.

Upon receipt of any suit (or legal pleading), the head of a facility must immediately be notified. He or she will immediately notify the Chief Deputy Director's Office, so that proper communication may be set up and maintained between County Counsel's Office and the facility and/or individuals concerned.

EFFECTIVE DATE: Nov 24, 1975**SUPERCEDES:****APPROVED:** Signature on File